

**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  
March 10-12, 2009**

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 March 10-12, 2009 in Fairbanks, Alaska, University of Alaska Fairbanks, Wood Center.

**Tuesday, March 10, 2009**

**Item 1. Call to Order/Roll Call**

The meeting of the Big Game Commercial Services Board was called to order by Paul Johnson, Chair at 8:35 a.m. Members present constituting a quorum were:

Paul Johnson, Registered Guide-Outfitter, Chair  
Leif Wilson, Transporter, Vice-Chair  
Robert Mumford, Public Member  
Dick Rohrer, Master Guide-Outfitter  
Ted Spraker, Board of Game  
Dirk Nickisch, Transporter  
BJ Schmitz, Public Member

Excused from the meeting were: Raymond Stoney, Private Landholder and Brenda Rebne, Private Landholder.

Present from the Division of Corporations, Business and Professional Licensing were:

Cynthia Spencer, Licensing Examiner  
Karl Marx, Licensing Examiner  
Cori Hondolero, Records and Licensing Supervisor  
Brian Howes, Investigator

Present from State and Federal agencies were:

Brian Anderson, US Fish and Wildlife Service

Clark Cox, Department of Natural Resources  
Lee Benson, US Forest Service  
Dave Howell, Bureau of Land Management  
Bruce Campbell, US Forest Service  
Becky Brock, National Park Service  
Ramone McCoy, Bureau of Land Management  
Dick Mylius, Department of Natural Resources  
Chris Hansen, Enforcement US Forest Service  
Dave Lorring, Department of Public Safety  
Lt. Bernard Chastain, Department of Public Safety

Present from the public were:

Fred Sorensen, Registered Guide-Outfitter  
Clint Mayeur, Registered Guide-Outfitter  
Arno Krumm, Registered Guide-Outfitter  
Rod Schuh, Registered Guide-Outfitter  
Tony Lee, Master Guide-Outfitter  
Rob Jones, Registered Guide-Outfitter  
Art Mortvedt, Registered Guide-Outfitter  
John R. Mackie, Assistant Guide  
Robert (Bobby) Fithian, Master Guide-Outfitter & Alaska Professional Hunters Assoc.  
Joey Klutsch, Class-A Assistant Guide  
Joe Klutsch, Master Guide-Outfitter  
Randy Smith, Registered Guide-Outfitter  
Steve Johnson, Registered Guide-Outfitter  
Tom Shankster, Master Guide-Outfitter  
Dan Montgomery, Master Guide-Outfitter  
Audun Endestad, Registered Guide-Outfitter  
Peter Barela, Registered Guide-Outfitter  
Robert Jewett, Registered Guide-Outfitter  
Julie Dvorak, Self  
Thomas (Willie) Dvorak, Registered Guide-Outfitter  
Jim Kedrowski, Registered Guide-Outfitter  
Rick Kinmon, Registered Guide-Outfitter  
Mel Gillis, Registered Guide-Outfitter  
Luke Randall, Registered Guide-Outfitter  
Bob Adams, Master Guide-Outfitter  
Henry Tiffany, Master Guide-Outfitter  
Ron Aldridge, Master Guide-Outfitter  
Chrissy Aldridge, Self  
Sue Entsminger, Registered Guide-Outfitter  
Bruce Werba, Registered Guide-Outfitter  
Gary Wall, Registered Guide-Outfitter  
David Walters, Registered Guide-Outfitter

Tom Kirstein, Master Guide-Outfitter  
Erik Salitan, Registered Guide-Outfitter  
Joe Letarte, Master Guide-Outfitter  
Jamie Howell, Registered Guide-Outfitter  
Ken Lamb, Registered Guide-Outfitter  
Dave Morris, Master Guide-Outfitter  
James Weidner, Registered Guide-Outfitter  
Tom Swenor, Registered Guide-Outfitter  
Mike Colpo, Registered Guide-Outfitter  
Erik Kenning, Arctic Slope Regional Corporation  
David Bridges, Registered Guide-Outfitter  
Frank Bishop, Registered Guide-Outfitter  
Phil Driver, Master Guide-Outfitter  
Reed Morisky, Self & Represent Chris Zwolinski, Master Guide-Outfitter  
Tom Atkins, Registered Guide-Outfitter  
Lance Kronberger, Registered Guide-Outfitter  
Braun Kopsack, Master Guide-Outfitter  
Tim Brannon, Assistant Guide  
Jake Jefferson, Registered Guide-Outfitter  
Autumn Montgomery, Self  
Creig Butler, Registered Guide-Outfitter  
Hugh Les Krank, Master Guide-Outfitter  
Eric Umphenour, Registered Guide-Outfitter  
Brad Adams, Registered Guide-Outfitter  
Mike McCann, Master Guide-Outfitter  
Steve Pogany, Registered Guide-Outfitter  
Brent Keith, Registered Guide-Outfitter  
Nate Turner, Registered Guide-Outfitter  
Loren Karro, Registered Guide-Outfitter  
Ernie Finch, Registered Guide-Outfitter  
Deb Waugaman Curnow, Self  
Brian Peterson, Master Guide-Outfitter

Paul Johnson asked Board members to introduce themselves and give a brief background. The Board complied. Mr. Johnson also requested the Board members to review their individual packets of information which included a "Board Member Training Manual".

## **Item 2. Review Agenda**

Mr. Johnson added the following to the agenda:

- Item 10, add report from Supervision Subcommittee

Mr. Johnson asked if there were any other amendments to the agenda. Hearing no other amendments or objections to the above change, the agenda was approved.

**Item 3. Ethics Disclosure**

Mr. Johnson asked Cori Hondolero, Records and Licensing Supervisor, to review what “ethics disclosure” covers/means. Ms. Hondolero explained to the Board that any gifts received by staff or Board members over \$50.00 must be reported, etc.

The Board had no ethics violations to report.

**Item 4. DNR Mapping Concessions Update (Clark Cox)**

Clark Cox, Dept. of Natural Resources (DNR), Natural Resources Manager introduced himself to the Board. Mr. Clark introduced Dick Mylius, DNR Division Director.

Mr. Mylius reviewed the history of the current mapping project from its conception at the Board’s March 2008 meeting through the December 2008 Board meeting. Mr. Mylius stated that he and Mr. Cox had met with the Governor’s office last week regarding concession areas and were given approval to move forward with the project. Mr. Mylius went on to state that currently staffing and funding for the project are still issues.

Dick Rohrer asked if Mr. Mylius had an estimated projection on the cost of the concession project. Mr. Mylius stated that Mr. Cox would be able to provide that information.

Mr. Johnson thanked Mr. Mylius for his time and assistance.

Mr. Cox requested Rick Thompson, Regional Manager, come forward to assist with information. Mr. Thompson complied.

Mr. Cox reviewed current problems on State land; over crowding, species population numbers, etc. Mr. Cox also reviewed the history of land use/permitting programs and also stated that DNR is currently working with the Bureau of Land Management (BLM) with some of the concerns and that both agencies are taking and requesting public comments and input. Mr. Cox assured the Board and audience that before any final program is put into place there will be ample advertising requesting public comments. Mr. Cox also stated that DNR has been conducting research into concession permits for 1 ½ years and that DNR does have the legal authority via statutes and regulations to limit the number of service providers per Unit. Mr. Cox again stressed that any implementation of concession areas would not happen without giving the public ample opportunity to comment.

Mr. Cox informed the Board that most concession issues can be dealt with via competitive process; concessions are areas within Guide Use Areas (GUA) and DNR would be issuing 10 year permits that would be non-transferable for a flat annual fee once awarded. Mr. Cox went on to state that annual reports and some sort of bonding may be required; fees would be based on total number of clients, tags, animal harvests, etc.

Mr. Cox outlined DNR's ideas for a prospectus/application. Mr. Cox stressed if a concession is awarded to an individual it would be viewed as a long term commitment and there may be penalties for breaking or violating the contract.

- Develop internal lease documents and applications
- Develop evaluation criteria & scoring panel
- Develop/amend regulations
- Develop final concession maps
- Develop appeal process
- Monitor compliance/enforcement

Mr. Cox also stressed that an independent panel would score the applications, however a final review would be conducted by area managers.

Mr. Cox informed the Board that staff, maps (digitizing, etc), travel and technical support are required for this concession project; for four full time staff member current projected costs are estimated to \$390,000 per year, however DNR expects to generate above that amount once the project is completed and implemented.

Mr. Johnson asked Mr. Cox if he was able to generate updated maps from the December 2008 Board meeting. Mr. Cox assured Mr. Johnson that he did have updated maps from the December 2008 meeting; however he did not have updated maps reflecting concession lines and numbers from the December 2008 meeting. Mr. Cox informed the Board that he did have the concession maps which were presented at the December 2008 meeting.

Mr. Johnson announced to all attendees that the maps which would be hung in the back rooms were NOT to be marked on in any way.

Mr. Johnson asked how many staff members DNR needed to complete this Board's mapping project. Mr. Mylius informed the Board that there are currently five to six staff members working on the project; however the Board should be aware that the staff is not dedicated to only this project and they are assigned to several other duties as well.

The Board thanked Mr. Mylius, Mr. Cox and Mr. Thompson for all their time, assistance and hard work on this project.

### **DNR Subcommittee (Bobby Fithian)**

Mr. Johnson asked Bobby Fithian to come forward.

Mr. Fithian introduced himself and stated he had been working on units 6, 13 and 19. Mr. Fithian requested the following subcommittee members to come forward: Tony Lee, Tom Kirstein (units 8, 9 and 20), Loren Karro (units 9 and 13), and Les (Hugh) Krank.

Mr. Fithian informed the Board that the DNR subcommittee had met six times (every other Thursday) since the December 2008 meeting from 10:00 a.m. – Noon and had been well attended. The subcommittee has been in the process of reviewing selection criteria from DNR gathered from the December 2008 meeting. Mr. Fithian gave Board members/public attendees a summary from the subcommittee meetings reflecting key topics and recommendations. The subcommittee members stated they were happy with their meetings and urged the Board to review the handout and forward it to DNR.

Mr. Johnson asked the DNR subcommittee to meet with the Violations subcommittee during the Board's 1:00 p.m. Investigative Report as he feels it would benefit both subcommittees to share information.

The Board asked for a brief recess to review the document.

*Recess The Board recessed at 9:09 a.m. to review the DNR subcommittee's hand out; reconvened at 9:18 a.m.*

Mr. Johnson announced to all attendees that public comment would be due to begin at 10:00 a.m. Mr. Johnson then requested Mr. Fithian to summarize their hand out point by point and the Board would ask questions. Mr. Fithian complied with Mr. Johnson's request beginning with 1a.

- 1a) Mr. Rohrer asked about opportunities for new guides and where they fit into the process. Mr. Fithian stated that the subcommittee had spent about 30-40% of their time on this issue and felt the selection criteria would allow new guides the ability to fit in, hence the broad spectrum of criteria. Loren Karro also stated that there would be an emphasis on future plans; Ms. Karro went on to clarify that a new guide may lose points for not having a long history in the area, however the point system would allow make up points for other criteria.
- 1b) Mr. Rohrer asked staff if they could pull hunt records and other information for assistant guides applying for the registered guide qualification examination by using the new hunt record data base. Ms. Spencer informed the Board that this would be possible, however hunt records are confidential and the information would not be passed on to the application. Ms. Spencer also pointed out that the Board would be putting the onus on staff to complete applications.
- 2) Mr. Spraker stated that the Board of Game (BOG) requires submission of a harvest plan which includes the number of animals harvested; this information helps the BOG manage wildlife and this would assist the subcommittee. Mr. Fithian agreed that this information would assist and the subcommittee would add this to their findings.

Mr. Johnson requested that under number two, wildlife(1) be amended to add resident and subsistence hunters instead of "other users". Mr. Fithian stated that the change would be no problem.

Mr. Johnson requested clarification for 3(b)(3). Ms. Karro informed the Board that the subcommittee would like to see the following included: where employees are hired, relevant background of individual and services provided, license history, etc.

Mr. Fithian stated that the subcommittee encourages the Board and public to review the hand out and let the subcommittee/Board know if any important aspects are missing.

Mr. Johnson thanked the subcommittee and announced that they are about half way through the subcommittee report and would pause for a short break then return with public comment, followed by the DNR subcommittee report.

*Recess The Board recessed at 9:57 a.m.; reconvened at 10:08 a.m.*

#### **Item 5. Public Comment**

Mr. Johnson announced that the Board was in need of 12 proctors to assist with the March 13, 2009 practical examination and that there was a sign-up sheet out on the front table.

Mr. Johnson requested those individuals who had signed up for Public comment to come forward.

Joe Want, Registered Guide-Outfitter

- Thanked DNR Subcommittee for their draft Selection Criteria hand out.
- Stated that there is no way to develop a legitimate point system and objective grading would be impossible.
- Reminded Board that guides are just that; guides not game managers.
- Stated many parts of Alaska do not have game shortages, but access problems.
- Suggest regulatory approach which would make it illegal to harvest within 48-72 hours and/or a certain number of miles.

Mr. Johnson asked if access points should be accessible for residents and non-residents. Mr. Want replied that this decision would be up to the Board of Game.

Mr. Johnson thanked Mr. Want for his time and participation.

Lance Kronberger, Registered Guide-Outfitter

- Very impressed with DNR Subcommittee work and Clark Cox.
- Commented that maybe using years of experience as credit is not the best idea as some older guides may only contract a few times a year where as a new guide may contract twice as many hunts in the unit/area per year.
- Stated that there should be other ways to gauge experience/knowledge.

Mr. Johnson assured Mr. Kronberger that the Board understands the new/old guide issues and will address the issues.

Mr. Johnson thanked Mr. Kronberger for his time and participation.

Erik Kenning, Arctic Slope Regional Corporation (ASRC)

Stated ASRC has concerns and problems with Air Taxis vs. Transporters. Mr. Kenning noted that the Air Taxi providers will often transport to places a licensed Transporter will not i.e., private land without authorization. Mr. Kenning informed the Board he knows that licensed Transporters are being penalized for being ethical where as there is no recourse to penalize the Air Taxi provider. Mr. Kenning also informed the Board that in many instances when a client wanted to go to spot A and a licensed Transporter said no due to permission, authorization, etc., reasons an Air Taxi would have no qualms about taking the client. Mr. Kenning went on to state that ASRC feels that anyone hauling hunters (chartered/non-scheduled flights) should be required to be a licensed Transporter.

Mr. Kenning also informed the Board that ASRC was noting that people were contacting "hunt planners"; a "hunt planner" then evaluated the clients' skill level then sets up transportation and gear for self guided hunts and may have an Air Taxi drop off the gear and set up the camp site; the "hunt planners" then direct clients to go onto private lands, some planners offer "exclusive" areas which may be on private/native lands for which no permission/authorization has been given by the landowner/holder. Mr. Kenning went on to state that there are liability issues with the "hunt planners".

Mr. Wilson asked what has been done to Air Taxis that are seen trespassing. Mr. Kenning stated that it was a very difficult process as enforcement must be on hand during the violation and tracking down the Air Taxi once they had left the area was proving difficult as time and current resources are limited.

Mr. Wilson stated that the Board has struggled with this issue; however they were reluctant to make new or amend existing regulations pertaining to Transporters as they would expect those who are currently licensed to move to the Air Taxi option which requires no license from this Board.

Mr. Spraker suggested that Mr. Kenning talk with Dave Loring as he is a great resource regarding this issue. Mr. Kenning thanked Mr. Spraker for the suggestion and said he would speak with Mr. Loring.

Mr. Johnson asked Mr. Kenning if he had any information on the "hunt planners", names, websites, etc. Mr. Kenning stated he did and would provide them to Mr. Johnson.

Mr. Johnson thanked Mr. Kenning for his time and participation.

Tom Shankster, Master Guide-Outfitter

- Appreciate the Board and considers it effective.
- Feels it is a guide's responsibility to leave industry better than when he/she started.
- Commented that when new guides enter industry there can be problems.
- Had issues with a guide dive bombing sheep in front of his assistant guides and clients; person is submitting Use Area Registrations and LAS permits on land he has used since 1985. Mr. Shankster requested suggestions from the Board.



- Hunting on State lands has been going down each year as every year there are new guides stacking hunts and clients one on top of the other causing crowding issues.
- Appreciates DNR's efforts to get the concession program into place.

Mr. Spraker stated that the Board of Game (BOG) is concerned about competition and that they had implemented a process which would limit the number of guides operating in an area, however there were still concerns regarding non-residents. Mr. Spraker went on to state that the BOG is in need of real data in order to made decisions.

Mr. Johnson thanked Mr. Shankster for his time and participation.

Art Mortvedt, Registered Guide-Outfitter

- 35 years providing guide-outfitter services in upper Kobuk area.
- Not many guides in the Kobuk area but realize it's not the same State wide and a status quo must be kept.
- Don't fix things that are not broken.
- Would like to see current use area program/permitting remain as is, but understands that won't work on a State wide basis.
- Some guides only take a small number of clients and urges Board to consider conservation of resources with the concession permit proposed point system.
- Very encouraged by DNR subcommittee proposals.

Mr. Johnson thanked Mr. Mortvedt for his time and participation.

**Item 4. DNR Subcommittee cont.**

Mr. Johnson asked the subcommittee to come forward.

Mr. Fithian informed the Board that they had forgotten to mention absent subcommittee members: Matt Snyder, Mike McCann and Brenda Rebne. Mr. Fithian began reviewing the subcommittee hand out at 3(c) and requested the Board interrupt with any questions.

Mr. Johnson asked for clarification on 3(c)(4). Ms. Karro stated that some providers stay off corporation lands but might need to detour/pass through a local village during the course of a hunt.

The subcommittee stated that they felt a \$100.00 application fee payable to DNR would be appropriate and that their suggested maximum bid (4(c)(4)) is \$5,000.

Ms. Karro informed the Board that the subcommittee recommends an applicant begin with 10-15 points then points would be subtracted during past history processing.

Mr. Fithian stated that they understand DNR's requirement of non-transferable concession permits and that he feels an applicant should be expelled for issues such as application falsification, etc.

Mr. Fithian went on to outline the subcommittee's general recommendations:

- 10 year terms
- Annual reports
- Financial remuneration combined with history of satisfactory ratings
- DNR must have adequate authority to expel applicants applying with inaccurate data
- Selection panel must have industry participation
- Concessions that become available within a 10 year term, should be brought forward & re-awarded ASAP

Mr. Johnson asked what would happen in the event of an application "tie". Mr. Fithian stated that DNR has thought of a few tie breaker concepts. Mr. Johnson requested that this "tie" issue be addressed in the proposal that will be given to DNR. Mr. Johnson went on the state that in the case of violations beginning with a 15 point total then subtracting points should also be included with the information for DNR.

Mr. Johnson stated he was impressed and thankful that DNR is working with this Board, subcommittee and the public.

Dirk Nickisch asked about other user group interactions and stressed that it should not be limited to hunters and how complaints would be dealt with due to client recommendations being taken into consideration. Mr. Johnson said this concern was addressed in the general recommendations. Mr. Fithian informed the Board that under "other" they were taking into consideration eco-tourism.

Mr. Rohrer asked about the make up and selection of the review panel. Mr. Fithian stated the panel should consist of land manager(s), wildlife biologists, Big Game Commercial Services Board member and industry services providers and that the selected panel would review applications without applicant names, which would help keep the process as fair as possible. Mr. Johnson asked that this information also be provided to DNR. Mr. Fithian responded that it would be included and went on to thank DNR for its help.

Mr. Johnson asked for other subcommittee members to comment.

Tony Lee said that there is going to be diversity all over the State and that the more people comment more ideas are generated. Mr. Lee also urged interested parties to participate as the more involvement the better.

Mike McCann stated he felt this project was heading in the right direction. Mr. McCann said one problem they may be facing were individuals who hold exclusive areas on Federal lands and suggested that they should be required to give up their exclusive Federal area permits before they can apply for a State concession.

Loren Karro stated that she felt the subcommittee has done its best to consider all public input and consider all view points. Ms. Karro went on to state the public was concerned with the subjectivity of the scoring system. Ms. Karro informed the Board that there is a need to pay for applications for concessions; however they must avoid a system of straight bidding.

Tom Kirstein stated he felt the efforts of the subcommittee are great and he stressed that the draft criteria is just an outline and it is a work in progress but they were heading in the right direction. Mr. Kirstein also urged the public to participate and comment. Mr. Kirstein also stated that though he may not agree with all of the proposals their goal is to have a health guiding industry in the State and he is looking forward to more subcommittee meetings. Mr. Kirstein also thanked DNR for all its time and efforts.

Les Krank stated it was great to be a part of this subcommittee and informed the Board and public that now is the time to comment and provide input as there may not be a chance to do so in the future. Mr. Krank went on to state as a small operator himself he does have concerns on the effect of concession areas on the small operator and that he would like to keep communications open with the State. Mr. Krank also stated that he was sad that transferability may not be permitted.

Mr. Johnson responded that DNR's hands were tied on transferability due to the Oscheck decision by the Supreme Court.

Mr. Rohrer asked Mr. Cox if the numbers listed for recommended numbers of guides on the DNR maps were set and how they would go about changing them. Mr. Cox responded that the current numbers were tentative and meant to be a starting point and urged the Board & public to make comments/suggestions. Mr. Cox also stated that the DNR subcommittee has been invaluable to DNR and thanked them for their help.

*Recess The Board recessed for lunch at 11:36 a.m.; reconvened at 1:03 p.m.*

**Item 6. Investigative Report (Brian Howes)**

Brian Howes, Investigator, came forward to present the investigative report.

The Board requested Chris Hansen, Enforcement US Forest Service, Dave Lorrington, Department of Public Safety, and Bernard Chastain, Department of Public Safety, remain for the investigative report.

**On a motion duly made by Leif Wilson, seconded by Bob Mumford, and approved unanimously, it was**

**RESOLVED to adjourn into Executive Session under the authority of AS 44.62.310 to discuss with the investigator the proposed memorandum of agreements, proposed decision and the investigative report.**

The Board adjourned into executive session at 1:06 p.m., and returned from executive session at 2:30 p.m.

*Recess The Board recessed at 2:30 p.m.; reconvened at 2:54 p.m.*

**On a motion duly made by Leif Wilson, seconded by Dick Rohrer, and approved unanimously, it was**

**RESOLVED to reject the Administrative Law Judge's Decision for Final Action, choose option four in accordance with AS 44.64.060(e)(5), in the matter of James A. Smith Agency File #1700-06-002 and modify the decision as follows: change suspension from six (6) months to nine (9) months beginning April 1, 2009; add a statement that Mr. Smith is not to be involved in the guiding/transporting industry in any form while his license is suspended and require the \$5,000 fine to be paid in full.**

The Board stated that land use violations are a very serious issue and a violation of public trust.

#### **Roll Call Vote**

<b>NAME</b>	<b>YES</b>	<b>NO</b>
Leif Wilson	X	
Dirk Nickisch	X	
Paul Johnson	X	
Bob Mumford	X	
Dick Rohrer	X	
BJ Schmitz	X	
Ted Spraker	X	

**On a motion duly made by Leif Wilson, seconded by Dirk Nickisch, and approved unanimously, it was**

**RESOLVED to adopt the MOA for case #1700-08-042 with the following amendment: change the civil fine from \$2,500 to \$0.00.**

Mr. Johnson asked the Board for their comments.

**On a motion duly made by Dick Rohrer, seconded by Ted Spraker, it was suggested that the probationary period of two (2) years be removed from the MOA.**

Mr. Spraker noted that the MOA does include a mandatory restitution to State lands and his experience has been that people who self-report and given reasonable fines tend to become advocates for the industry whereas those who self-report that are given huge fines may not self-report in the future.

Mr. Nickisch stated he felt the \$1,300 donation to Alaska Fish and Wildlife Safeguard was acceptable and that probation should not be required.

Mr. Mumford stated he concurred with the reduction of fines but still felt probation was warranted.

**Roll Call Vote To Remove Probationary Period of Two Years**

<b>NAME</b>	<b>YES</b>	<b>NO</b>
Paul Johnson	X	
Bob Mumford		X
Dick Rohrer	X	
BJ Schmitz	X	
Ted Spraker		X
Dirk Nickisch	X	
Leif Wilson		X

**THE MOTION PASSED BY A MAJORITY VOTE.**

The Board taking into consideration the removal of the two year probationary period made one final motion.

**On a motion duly made by Leif Wilson, seconded by Dirk Nickisch, and approved unanimously, it was**

**RESOLVED to adopt the MOA for case #1700-08-042 with the following amendments: change the civil fine from \$2,500 to \$0.00 and remove the two (2) year probationary period.**

**Roll Call Vote**

<b>NAME</b>	<b>YES</b>	<b>NO</b>
BJ Schmitz	X	
Paul Johnson	X	
Bob Mumford		X
Leif Wilson	X	
Dick Rohrer	X	
Ted Spraker	X	
Dirk Nickisch	X	

**On a motion duly made by Leif Wilson, seconded by Bob Mumford, and approved unanimously, it was**

**RESOLVED to adopt the MOA for case #1704-08-007 as written.**

**Roll Call Vote**

<b>NAME</b>	<b>YES</b>	<b>NO</b>
Paul Johnson	X	
Bob Mumford	X	
Dick Rohrer	X	

<b>BJ Schmitz</b>	<b>X</b>
<b>Ted Spraker</b>	<b>X</b>
<b>Dirk Nickisch</b>	<b>X</b>
<b>Leif Wilson</b>	<b>X</b>

Mr. Johnson signed the MOA and handed it back to Mr. Howes.

**Item 7. Application Review (Spencer)**

1. John Robert Mackie, Registered Guide-Outfitter Applicant
2. Jason Vogel, Registered Guide-Outfitter Applicant

The Board reviewed the above applications and made the following motions:

**On a motion duly made by Bob Mumford, seconded by Leif Wilson, and approved unanimously, it was**

**RESOLVED to approve the application of John Robert Mackie for the Registered Guide-Outfitter examinations.**

**Roll Call Vote**

<b>NAME</b>	<b>YES</b>	<b>NO</b>
<b>Ted Spraker</b>	<b>X</b>	
<b>Dirk Nickisch</b>	<b>X</b>	
<b>Leif Wilson</b>	<b>X</b>	
<b>Paul Johnson</b>	<b>X</b>	
<b>Bob Mumford</b>	<b>X</b>	
<b>Dick Rohrer</b>	<b>X</b>	
<b>BJ Schmitz</b>	<b>X</b>	

**On a motion duly made by Bob Mumford, seconded by Leif Wilson, and approved unanimously, it was**

**RESOLVED to approve the application of Jason Vogel for the Registered Guide-Outfitter examinations.**

**Roll Call Vote**

<b>NAME</b>	<b>YES</b>	<b>NO</b>
<b>Paul Johnson</b>	<b>X</b>	
<b>Bob Mumford</b>	<b>X</b>	
<b>Dick Rohrer</b>	<b>X</b>	
<b>Dirk Nickisch</b>	<b>X</b>	
<b>BJ Schmitz</b>	<b>X</b>	
<b>Ted Spraker</b>	<b>X</b>	
<b>Leif Wilson</b>	<b>X</b>	

Mr. Johnson reminded Board members to review all public comment materials that have been received in preparation for Item 14 Public Testimony for the mapping regulation 12 AAC 75.235 scheduled for Thursday.

Mr. Rohrer requested that the Board discuss its current fee structure for guides, i.e., contracting, non-contracting, retired, and active/inactive.

Mr. Johnson said it would be nice to give those who do not contract hunts the option to pay lower fees and suggested an option on the renewal applications for this would be good.

Cori Hondolero informed the Board that some professions offer an inactive and/or retired license status, however for this profession those who may not contract hunts are still actively providing services by working for another guide who is contracting hunts so, in fact, the license would still be active. Ms. Hondolero stated that she would do more research on this for the Board.

Mr. Spraker suggested an honorary lifetime guide license once a person turns 70 years old.

Mr. Johnson stated he would prefer an active and inactive license status and asked the Board for its input.

Mr. Mumford stated he had no strong feelings either way. Mr. Nickisch concurred with Mr. Mumford.

Mr. Wilson stated he was mildly opposed to different grades of the same license; why pay fees for a license you are not going to use. Mr. Wilson informed the Board he was non supportive of this topic.

Mr. Johnson stated that an inactive license status would not allow any guide-outfitter services.

Mr. Spraker stated he felt they should offer a "place holder" that would allow non-renewals the opportunity to re-apply. Ms. Schmitz stated she supported Mr. Spraker's comments.

**On a motion duly made by Ted Spraker, seconded by BJ Schmitz, and approved unanimously, it was**

**RESOLVED to request the Board accepts a provision to allow for inactive/retired licenses for a fee of \$100.00 with a five (5) year cap on inactive/retired status, with the ability to reactivate the license.**

Mr. Johnson suggested lowering the price. Ms. Hondolero informed the Board that for an example the CPA Board charged \$135.00 for an inactive license which is half of their active license fee. Ms. Hondolero suggested that the Board consider an inactive fee of half of the upcoming renewal license fee.

Mr. Johnson polled the Board to see if there were any objections; hearing none he requested Ms. Hondolero conduct more research on this matter.

*The meeting adjourned at 3:33 p.m. until Wednesday at 8:30 a.m.*

### **Wednesday, March 11, 2009**

#### **Item 8. Call to Order/Roll Call**

The meeting of the Big Game Commercial Services Board was called to order by Paul Johnson, Chair at 8:41 a.m. Members present constituting a quorum were:

Leif Wilson, Transporter, Vice-Chair  
Paul Johnson, Registered Guide-Outfitter, Chair  
Robert Mumford, Public Member  
Dick Rohrer, Master Guide-Outfitter  
BJ Schmitz, Public Member  
Ted Spraker, Board of Game  
Dirk Nickisch, Transporter  
Raymond Stoney, Private Landholder

Excused from the meeting was: Brenda Rebne, Private Landholder.

Present from the Division of Corporations, Business and Professional Licensing were:

Cynthia Spencer, Licensing Examiner  
Karl Marx, Licensing Examiner  
Cori Hondolero, Records and Licensing Supervisor  
Brian Howes, Investigator

Present from the Department of Law was:

Andrew Peterson, AAG, Office of Special Prosecution & Appeals

Present from the Department of Law via teleconference was:

Kevin Saxby, Assistant Attorney General

Present from State and Federal agencies were:

Brian Anderson, US Fish and Wildlife Service  
Bill Tremblay, US Forest Service  
Lee Benson, US Forest Service  
Dave Howell, Bureau of Land Management  
Bruce Campbell, US Forest Service  
Becky Brock, National Park Service



Chris Hansen, Enforcement US Forest Service  
Dave Lorring, Department of Public Safety  
Lt. Bernard Chastain, Department of Public Safety  
Ramone McCoy, Bureau of Land Management  
Clark Cox, Department of Natural Resources  
Dick Mylius, Department of Natural Resources

Present from the public were:

Hugh Les Krank, Master Guide-Outfitter  
James Weidner, Registered Guide-Outfitter  
Wayne Kubat, Master Guide-Outfitter  
Jim Kedrowski, Registered Guide-Outfitter  
Tom Shankster, Master Guide-Outfitter  
Mike Colpo, Registered Guide-Outfitter  
Tom Atkins, Registered Guide-Outfitter  
John R. Mackie, Assistant Guide  
Fred Sorensen, Registered Guide-Outfitter  
Tony Lee, Master Guide-Outfitter  
Arno Krumm, Registered Guide-Outfitter  
Brent Keith, Registered Guide-Outfitter  
Steve Pogany, Registered Guide-Outfitter  
Coke Wallace, Master Guide-Outfitter  
Jeremy Davis, Registered Guide-Outfitter  
Creig Butler, Registered Guide-Outfitter  
Clint Mayeur, Registered Guide-Outfitter  
Joe Klutsch, Master Guide-Outfitter  
Peter Barela, Registered Guide-Outfitter  
Rick Kinmon, Registered Guide-Outfitter  
Dan Montgomery, Master Guide-Outfitter  
Henry Tiffany, Master Guide-Outfitter  
Ron Aldridge, Master Guide-Outfitter  
David Walters, Registered Guide-Outfitter  
Tom Swenor, Registered Guide-Outfitter  
Thomas (Willie) Dvorak, Registered Guide-Outfitter  
Dave Morris, Master Guide-Outfitter  
Bob Jewett, Registered Guide-Outfitter  
Ernie Finch, Registered Guide-Outfitter  
Scott McRae, Registered Guide-Outfitter  
Tom Kirstein, Master Guide-Outfitter  
Michael Litzen, Master Guide-Outfitter  
Braun Kopsack, Master Guide-Outfitter  
Joe Letarte, Master Guide-Outfitter  
Aaron Bloomquist, Registered Guide-Outfitter  
Erik Salitan, Registered Guide-Outfitter  
Bobby Kempson, Guide-Outfitter

Steve Johnson, Registered Guide-Outfitter  
Paul Malone, Registered Guide-Outfitter  
Brad Adams, Registered Guide-Outfitter  
Nate Turner, Registered Guide-Outfitter  
Chet Benson, Registered Guide-Outfitter  
Lance Kronberger, Registered Guide-Outfitter  
Julie Dvorak, Self  
Anthony Conrad, Registered Guide-Outfitter  
Tim Brannon, Assistant Guide  
Jake Jefferson, Registered Guide-Outfitter  
Terry Overly, Master Guide-Outfitter  
Brian Peterson, Master Guide-Outfitter

Mr. Johnson gave a brief background on the Violations subcommittee and stated that the subcommittee chaired by Mumford was also attended by Mr. Rohrer and Becky Brock, National Park Service, Chris Hanson, Enforcement US Forest Service and Andrew Peterson, AAG, Office of Special Prosecution & Appeals

**Item 9. Violations Subcommittee Briefing**

Mr. Mumford was joined by Andrew Peterson, AAG Dept of Law, Chris Hanson, Enforcement USFS, Lt. Bernard Chastain, Wildlife Troopers, Becky Brock, NPS and Brian Anderson, US Fish and Wildlife Service.

Mr. Mumford informed the Board that the subcommittee had met two times via teleconference since the December 2008 meeting; the committee discussed a point system for violations. Mr. Mumford informed the Board that their suggested point system would be similar to the point system for a driver's license where points are removed for citations. Mr. Mumford went on to state that they were unsure how this suggested system may affect the prospectus bidding process. Mr. Mumford went on to state that this subcommittee is still a work in progress and urged the public to participate with the subcommittee and give their input. Mr. Mumford also stated that the Board does have the authority to implement a point system.

Lt. Chastain stated that Public Safety would like to come up with a lesser way to deal with paperwork violations. Lt. Chastain informed the Board that there are offenses that can be handled with tickets as Public Safety does not have to prove intent; then there are misdemeanors which strict liability requirements would make some issues easier to process.

Ms. Brock introduced herself and stated that she has served on many evaluation panels and that the panel judges do review and take note of any incidents/violations listed, however each panel is different, depending on the Chairperson and that ethical issues are usually a gray area. Ms. Brock also stated that from her experience on panels it always helps to set a game plan before reviewing applications as it particularly helps to define violations, etc., before beginning a review.

Mr. Johnson asked Ms. Brock if there are some issues that violate existing regulations currently in place. Ms. Brock gave the following examples: clients being flown out without working communication; clients were left in the field 4 days & ran out of food; no supervision in the field, guide was in Anchorage; transporter flying over field and calling client to say where moose is for harvest, etc. Mr. Howes also informed the Board that the investigator must be able to prove a violation occurred and also be able to provide proof in hearings.

Mr. Rohrer asked Ms. Brock if similar complaints against a permittee are found are they forwarded to Quinten Warren, Investigator. Ms. Brock responded that information is forwarded to Mr. Warren only if the violations are continuous and grievous. Ms. Brock went on to state that NPS has guidelines on how to correct issues with permittees and that they have the authority to pull permits if problems continue. Mr. Rohrer stated that it may help if contact with Mr. Warren is made sooner. Ms. Brock responded that they had contacted Mr. Warren on different occasions however, Mr. Warren is currently swamped and response time may take a while.

Mr. Johnson asked if the Board developed/amended their salutatory and regulatory ethics if that would help. Mr. Rohrer also added that he has been hearing that in the past nothing was being done to those who violated set ethics and would like to know what can be done to assist in reducing the work load instead of adding to it.

Lt. Chastain stated that DPS was not able to enforce this Board's ethics and that if there was in immediate was to deal with some of the simple violations that could reduce the workload and processing time. Lt. Chastain went on to state that simple citations, fines, and court dates could be dealt with in months instead of years. Mr. Johnson asked Lt. Chastain if an ethical violation was noticed how it was dealt with. Mr. Howes requested that if DPS did note any ethical violations to please pass them along to his office. Mr. Howes informed the Board that guidelines/Board policies are helpful in dealing with licensees. Mr. Peterson added that it would be helpful to have something that gives options as the current fishing regulations contains.

Mr. Johnson asked if a panel made up of Board members might assist in dealing with ethical violations. Mr. Howes responded that it might, however he would need to do more research on the matter. Mr. Rohrer stated he has heard comments relating to those who got in trouble with an ethical issue end up with no disciplinary actions, fines, etc. Mr. Rohrer went on to state that he understood that it is obvious involved agencies are understaffed and urged the subcommittee members to let the Board know what they could do to assist. Lt. Chastain informed the Board that it would be a great help to get a policy in place with a point system. Mr. Howes concurred with Lt. Chastain.

Brian Anderson, US Fish and Wildlife Service informed that Board that guides using their land are all permitted via a prospectus system and USFWS consider paperwork violations a very serious matter especially when bidding is involved; Mr. Anderson went on to state that no matter which way you look at it, a guide is running a business and that the USFWS prefers to permit the best of the best which is what a business should want.

Mr. Anderson went on to state that ethical violations are followed up on and letters are sent; a copy of the letter is cc'd to the Board and a copy is placed in their files; repetitive problems result in a warning letter which may lead to the revocation of a permit. Mr. Anderson also informed the Board that the USFWS had just received permission to create a client evaluation form. Mr. Johnson said client evaluations are tricky as you may get the client that refused to leave camp due to bad weather and was unhappy they made no harvest, etc. Mr. Johnson stated it may only take one small violation to get you bumped from a prospectus bidding opportunity and that he would prefer agencies not focus 100% on this. Mr. Anderson assured Mr. Johnson that in the case of a complaint from a client there were no automatic reprimands from USFWS as their resource managers do take into consideration bad food, weather, etc.

Mr. Hansen informed the Board that USFS permitting issues were all deferred to Bill Tremblay. Mr. Johnson asked Mr. Hansen how the USFS dealt with ethical issues. Mr. Hansen stated that as far as he was aware these issues are dealt with via the Court System and that Mr. Tremblay may have more information. Mr. Tremblay, USFS Petersburg office introduced himself to the Board. Mr. Tremblay informed the Board that his prospectus panels consist of industry related members who provide recommendations to the Rangers and that they do communicate with DPS to check violations records, if any.

Lt. Chastain stated that DPS does concentrate on certain guide situations and that most providers are ok. Lt. Chastain when on to state that about 5% of providers cause problems via unethical issues. Mr. Rohrer asked if they were bailable offenses and if the Board should consider statutory changes. Mr. Peterson stated that in general most have strict liability status which does help when deciding if they do have authority to prosecute, but you must be careful that prosecution powers are not limited to just revocation of a license. Mr. Peterson suggested that a bailable offense results in no jail time and a misdemeanor would be an automatic one year revocation of licensure. Dave Lorrington, Criminal Justice Planner agreed that a strict liability citation would be the way to go however it would require a statutory change to Title 8 which would need to happen via the Legislature.

Mr. Peterson suggested the Board give discretion to the prosecution no matter the case. Mr. Johnson asked for an example of strict liability and bailable offenses. Mr. Peterson informed the Board that a strict liability offense would equate to a citation which Troopers could apply a maximum fine of \$5000., with no jury trial; Mr. Peterson stressed this would be a quick process with no loss of licensure. Mr. Peterson went on to state that a criminal offense under Title A equates to a class-A misdemeanor, a \$3,000 fine and/or one year in jail; this offense may also lead to forfeiture of equipment and license revocation. Mr. Johnson stated that this was a scary thing as the person would still have their guide license but would lose land authorization and may have a MOA in place. Ms. Brock informed the Board that her office has statutes and regulations in place which allows managers discretionary responses to violations. Ms. Brock informed the Board that her goal is to change behavior and that she would not terminate a contract for a paperwork violation.

Ms. Brock also stated that NPS hold concessionaires to a higher standard as it is a competitive process. Rohrer stated that Fish & Wildlife has a list of bailable offenses and asked Ms. Brock if NPS has one. Ms. Brock responded that NPS may have a list; however she does not work with enforcement so is not certain what it may contain. Mr. Brock went on to inform the Board that NPS does work with Public Safety and often follows its recommendations. Mr. Rohrer asked Mr. Anderson if his offices used????? Mr. Anderson responded that they use ?? occasionally. Mr. Rohrer asked Mr. Marx what amount of paperwork he received would fall under paperwork violations. Mr. Marx responded that at least twenty percent of what he processed would fall under paperwork violations. Mr. Rohrer asked if a fine for incomplete/incorrect hunt records and transporter activity reports would help. Mr. Marx stated that a fine may help.

*Recess The Board recessed at 9:56 a.m.; reconvened at 10:13 a.m.*

Ms. Brock thanked the Board for addressing this topic and stated that once the cycle of a prospectus is hammered out and policies are in place for administering the program it will benefit the industry. Mr. Johnson stated that he had spoken with Mr. Mumford and agreed the Board is not yet ready to make a decision and that this type of forum is what is needed. Mr. Johnson stated that there would be a one hour meeting for subcommittees at about 11:30 a.m.

Mr. Spraker stated that he would hate to see a guide with years of experience get fines, lost permitting, etc., if paperwork was late; Mr. Spraker urged the violations subcommittee to keep this in mind.

Mr. Johnson thanked the violations subcommittee members for all their time and hard work.

Mr. Johnson asked Mr. Spraker to update everyone about the Board of Game (BOG) meeting. Mr. Spraker stated that this BOG meeting went for 11 days and they heard 247 proposals. Mr. Spraker went on to state that this was one of the most stressful and important meetings of the BOG; the BOG moved forward with predator control programs all of which were approved; predator control programs are doing everything that they were designed to do; Unit 13 (Glenn Allen) will be opening to non-residents for the first time in many years; Gov. Palin is giving the BOG great support for its predator control programs. Mr. Spraker went on to state that in order to see positive results from predator control programs they must stay in place for a long period of time; you run risks if the programs are shut down too soon. Mr. Spraker also stated that this Spring will be the last for permit drawing programs; beginning November 2009 there will be one application/drawing period per yea; a bonus point system will be implemented per species, i.e. each species will be worth one point (two sheep = two points) with guides receiving one point if unsuccessful. Mr. Spraker informed the Board that there may be an administrative fee of \$20.00 to cover the point program. Mr. Spraker aid the BOG will be issuing permits for community hunts in unit 13 for 100 moose and 300 caribou; the permits will be issued to anyone living in villages.

Mr. Spraker informed the Board that moose numbers are up 26 percent due to predator control programs and that the BOG started an experimental project in Unit 16 which would allow foot snares for black bears. Mr. Spraker also stated that a guide will have to be registered in the area for which they are applying for drawing permits.

Mr. Spraker informed the Board that there are a few non-resident tags available for brown bear in unit 13; a proposal for disabled veterans to issue 20 percent on military lands; predator control programs for Units 9 and 17 are not quite ready for implementation. Mr. Spraker urged the Board and attendees to come speak with him if any one has questions.

Mr. Johnson thanked Mr. Spraker for his time and hard work.

Mr. Johnson asked the Board if they had read the Unit 23 working group letter and asked if Mr. Stoney and Mr. Spraker were involved. Mr. Johnson asked Mr. Marx how many caribou had been reportedly transported from that unit. Mr. Marx responded that 15 caribou had been transported according to transporter activity reports. Mr. Wilson stated that many hunters must be using Air Taxi services. Mr. Nickisch suggested that the number of hunters allowed into the area be limited and that Air Taxes be required to submit reports the same as Transporters.

Mr. Johnson asked Mr. Marx if he felt ok contacting Transporters and requesting that they provide in/out dates along with latitude/longitude information without having to begin a regulation project. Mr. Marx responded that the Transporter Activity Reports already require in/out dates and some do provide the latitude/longitude information. Mr. Johnson asked Mr. Marx to write a letter requesting unit 23 guides and transporters to provide lat/long information and for transporters to submit reports by January 1, 2010; and copy all Departments.

Mr. Nickisch asked if there was an Air Taxi loop hole or should all air Transporters just be Air Taxi service providers. Mr. Nickisch also asked if the ongoing issues merited legislative changes. Mr. Johnson asked Mr. Wilson and Mr. Nickisch how they felt about a statute change. Mr. Wilson stated he would support a statute change. Mr. Nickisch stated he felt uncomfortable with more regulations, however if this Board was going to clean up the industry they must address all facets and not just guides and therefore he supports legislative/statutory changes.

Ms. Brock informed the Board that NPS has two types of commercial use permits; a hunt transporter permit and an incidental hunt/transport permit; the incidental permit is NPS specific for Air Taxi services. Ms. Brock went on to state that the incidental permit was started several years ago in order for NPS to get a better handle on unit 23. Mr. Rohrer asked Ms. Brock if reports were required from users for NPS. Ms. Brock responded that reports similar to this Board's transporter activity reports (TAR) were required and that most just made copies of the TAR's and submitted them to NPS.

Mr. Johnson asked Public Safety to come forward. Mr. Johnson asked Mr. Lorrington if 15 caribou sounded right.

Mr. Lorrington responded that the number seemed low and pointed out if an Air Taxi is providing the transportation no report is required by this Board. Mr. Spraker asked Ms. Brock how many harvested caribou were reported to her office. Ms. Brock informed the Board that she would need to check when she returned to the office. Mr. Lorrington informed the Board that DPS does enforce this Board's advertising requirements of AS 08.54.790(10).

The Board held a brief discussion covering the Unit 23 working group's letter and decided that they supported legislation which would address Air Taxi/Transporter requirements.

Mr. Johnson announced that the Board would recess shortly for lunch and the Violations Subcommittee would be meeting at 11:30 a.m.

*Recess The Board recessed at 11:23 a.m.; reconvened at 1:06 p.m.*

Mr. Johnson reviewed the public comment sign-up sheets and informed attendees that comments on the mapping regulation 12 AAC 75.235 would happen tomorrow and any comments on the regulation would not be accepted at this time. Mr. Johnson also announced the need for volunteer proctors for the practical examination on March 13.

#### **Item 10. Board Discussion**

- **Board Goals and Objectives**

The Board reviewed the provided samples of other occupation's goals and objectives. Mr. Johnson asked Ms. Schmitz to work with staff on draft goals and objectives to be shared with Board members for review before finalizing.

- **Guide School Proposals (Johnson)**

The Board reviewed the submitted school proposal provided in their packets. Mr. Johnson stated that he was still requesting school/course proposals to be submitted.

- **Transporter Corporation, LLC/LLP license issues (Johnson)**

The Board asked Mr. Peterson to come forward and answer questions about transporters who are registered with corporations, etc.

Mr. Peterson reviewed the current regulations transporters and pointed out that licensing is not limited to "live person" as is the registered guide license in accordance with AS 08.54.610. Mr. Peterson also stated that the current requirements do not require employees to be licensed and went on to state that if a license is revoked, etc., a friend, family member, etc., can apply for and receive a transporter license.

Mr. Johnson asked if a regulation change which would add if an employee receives a violation no license will be issued may help. Mr. Peterson informed the Board that this is the only profession in which employees are not required to be licensed. Mr. Wilson responded that there is no way to resolve this issue without difficulty; a current corporation, LLC, etc., must have a responsible parties name on file. Mr. Peterson pointed out that the Board could take an individual's transporter license, and then the individual could turn around, form a corporation, and get a new license. Mr. Peterson assured the Board the Dept. of Law tries to deal with these types of issues via a court order and that during cases many employees are found to have a long record of violations and would not qualify for a guide license.

Mr. Nickisch pointed out that air operators don't hire guides they specifically look for pilots. Mr. Wilson concurred with Mr. Nickisch. Mr. Nickisch also stated that Air Taxi operators for the most part are corporations, LLCs, etc. Mr. Peterson pointed out that under Title 8 license eligibility exempts transporter employees from violations and for the State an employee violation is not prosecutable; i.e., if an employee takes part in a same day airborne hunt, this Board has no recourse. Mr. Peterson suggested the Board for a minimal fee start an employee license. Mr. Johnson asked if marine transporters were having the same sort of problems. Lt. Chastain informed the Board that marine transporters were more hands off where as air service providers land here and there and are more easily spotted.

Mr. Johnson asked if Mr. Lorrington could draft a regulation which would result in a \$10.00 license being available to employees. Mr. Lorrington informed the Board that if they give him direction a draft could be prepared. Mr. Johnson requested Mr. Lorrington to draft a regulation.

- **Subcontracting**

The Board decided not to address this topic.

- **Master Guide License Requirements and Downgrading**

The Board reviewed informational packets provided by Mr. Marx.

The Board reviewed current statutory and regulatory requirements for a Master guide license. The Board agreed that a Master guide should be held to a higher standard and should not be receiving multiple violations; the Board agreed that they should be able to revoke or downgrade the Master guide license status.

Mr. Johnson informed the Board that he had spoken with Kevin Saxby, Assistant Attorney General, about this issue and Mr. Saxby had informed him that with current statues and regulations the Board is unable to demote a Master guide; Mr. Saxby also stated that the Board used to require NO violations in order to issue a Registered guide license and that to make any changes to the licensure requirements a statutory change would be needed.



The Board requested this information be reviewed and edited to come up with more substantial requirements.

The Board agreed to support a statutory change which would allow them to revoke and/or downgrade a Master guide license.

Mr. Johnson announced the Board would take a brief recess then come back to hear Terry Overly, Sr., guide school proposal.

*Recess The Board recessed at 1:42 p.m.; reconvened at 1:48 p.m.*

- **Guide School Proposal**

Terry Overly, Master Guide-Outfitter came forward and introduced himself and gave a brief background on his guiding experience. Mr. Overly passed out informational packets to the Board for review. Mr. Johnson asked the Board to review the packets tonight and come back tomorrow with questions for Mr. Overly. The Board agreed.

- **Update/Correct Hunt Records (Marx)**

Mr. Marx gave a brief presentation about the correct way to complete hunt records and transporter activity reports.

Lt. Chastain clarified that at least one copy of the hunt record must be in the field; however enforcement is not tied to a specific color. Mr. Johnson requested that Lt. Chastain inform Wildlife Troopers of this.

Lt. Chastain and Mr. Lorrington proposed a regulation change to 12 AAC 75.145 by adding a new subsection (e) which would read: An employee of a licensed Transporter who provides transportation services must be licensed as a Transporter and comply with 12 AAC ?? subsection of this chapter.

Mr. Johnson suggested a \$100.00 fee for this license. Mr. Lorrington responded that the fee would be at the Board's discretion. Lt. Chastain stated that application would be an "assistant" Transporter which would not include the proof of corporation, LLC/LLP requirements. Mr. Johnson stated the Board would need to consider this proposal and asked Mr. Lorrington to contact Mr. Saxby for assistance.

- **Budget Report (Rohrer/Strickler)**

Mr. Rohrer informed the Board that there was a new person working on the Budget Report information, Cathy Mason; Ms. Mason has replaced Chris Wyatt, Administrative Officer for the Division. Mr. Rohrer also pointed out that between the report mailed with meeting packets differed from the new compiled report prepared by Ms. Mason.

Mr. Rohrer stated that he would be contacting Ms. Mason for more information on the current report. Mr. Johnson asked the Board if there were any objections to Mr. Rohrer contacting Ms. Mason. The Board agreed that Mr. Rohrer should contact Ms. Mason.

*Recess The Board recessed at 2:22 p.m.; reconvened at 2:30 p.m.*

**Item 11. Public Comment**

Mr. Johnson called the first person forward for comment.

Jamie Howell, Registered Guide-Outfitter

- Concerned about the bogging down of the concession project.
- Suggested possible “grandfathering” exception for those currently in use areas would be beneficial.

Mr. Johnson thanked Mr. Howell for his time and participation.

Rick Kinmon, Registered Guide-Outfitter

- Restructuring is a small piece of the puzzle but necessary as will help restore accountability/responsibility.
- Stewardship of land very important.
- Alaska getting very bad press via Defenders of Wildlife.
- Informed Board that a new group Defenders of Wild Food would be on the News tonight and urged members to watch.
- Appreciate all subcommittee groups time.

Mr. Johnson thanked Mr. Kinmon for his time and urged him to sign up as an exam proctor.

Ron Aldridge, Master Guide-Outfitter

- Thanked Board for their work and the opportunity to speak.
- Industry needs concession area re-work.
- Some areas experiencing overcrowding and user conflicts.
- Each area is unique and should be reviewed on an area by area basis;
- Fish & Game may close more and more areas.
- Board should review the number of users in a concession area closely.
- Is the Board going to base information on a monetary amount or experience?
- Confident that the Board and subcommittee have the best intent in mind.
- If a person abuses the Master guide license status they should lose the license.

Mr. Johnson asked Mr. Aldridge if he thought the proposed concession numbers should be less than they are now written. Mr. Aldridge stated that some areas should have less.

Mr. Johnson thanked Mr. Aldridge for his time and participation.

Coke Wallace, Master Guide-Outfitter

- Problem with DNR trying to deal with overcrowding/concession issues; believes may be more than they can handle.
- Feels that those licensees that don't follow rules are getting away with it.
- Dealt with DNR on proof of illegal camps reflected on maps he provided with no results.

Mr. Johnson thanked Mr. Wallace for his time and participation.

Peter Barela, Registered Guide-Outfitter

- Unit 19 can support more guides that current concession numbers reflect.
- 19-3a should reflect five (5) guides.
- 19-3b should reflect four (4) guides.
- 17-3 should reflect six (6) guides.

Mr. Rohrer asked Mr. Barela if he operates in those areas. Mr. Barela stated that he currently provides services in 19-2; however he has worked many years for guides in those areas. Mr. Rohrer also asked where Mr. Barela contracted hunts for. Mr. Barela responded that he was contracting in Unit 17 only.

Mr. Johnson thanked Mr. Barela for his time and participation.

Arno Krumm, Registered Guide-Outfitter

- Introduced himself to the Board and stated he worked in the Alaska Range.
- Thanked Board for opportunity to speak.
- Provided Board with map regarding the number of guides per concession area for 19-6.
- 19-6 Stoney River area does not support much game.
- Stated he does not think the area will support more than one guide who will be able to make a living.

Mr. Johnson thanked Mr. Krumm for his time and participation.

Joe Letarte, Master Guide-Outfitter

- Proposed selection criteria for prospectus heading in the right direction.
- Think appeals should go back to the grading/review panel for re-evaluation.
- Score system must be concise; people should be able to see why they were graded down.

Mr. Johnson asked if Mr. Letarte felt positive working with DNR. Mr. Letarte responded he felt fine working with DNR.

Mr. Johnson thanked Mr. Letarte for his time and participation.

Ken Michales, Public Attendee

- Requests that all Departments take into consideration the user conflicts in 20-5 as there are long established hunting camps used by residents of the area.
- Requested that no concessions be issued in 20-5 as this would help with overcrowding.
- Brought forward petition signed by users of the area.

Mr. Johnson stated the petition was great and asked if Mr. Michales noticed an increase of Transporters in the area. Mr. Michales stated there are transporter problems at Gold King and Bonifeld. Mr. Johnson asked if the problems were due to Guides and/or Transporters and if he noticed if they were resident or non-residents. Mr. Michales stated both Guides and Transporters were causing problems and that for the most part they were non-residents. Mr. Johnson asked if he thought closing the area to Guides and/or Transporters might help. Mr. Michales stated that closing the area to Guides may help.

Mr. Wilson asked if the petition had been signed by all hunters in the area. Mr. Michales stated it had been signed by all the hunters in the area. Mr. Wilson asked if was possible to tell if the transportation was being provided by Air Taxi operators or licensed Transporters. Mr. Michales informed the Board that there were both types of transporters, however most are licensed Transporters.

Mr. Johnson thanked Mr. Michales for his time and participation.

Michael Litzen, Master Guide-Outfitter and Transporter

- Thanked Board for their time.
- Don't feel concession areas will work all over the State.
- Urged Board to evaluate each area before deciding concession numbers.
- Support for DNR concession project.
- Suggested scoring system plain and simple which may help avoid different interpretations.
- 19-12 should reflect one guide per concession area.
- Handy Dandy, keeps hearing about it and is waiting to see it.
- Thinks Master guides should have to maintain a level of professionalism to retain the title.

Mr. Johnson thanked Mr. Litzen for his time and participation.

Wayne Kubat, Master Guide-Outfitter

- Lot of good ideas for concessions, but must simplify process as complexity is overwhelming.
- Use things that can be proven, not pie in the sky promises.
- Concession areas should be like guide use areas.
- Need to preserve access points into areas.
- Frustrated with different answers that a person can get depending on who is asked.

- Many issues with supervision.
- Regulations are a mess.
- Verbiage change on concession areas.

Mr. Spraker stated that for 16B, portion of a fourth area in accordance with AS 08.54.750(d) the Board defers to Mr. Saxby as he is the Board's lawyer.

Mr. Fithian asked to be allowed a comment on this topic. The Board asked Mr. Fithian to come forward. Mr. Fithian informed the Board that 16B Brown bear hunting does qualify for fourth use area as Mr. Saxby said Brown bear is a predator control animal. Mr. Johnson requested Mr. Spraker forward Mr. Saxby information on portion of a fourth use area for review and input. Mr. Johnson stated he hoped this issue could be resolved without a statute change.

Mr. Johnson thanked Mr. Kubat for this time and participation.

Les Krank, Master Guide-Outfitter

- Thanked Board for all its time and hard work
- Appreciate being on subcommittee.
- Think requirements for Master Guide license should be raised. Maybe increase number of required recommendations with a certain percentage required to be positive (75%). Stressed it is an honor to be a Master Guide.
- Think Units 17 and 19 concession numbers should be changed back to previous numbers.
- 19-15 Holitna river drainage and corridor have hardly any use.
- 19-3A recommend five (5) guides.
- 19-3B recommend five (5) guides.
- 19-4A recommend five (5) guides.
- Recommend 17-3 allow three (3) guides in the mountain area and four (4) in corridor.
- 17-03 recommend one (1) guide.

Mr. Krank informed the Board he would have a map with suggested concession numbers tomorrow.

Mr. Johnson thanked Mr. Krank for his time and participation.

Jeremy Davis, Registered Guide-Outfitter

- Thanked Board for opportunity to speak.
- Supports concept of DNR concession program.
- Agrees with Arno Krumm that 19-6 should have one guide.
- Happy with proposed concession number in 19-4.
- Suggested 19-4B should have two guides max; one on the river and one for the uplands.
- 19-4C is fine with two guides.
- 17-3 has the same as 19-4B; six-seven guides.

Mr. Johnson thanked Mr. Davis for his time and participation.

Tom Atkins, Registered Master Guide-Outfitter

- Feel if using Part 135 should be licensed as a Transporter and not an Air Taxi.
- Air Taxi does not have relationship with client as all deals done via Guide-Outfitter.
- Suggested larger tail numbers on planes which may help identification issues.
- 9-2, 3 and 4 has many users in those areas as they sit on the river.
- 9-4B recommend four (4) guides.
- 9-3 and 4 recommend three (3) guides.
- Thanked Board and Board of Game for all its hard work.
- Urged Board to use another facility besides the Egan Convention Center for its Anchorage meetings.

Mr. Johnson thanked Mr. Atkins for his time and participation.

Willie Dvorak, Registered Guide-Outfitter

- Thanked Board for its hard work.
- Agree with Mr. Krank and Mr. Davis' comment about concession numbers for Units 17 and 19.
- 17-3 and 17-2 can support more guides and suggested changing the suggested concession number to eight or nine.
- Too bad self regulate caribou and moose population in units 17 and 19 as they need building up.

Mr. Rohrer asked how many hunters a guide is taking out. Mr. Dvorak suggested limiting the number of harvests. Mr. Rohrer asked if there are so few caribou and moose why suggesting the number of guides in the areas be raised. Mr. Dvorak responded that most guides are bear hunting. Mr. Rohrer asked for the number of clients. Mr. Dvorak stated that for 20 guides they are taking out 3-4 hunters.

Mr. Johnson thanked Mr. Dvorak for his time and participation.

Tony Lee, Master Guide-Outfitter; Creig Butler, Registered Guide-Outfitter; Tom Swenor, Registered Guide-Outfitter; Paul Malone, Registered Guide-Outfitter

- Unit 17 large area which can handle more guides than suggested on concession maps.
- Suggested river operators and hill operators.
- Five guides on river, two (2) to three (3) on hills
- Animal population changes, guide just work with it.
- Suggested five mile corridor on Nushagak River. Did speak with Clark Cox and he said run with it.

The group requested more time to gather data. The Board agreed and urged them to be ready to present tomorrow. Mr. Rohrer stated he really appreciated seeing groups of guides working together to find a suitable solution.

Mr. Malone recommended 20-01 could support four (4) guides; 20-02 could support six (6) and 17-06 could support four (4) guides with brown bear hunting.

Mr. Johnson thanked Mr. Lee, Mr. Butler, Mr. Swenor and Mr. Malone for their time and participation.

Braun Kopsack, Master Guide-Outfitter

- Recommend 14-04 could support four (4) guides.
- Simplify proposed concession application process.

Mr. Johnson asked if resident or non-residents were using the area. Mr. Kopsack responded that there are mostly resident hunters in the area.

Mr. Johnson thanked Mr. Kopsack for his time and participation.

Brian Peterson, Master Guide-Outfitter

- Operates on Kodiak Island
- A person should not be able to get a Master guide license if convicted of an unlawful act within the last 12 years.
- Guide client contract 08.54.790(8)(A) and 08.54.750 both mean use area registration 30-day previously?

Mr. Johnson asked Mr. Peterson to see him shortly for clarification on the statutes. Mr. Peterson thanked Mr. Johnson.

Mr. Peterson stated that the BOG turned down a proposal that would allow people hunting with transporters; Mr. Peterson urged the Board to consider a resolution or proposal to the BOG in support of this measure. Mr. Spraker informed Mr. Peterson that the BOG cannot regulate one user per Mr. Saxby. Mr. Peterson stated that Kim Titus, Fish & Game had said no to the proposal and Mr. Saxby said yes. Mr. Spraker asked if they could discuss this topic later. Mr. Johnson agreed and asked Mr. Peterson to meet with Mr. Spraker later.

Mr. Peterson urged the Board to think of the future and said this Board cannot set concession numbers, only make suggestions to DNR. Mr. Johnson assured Mr. Peterson that at the beginning of this project, Mr. Cox and DNR had stated that they were looking for concession number proposals from this Board which DNR would take into consideration when finalizing their project.

Mr. Johnson thanked Mr. Peterson for his time and participation.

Eric Salitan, Registered Guide-Outfitter

- Introduced self and thanked Board for opportunity to speak.
- Suggested 9-02(D) could support two guides.
- Species population in unit 9 very good.
- Asked if an area can be species specific as some areas may be able to support bear hunting but not moose, etc.

Mr. Johnson stated that the proposed concession areas would be open to all species and that the Board had not yet discussed species specific issues.

Mr. Johnson thanked Mr. Salitan for his time and participation.

Bobby Fithian, representing Alaska Professional Hunters Assoc. and Master Guide-Outfitter

- Support Board on their Transporter issues.
- Mr. Spraker/BOG doing excellent job!
- Fairbanks advisory all support with one abstain.
- DNR subcommittee is helping the DNR concession process.
- Encourages Board to send letter of support for an increase in non-resident license fees for Fish & Game

Mr. Johnson asked if Mr. Fithian could have a draft resolution for review by tomorrow. Mr. Fithian said the BOG has one that he would print up for tomorrow.

Mr. Mumford asked if the APHA has done anything to sell themselves to the public. Mr. Fithian responded that they have tried via shows, advertising, internet and word of mouth. Mr. Fithian went on to state that the APHA has good relations with AOC and Sportsman Group.

Mr. Spraker asked if there had been any influence regarding wolf hunting from the APHA and that the APHA is key to the legislative project. Mr. Fithian stated the APHA has tried however the legislative body is just not moving on this topic and that he would be in Juneau next week trying to find a sponsor.

Mr. Johnson thanked Mr. Fithian for his time, hard work and participation.

Tom Shankster, Master Guide-Outfitter

- Thanked Board for allowing him a second opportunity to speak.
- Use area coincides with concession area, split into two concession areas with one guide per and use river as hard-line border.
- 19-12(B & C) use Pinkston river as border.
- Concessions give more opportunity to use land.
- Privilege to use land.
- Asked for clarification about portion of a 4<sup>th</sup> use area (08.54.750(d) and (f))

The Board reviewed AS 08.54.750 with Mr. Shankster and stated that the BOG Wildlife Conservation would know exactly what species were available in a unit.

Mr. Johnson thanked Mr. Shankster for his time and participation.

Brent Keith, Registered Guide-Outfitter

- Use mainly 20-03 and 20-04.
- 20-03 has mostly Mental Health Trust lands which he is only permittee.



- Foot hills area may have little resident hunter pressure.
- Suggested 20-04 could support 12 guides.
- Why no limit on number of Transporters/Air Taxies.

Mr. Johnson asked what Mr. Keith thought about moving up the open season date for non-residents. Mr. Keith stated he would be embarrassed to ask for a head start and didn't think changing the date should be necessary. Mr. Johnson stated he was unsure about 12 guides being viable in 20-04, however they would review the maps tomorrow.

Mr. Johnson thanked Mr. Keith for his time and participation.

Dan Montgomery, Master Guide-Outfitter

- If a Master guide receives a significant fine for a violation they should lose the license.
- Feel concession areas for the most part should be considered use areas.
- Two tiered system for guides just starting out may help.

Mr. Johnson thanked Mr. Montgomery for his time and participation.

Jim Kedrowski, Registered Guide-Outfitter

- Suggested 14-01 and 25-03 could support three guides.
- Has lost business because this process is taking longer than he expected.
- Would like to see someone step up and set a real time line for completion so people can plan ahead.

Mr. Johnson stated that setting a completion date would be tough; however they would try to come up with a projection.

Mr. Johnson thanked Mr. Kedrowski for his time and participation.

Henry Tiffany, Master Guide-Outfitter; Mike McCann Master Guide-Outfitter; Dave Morris, Master Guide-Outfitter; Dave Bridges, Registered Guide-Outfitter

- Concerned about concession numbers in units 24 and 25.
- Suggest 25-02 be one concession area with two guides.
- Suggest a joint area for 25-03(A) with the eastern boundary following ARC boundary would be one concession area and would be viable for 2 users.
- Suggest 24-03 be one concession area with two joint users.

Mr. Johnson thanked Mr. Tiffany, Mr. McCann, Mr. Morris and Mr. Bridges for their time and participation.

Ernie Finch, Registered Guide-Outfitter

- Guide in Unit 20.
- Suggest 20-03 could support four guides.
- Suggest 20-04 could support nine guides.
- 20-05 may have resident pressure but there is room for nine guides.

Mr. Johnson asked with that area's history could nine guides make it in 20-05 with residents as well. Mr. Finch responded it may be a gamble, however with the subdivision of smaller concession areas it would be hard to predict. Mr. Johnson pointed out that this area was very close to a town. Mr. Finch said maybe 12 guides would be a high number nine would be ok, but 3-4 would be a low number.

Mr. Johnson thanked Mr. Finch for his time and participation.

Mr. Johnson called Joe Want forward to testify, however he was absent.

Joe Klutsch, Master Guide-Outfitter

- DNR's process may be difficult but it is needed.
- Losing non-resident opportunities on State lands and maybe Federal lands.
- Think that prospectus criteria can be streamlined.
- DNR subcommittee is doing great job!
- Unit 9 maps on-line don't match what is here at meeting.
- Suggested 9-19 and 9-25 should be one guide use area each.
- Suggested 9-99 concession number should be upped to two.
- Suggested 19-06 should be broken into two concession areas.

Mr. Johnson assured Mr. Klutsch that the maps the Board would be reviewing were the maps presented at the Board's December 2008 meeting. Mr. Johnson also reminded Mr. Klutsch that he needed to sign up to be an examination proctor.

Mr. Johnson thanked Mr. Klutsch for his time and participation.

Mr. Johnson asked the Board if there were any other topics that needed discussion today. Hearing none the Board adjourned.

*The meeting adjourned at 4:30 p.m. until Thursday at 8:30 a.m.*

## **Thursday, March 12, 2009**

### **Item 12. Call to Order/Roll Call**

The meeting of the Big Game Commercial Services Board was called to order by Paul Johnson, Chair at 8:44 a.m. Members present constituting a quorum were:

Dirk Nickisch, Transporter  
Raymond Stoney, Private Landholder  
Leif Wilson, Transporter, Vice-Chair  
Robert Mumford, Public Member  
Dick Rohrer, Master Guide-Outfitter

BJ Schmitz, Public Member  
Paul Johnson, Registered Guide-Outfitter, Chair  
Ted Spraker, Board of Game

Excused from the meeting was: Brenda Rebne, Private Landholder.

Present from the Division of Corporations, Business and Professional Licensing were:

Cynthia Spencer, Licensing Examiner  
Karl Marx, Licensing Examiner  
Cori Hondolero, Records and Licensing Supervisor  
Brian Howes, Investigator

Present from the Department of Law via teleconference was:

Kevin Saxby, Assistant Attorney General

Present from State and Federal agencies were:

Brian Anderson, US Fish and Wildlife Service  
Bill Tremblay, US Forest Service  
Chris Hansen, Enforcement US Forest Service  
Dave Lorring, Department of Public Safety  
Lt. Bernard Chastain, Department of Public Safety  
Clark Cox, Department of Natural Resources  
Bruce Campbell, US Forest Service  
Becky Brock, National Park Service

Present from the public were:

Fred Sorensen, Registered Guide-Outfitter  
Joe Klutsch, Master Guide-Outfitter  
Tom Kirstein, Master Guide-Outfitter  
Tracy Lambert, Representing Ron Lambert, Registered Guide-Outfitter  
Gary Wall, Registered Guide-Outfitter  
Henry Tiffany, Master Guide-Outfitter  
Greg Jennen, Registered Guide-Outfitter  
Lance Kronberger, Registered Guide-Outfitter  
Dan Suprak, Registered Guide-Outfitter  
Brian Peterson, Master Guide-Outfitter  
Ryan Krank, Registered Guide-Outfitter  
Roy Austin, Registered Guide-Outfitter  
Brad Adams, Registered Guide-Outfitter  
Smittey Smith, Self  
Arno Krumm, Registered Guide-Outfitter  
George Faerber, Registered Guide-Outfitter

Steve Johnson, Registered Guide-Outfitter  
Jim Weidner, Registered Guide-Outfitter  
Clint Mayeur, Registered Guide-Outfitter  
Bruce Werba, Registered Guide-Outfitter  
Tom Swenor, Registered Guide-Outfitter  
Paul Malone, Registered Guide-Outfitter  
Braun Kopsack, Master Guide-Outfitter  
Dave Morris, Master Guide-Outfitter  
Audun Endestad, Registered Guide-Outfitter  
Mike Colpo, Registered Guide-Outfitter  
Carol Lambert, Representing Ron Lambert, Registered Guide-Outfitter  
Anthony Conrad, Jr., Registered Guide-Outfitter  
Scott McRae, Registered Guide-Outfitter  
Terry Overly, Jr., Registered Guide-Outfitter  
Robert Jewett, Registered Guide-Outfitter  
Peter Barela, Registered Guide-Outfitter  
Loren Karro, Registered Guide-Outfitter  
Dan Montgomery, Master Guide-Outfitter  
Ron Aldridge, Master Guide-Outfitter  
John Mackie, Assistant Guide  
Tom Shankster, Master Guide-Outfitter  
Chet Benson, Registered Guide-Outfitter  
Tony Lee, Master Guide-Outfitter  
Jim Kedrowski, Registered Guide-Outfitter  
Willie Dvorak, Registered Guide-Outfitter  
Julie Dvorak, Self  
Sue Entsminger, Registered Guide-Outfitter  
David Walters, Registered Guide-Outfitter  
Rick Kinmon, Registered Guide-Outfitter  
Luke Randall, Registered Guide-Outfitter  
Creig Butler, Registered Guide-Outfitter  
Joe Want, Registered Guide-Outfitter  
Hugh Les Krank, Master Guide-Outfitter  
Brent Keith, Registered Guide-Outfitter  
Ken Lamb, Registered Guide-Outfitter

**Item 13 Division Business**

- **Collect signed Travel Authorizations and Receipts**

Ms. Spencer reviewed the benefits of Direct Deposit for travel reimbursements.

Mr. Wilson, Ms. Schmitz, Mr. Rohrer and Mr. Stoney requested the Direct Deposit forms.

Mr. Spencer collected signed Travel Authorizations and Direct Deposit information from Mr. Stoney and Ms. Schmitz.

Mr. Johnson asked Terry Overly, Sr. to come forward and speak about his guide school proposal.

Mr. Overly asked if the Board had any questions. Mr. Johnson asked the Board for a motion to accept Mr. Overly's course as Board sanctioned.

Mr. Spraker asked if Mr. Overly knew of any other guide offering similar courses. Mr. Overly responded that he was not sure. Mr. Spraker stated that he felt this Board's approved course/school should be in Alaska and not out of state. Mr. Spraker went on to state that Mr. Overly's outline looked good. Mr. Johnson stated that if the Board approved, this would be the first Board sanctioned school.

Mr. Mumford asked if Mr. Overly had a projected number of attendees. Mr. Overly informed the Board that he did not have a projected number, however he felt confident that the numbers would be fine. Mr. Overly went on to state that guides should be the cream of the crop and that service providers must pull together to protect the industry. Mr. Overly also stated that Alaska is in direct competition with Canada/Yukon. Mr. Overly also informed the Board and attendees that the Canadian government supports their guiding industry 100 percent.

Mr. Rohrer stated he appreciated the proposal and found it to be very complete. The Board agreed with Mr. Rohrer

**On a motion duly made by Dick Rohrer, seconded by Bob Mumford, and approved unanimously, it was**

**RESOLVED to accept Terry Overly's proposal for a Guide Survival School which would meet the requirements of AS 08.54.630(4)(B) and 12 AAC 75.130(5).**

**Roll Call Vote**

<b>NAME</b>	<b>YES</b>	<b>NO</b>
<b>Ted Spraker</b>	<b>X</b>	
<b>Dirk Nickisch</b>	<b>X</b>	
<b>Raymond Stoney</b>	<b>X</b>	
<b>Leif Wilson</b>	<b>X</b>	
<b>Paul Johnson</b>	<b>X</b>	
<b>Bob Mumford</b>	<b>X</b>	
<b>Dick Rohrer</b>	<b>X</b>	
<b>BJ Schmitz</b>	<b>X</b>	

Mr. Rohrer asked if this course would replace the two year hunting requirement per AS 08.54.630(2). Mr. Johnson stated it would and that he also thought it might also allow applicant not to harvest a big game animal.

Mr. Wilson pointed out that the statute AS 08.54.630 specifically stated that two years' hunting experience is required but the harvest requirement would only require a change in 12 AAC 75.920(c) and/or 12 AAC 75.130.

The Board proposed a change to 12 AAC 75.920(c) which would state: "an applicant who completes the Board sanctioned course in accordance with AS 08.54.630(4)(B) is not required to harvest a big game animal."

Mr. Johnson asked the Board if there were any objections. Hearing none, Mr. Johnson asked staff to begin the regulation change project.

Mr. Overly asked the Board if it would be possible for the State to allow trainees to learn caping on State seized/confiscated animals so that they can learn those skills on a real animal. Mr. Loring came forward and suggested that the Board write a letter to Captain Folger; however Mr. Loring stated that he didn't see any problem with the request.

Mr. Spraker asked if the two year hunting requirement would need to be completed before or after taking the course. Mr. Johnson responded that the two year requirement is for the license and not required to take the course.

The Board thanked Mr. Overly for his time and assistance.

Mr. Johnson requested Bill Tremblay, US Forest Service, Tongass Region to come forward.

Mr. Tremblay thanked the Wildlife Troopers working in South East and stated they were doing a great job. Mr. Tremblay asked the Board if he could get a list of transporters providing services in South East as it is outlined in AS 08.54.780(g). Mr. Tremblay went on to state that it would help his office if they could contact Transporters to find out which use areas they would be working in. Mr. Tremblay also stated that he had spoken with Brian Anderson, US Fish and Wildlife Service who also agreed this information would be a helpful tool. Mr. Johnson stated he would assign Board members to work on this for the December 2009 Board meeting. Mr. Tremblay thanked the Board.

#### **Item 14. Public Comment Regarding Public Noticed Regulations 12 AAC 75.235**

Mr. Johnson announced that due to time frames and the number of people that had signed up to testify, comments would need to be kept at five minutes or less and if there were hand outs they should be distributed to the Board at the time of testimony. Mr. Johnson also stated that the Board recognizes that this project is taking time, however he feels it is important to take time as it will better the end result. Mr. Johnson went on to state that he felt this project should be wrapped up during the December 2009 meeting.

Chet Benson, Registered Guide-Outfitter

- 16-02 and 19-10 move western boundary.
- Preserve is sole concession area.

The Board thanked Mr. Benson.

Steve Johnson, Registered Guide-Outfitter

- 13-07 north boundary and south boundary all on Forest Service and Native lands.
- Suggest one person on North side and one person on South side.
- Remove concession line from 13-07 and allow two people/joint concession use area.

Mr. Rohrer asked if Mr. Johnson had any use area boundary changes. Mr. Johnson responded that he didn't just concession suggestions.

The Board thanked Mr. Johnson.

Coke Wallace, Master Guide-Outfitter

- 20-04 is main use area adding more lines would be bad.
- Keep 20-04 as is.
- Adding more concession numbers would not be viable.

Mr. Rohrer asked just to be clear that Mr. Wallace wants 20-04 to remain as is with joint concession use. Mr. Wallace responded that this was correct.

The Board thanked Mr. Wallace.

Wayne Kubat, Master Guide-Outfitter

- 16-04 boundary lines follow UCU with bits of concession area on concession area; fine as is.

Mr. Johnson asked Mr. Kubat if he agreed with Chet Benson's earlier statement of the area. Mr. Kubat stated he did concur with Mr. Benson's earlier statements.

The Board thanked Mr. Kubat.

Aaron Bloomquist, Registered Guide-Outfitter

- General comments about maps.
- Bits of Federal land everywhere.
- State lands should follow Federal concession lines.

Mr. Johnson informed Mr. Bloomquist that Brian Anderson would be addressing Federal/State concession lines later.

Mr. Bloomquist also stated that 13-02 should be split; there are black bear in 16B and if only one target species there may be room for others.

Mr. Rohrer said he would like to see the map for 13-02. Mr. Johnson stated that Clark Cox would have the maps up shortly.

The Board thanked Mr. Bloomquist.

Rick Kinmon, Registered Guide-Outfitter

- Use 20-07 and 20-08.
- Move west line a bit for 20-07.
- Must use up two use area registrations for 20-07.

Mr. Rohrer asked how many guides registered in 20-08. Mr. Kinmon said several guides had registered in 20-08.

The Board thanked Mr. Kinmon.

Braun Kopsack, Master Guide-Outfitter

- Remove concession lines from A2 and D2 in 13-01.

The Board thanked Mr. Kopsack.

Brent Keith, Registered Guide-Outfitter

- Remove line from middle of 20-03.
- 20-04 has room for concession.

The Board thanked Mr. Keith.

Ron Aldridge, Master Guide-Outfitter

- 23-06 satisfied with joint use.
- Currently very little conflicts between users.

The Board thanked Mr. Aldridge.

Tony Lee, Master Guide-Outfitter; Tom Swenor, Registered Guide-Outfitter; Paul Malone, Registered Guide-Outfitter; Les Krank, Master Guide-Outfitter; Willie Dvorak, Registered Guide-Outfitter; Jeremy Davis, Registered Guide-Outfitter; Creig Butler, Registered Guide-Outfitter

- All work in Unit 17.
- Propose corridor on Nushagak River with three concessions.
- Currently four river guides in one area.

The Board thanked Mr. Lee, Mr. Swenor, Mr. Malone, Mr. Krank, Mr. Dvorak, Mr. Davis and Mr. Butler.

Les Krank, Master Guide-Outfitter

Mr. Krank stated that the last time he viewed the map for 19-03 (A & B) it looked ok; now see lines moved around suggest change back.

The Board thanked Mr. Krank.



Brad Adams, Registered Guide-Outfitter

- Thanked Board for its time.
- Unit 9 main area of operations.
- Urged caution during the development of concessions.
- 9-99 and 9-19 the middle boundary line runs right through a salmon spawning creek.
- Current increases of guides are causing overcrowding issues.
- Original boundary lines (February 2008) was moved to UCU line and now back to spawning creek, move back to Feb. 2008.
- 9-25 (A & B) remove concession line.
- One guide in 9-25 and 9-19.

Mr. Rohrer asked if the concession line is removed from 9-25 how many guides should be allowed in the area. Mr. Adams stated that there should be one guide in the area.

The Board thanked Mr. Adams.

Garret Cox, Registered Guide-Outfitter

- Work with Vern Humble in 16-03 and 16-02.
- Move boundary line from summit of Dickson Mountain straight to Sell Lake.

The Board thanked Mr. Cox.

Brian Anderson, US Fish and Wildlife Service

- Some problems fixed at December 2008 meeting.
- Misalignment of refuge and GUA boundary lines.
- Suggest Board adopt refuge lines as use area boundary lines.

Mr. Johnson stated that he would assign Mr. Nickisch to work with Mr. Anderson on the refuge/use area boundary lines. Mr. Johnson informed Mr. Anderson that the Board must put use area boundary lines on its maps so at deliberation later today Mr. Nickisch and Mr. Anderson should review the current map.

The Board thanked Mr. Anderson.

George Faerber, Registered Guide-Outfitter stated he had general comments not to do with mapping. Mr. Johnson thanked Mr. Faerber and stated that this was not the time to speak on general comments as there had been two days of general public comments which would have been the forum for his comments and that the comments today had been specifically public noticed for mapping only.

Ernie Finch, Registered Guide-Outfitter

- Operates in Unit 20; 20-04 and 20-05.
- Support December 2008 changes as the lines make sense and are visible.
- Using drainage as dividing line is great.

The Board thanked Mr. Finch.

*Recess The Board recessed at 10:00 a.m.; reconvened at 10:20 a.m.*

Luke Randall, Registered Guide-Outfitter

- 8-29 current line splits the bay.
- Urge Board to return boundary line to where it was.

Mr. Rohrer stated he would look into this when the Board reviews the maps for adoption later today.

The Board thanked Mr. Randall.

Arno Krumm, Registered Guide-Outfitter. Mr. Krumm declined to come forward as his concerns had been addressed.

Joe Klutsch, Master Guide-Outfitter

- Provided the Board with a hand out and correspondence already in packets.
- Conflicts in the field, etc.
- Concerned about long term results.
- Suggest line be moved in 9-19 from Mud creek to UCU line
- Suggested move Ugashik line over.
- Limiting number of guides on State land is needed.

Mr. Stoney asked Mr. Klutsch what the bear population is for Unit 9. Mr. Klutsch stated he believed the count to be a thousand or so.

Mr. Rohrer asked Mr. Klutsch how guides received Federal concessions in 9-25. Mr. Klutsch informed the Board that there were three that he knew of: Bill Stevenson, Butch King and Jay King who use a bit of 9-23 on the West end.

The Board thanked Mr. Klutsch.

Virgil Umphenour, Master Guide-Outfitter

- No changes from December 2008 meeting.
- Current concessions reflect one guide per area; that is good.
- Use BLM lands in 21-03, 22-04 and 24-01.
- 22-07 has four guides working with 10-year permits with no problems; what will happen with conversion of lands.

Mr. Johnson requested Mr. Cox come forward and address this topic.

Mr. Cox reviewed the concession project and stated DNR is working closely with BLM and NPS to make the conversion seamless. Mr. Cox went on to state that all the agencies are willing to work together to implement a prospectus program which will be able to be used by all landowners.

Mr. Johnson asked Mr. Cox if this Board should hold off on suggested concession numbers until his project was complete. Mr. Cox agreed.

The Board thanked Mr. Umphenour and Mr. Cox.

Henry Tiffany, Master Guide-Outfitter

- 25-02; reinforce support for current boundaries with one concession and two joint users.

The Board thanked Mr. Tiffany.

Loren Karro, Registered Guide-Outfitter and Dan Montgomery, Master Guide-Outfitter

- Change line in 9-19 back to Mud creek.
- Remove lines in 9-25 and make one area (same as 9-1).
- Suggest two guides in 9-19 and 9-25.

Mr. Johnson said he kept hearing concerns about the numbers of bear harvests. Mr. Montgomery stated that the numbers of bear harvests were declining.

Mr. Rohrer stated that this is one unit where all interested parties can't seem to agree and that he wished all parties could present/suggest a compromise to the Board.

The Board thanked Ms. Karro and Mr. Montgomery.

Mr. Johnson called Joe Want forward to testify, however Mr. Want was absent.

Clint Mayeur, Registered Guide-Outfitter

- Thanked the Board for its work.
- Encourage no tiered permitting system.

The Board thanked Mr. Mayeur.

Sue Entsminger, Registered Guide-Outfitter

- This is an evolving process, keep with it.
- Not able to see all problems yet.
- 20-08, do not divide area.
- Encouraged Board to send letter of support to the Governor expressing support for DNR's concession program and urge for additional funding.

The Board thanked Ms. Entsminger.

Audun Endestad, Registered Guide-Outfitter

- Problems with proposed changes to 20-04.
- 20-04 is a small area with a large number of guides.
- Do not combine 20-04 with 20-05.
- Have to register use area just to be able to use the access point.

The Board thanked Mr. Endestad.

Mr. Johnson announced that when it was time to review the maps, he would assign a Board member to each map 1-5.

Tom Kirstein, Master Guide-Outfitter

- Submitted map at December 2008 meeting for 9-11 and 9-12.
- Adjust south west border from refuge down river (King Salmon).
- Urged Board to keep 9-11 and 9-12 as it was pre Oscheck.
- 9-12 could support 2-4 guides.
- Keep 20-04 as is.
- Room for entry level guides if keep strict 1-2 clients.

Mr. Johnson requested Mr. Kirstein get together with Mr. Rohrer to review current lines on the map. Mr. Johnson asked Mr. Kirstein for a suggested concession number for 20-04. Mr. Kirstein stated that three guides possibly four could make it.

The Board held a brief discussion about small operators vs. large operators.

The Board thanked Mr. Kirstein.

Joe Want, Registered Guide-Outfitter

- Mechanism in place to request line changes down the road.

Mr. Johnson said any proposed changes down the road would need to be submitted in writing and would be given to the Board for review; however a regulation change would be required to alter the maps.

The Board thanked Mr. Want.

Mr. Johnson requested Mr. Cox come forward.

Mr. Johnson stated that the DNR subcommittee had just about completed its scoring outline and asked Mr. Cox when he would need the information. Mr. Cox stated that DNR needed more time for public noticing/public commenting and that the subcommittee should stay in existence as it is a good sounding board. Mr. Cox went on to state that maybe by the December 2009 meeting this Board could make its recommendations about concession lines and numbers of guides in areas then.

Mr. Johnson thanked Mr. Cox.

Mr. Johnson announced that it was time to review the maps and break for lunch. Mr. Johnson assigned the following Board members to the following maps: Mr. Johnson Map 1, Mr. Rohrer Map 3, Mr. Wilson Map 2, Mr. Nickisch Map 5, Mr. Spraker Map 6, Ms. Schmitz Map 6 and Mr. Mumford Map 5.

Recess *The Board recessed for map review and lunch at 11:43 a.m.; reconvened at 1:05 p.m.*

**Item 15. Adopt/Amend Regulations**

• **12 AAC 75.205**

The Board reviewed the provided draft language.

**On a motion duly made by Leif Wilson, seconded by Dirk Nickisch, and approved unanimously, it was**

**RESOLVED to public notice 12 AAC 75.205 as written.**

Mr. Johnson polled the Board for any objections, hearing none the Board moved to their next topic.

• **12 AAC 75.235**

Mr. Johnson announced that changes to maps would be made using a blue pen.

After taking into consideration public testimony both written and oral the Board took the following actions.

**Map 1:**

Mr. Johnson stated there was one change marked in blue.

**On a motion duly made by Paul Johnson, seconded by Dick Rohrer, and approved unanimously, it was**

**RESOLVED to move the line between 4-11 and 4-12 to be the Ranger District line; Hoonah and Sitka to the tip of Iokane (?) and to adopt map 1 with this change.**

**Roll Call Vote**

<b>NAME</b>	<b>YES</b>	<b>NO</b>
Dirk Nickisch	X	
BJ Schmitz	X	
Ted Spraker	X	
Raymond Stoney	X	
Leif Wilson	X	
Paul Johnson	X	
Bob Mumford	X	
Dick Rohrer	X	

**Map 2:**

Mr. Wilson made approved amendments.

**On a motion duly made by Leif Wilson, seconded by Ted Spraker, and approved unanimously, it was**

**RESOLVED to move the North edge line of 16-02 so that it follows the boundary of 6-02 and to make a new use area 11-05 and to adopt map 2 with these changes.**

**Roll Call Vote**

<b>NAME</b>	<b>YES</b>	<b>NO</b>
Dick Rohrer	X	
BJ Schmitz	X	
Ted Spraker	X	
Dirk Nickisch	X	
Raymond Stoney	X	
Bob Mumford	X	
Leif Wilson	X	
Paul Johnson	X	

**Map 3:**

Mr. Rohrer stated that the intent is that lines should match ADFG brown bear permit boundaries. Unit 9 has one line. 9-12 line at Thomas Creek to Pilot Point. The line in 9-19 is moved back to Mud Creek as it was on the December 2008 map.

**On a motion duly made by Dick Rohrer, seconded by Leif Wilson, and approved unanimously, it was**

**RESOLVED to have all boundary lines in Unit 8 match/meet the Dept. of Fish and Game's brown bear permit boundaries.**

**Roll Call Vote**

<b>NAME</b>	<b>YES</b>	<b>NO</b>
Raymond Stoney	X	
Leif Wilson	X	
Dirk Nickisch	X	
Paul Johnson	X	
Bob Mumford	X	
Dick Rohrer	X	
BJ Schmitz	X	
Ted Spraker	X	

**On a motion duly made by Dick Rohrer, seconded by Leif Wilson, and approved unanimously, it was**

**RESOLVED to move the south west boundary line from Pumice creek and the King Salmon river north on longitude R 53 W to the northern most bluff (land) approximately 31° Latitude then north west along the land bluff to Tidal Flat creek to Ugak Bay following creek water; and to adopt map 3 with these changes.**

**Roll Call Vote**

<b>NAME</b>	<b>YES</b>	<b>NO</b>
<b>Ted Spraker</b>	<b>X</b>	
<b>Dirk Nickisch</b>	<b>X</b>	
<b>Raymond Stoney</b>	<b>X</b>	
<b>Leif Wilson</b>	<b>X</b>	
<b>Paul Johnson</b>	<b>X</b>	
<b>Bob Mumford</b>	<b>X</b>	
<b>Dick Rohrer</b>	<b>X</b>	
<b>BJ Schmitz</b>	<b>X</b>	

**Map 5:**

Northwest area Arctic/Yukon reference change to match existing Fish & Wildlife commercial permit areas. 26-06 will be a new use area at the Federal line.

Mr. Rohrer stated that it had been recommended that each individual concession area should be individual use areas; however as no one had the chance to comment on this it can't be done with out first allowing for public comment. Mr. Nickisch agreed with Mr. Rohrer's comments. It was also noted that in order to change lines to match existing permits that exist in the area more Federal land information would be needed.

Mr. Johnson informed the Board that Map 5 would be tabled until the December 2009 meeting to allow for public noticing.

The Board called Mr. Saxby at 1:32 p.m. asking for advice on how to change the December 2008 map for unit 3. Mr. Saxby stated that as it is hard to visualize the Board would need to be descriptive with their changes.

**Map 6:**

**On a motion duly made by BJ Schmitz, seconded by Leif Wilson, and approved unanimously, it was**

**RESOLVED to move the boundary line of 16-04 west to the preserve and adopt map 6 with the boundary line change.**

**Roll Call Vote**

<b>NAME</b>	<b>YES</b>	<b>NO</b>
<b>Dirk Nickisch</b>	<b>X</b>	
<b>BJ Schmitz</b>	<b>X</b>	
<b>Ted Spraker</b>	<b>X</b>	
<b>Raymond Stoney</b>	<b>X</b>	
<b>Leif Wilson</b>	<b>X</b>	
<b>Paul Johnson</b>	<b>X</b>	
<b>Bob Mumford</b>	<b>X</b>	
<b>Dick Rohrer</b>	<b>X</b>	

**On a motion duly made by Ted Spraker, seconded by Leif Wilson, and approved unanimously, it was**

**RESOLVED to create a new boundary in 19-03 which would create new use areas 19-03A and 19-03B; remove the concession line and adopt map 6 with these changes.**

**Roll Call Vote**

<b>NAME</b>	<b>YES</b>	<b>NO</b>
<b>Dick Rohrer</b>	<b>X</b>	
<b>BJ Schmitz</b>	<b>X</b>	
<b>Ted Spraker</b>	<b>X</b>	
<b>Dirk Nickisch</b>	<b>X</b>	
<b>Raymond Stoney</b>	<b>X</b>	
<b>Leif Wilson</b>	<b>X</b>	
<b>Paul Johnson</b>	<b>X</b>	
<b>Bob Mumford</b>	<b>X</b>	

Mr. Johnson asked if there were any other changes to the maps. Hearing none the Board moved onto the next item.

The Board asked Mr. Saxby for the definition of "in the field". Mr. Saxby conferred with Mr. Peterson; both agreed that in accordance with AS 08.54.790(6) "in field" is city, town or village and referred the Board to AS 08.54.785 and 08.54.650.

Mr. Johnson asked Mr. Lorrington to pass this information on to officers.

Mr. Johnson asked staff how they were processing use area registrations for predator control and portion of a fourth area; if register for predator control how is staff proving the area is predator control and how they are proving portions of fourth areas.

Ms. Spencer informed the Board that the onus is on the guide's shoulders to know an area is predator control and that in accordance with AS 08.54.750(d) and



12 AAC 75.230(e)(4)(1) and (2) a guide is required to provide maps, authorization, etc., before staff issues the use area. Ms. Spencer went on to state that she had spent several weeks during 2007 with Jenny Strickler, Division Chief, contacting land managers trying to formulate a list of predator control areas, however due to differing maps, i.e, most use alpha denotations not numeric like this Board anything solid was not accomplished.

The Board asked Mr. Saxby for suggestions. Mr. Saxby informed the Board that they should write a letter to Fish and Game requesting this information. Mr. Spraker said he would write the letter. The Board thanked Mr. Spraker and Mr. Saxby.

Mr. Johnson assigned Mr. Wilson and Mr. Nickisch to put together Transporter issues and suggested solutions for the December 2009 meeting.

Mr. Johnson asked Mr. Marx to come up with Master Guide requirements and also assigned Ms. Schmitz, Tom Kirstein, Brian Peterson and Phil Driver to assist.

Mr. Johnson stated that the Supervision subcommittee had requested a statute change and how the Board would like to proceed as this topic was continuously on the agenda and was continuously put off. The Board decided to re-visit this topic at the December 2009 meeting.

Bobby Fithian came forward with proposed Board support for increasing fees for non-resident hunters. Mr. Johnson gave the provided hand out to Mr. Spraker.

**On a motion duly made by Ted Spraker, seconded by Leif Wilson, and approved unanimously, it was**

**RESOLVED to support a proposal from the Board of Game to increase non-resident license and tag fees.**

Mr. Johnson asked the Board if there were any objections; hearing none he asked the Board for their opinions.

Mr. Spraker stated that the State of Alaska was long past due on fee increases for non-residents.

Mr. Mumford said he was in support of an increase as long as it was a reasonable increase.

Mr. Fithian stated that the increase should be a 25% raise across the board; he also informed the Board that a 50% increase was mentioned but an agreement of 35% was agreed upon. Mr. Fithian went on to state that the draft proposal only addresses non-residents.

Mr. Johnson stated that he could not support the increase if residents were excluded.

Mr. Johnson announced the Board would take a short break and then divide into their respective mapping groups again for concession number recommendations for DNR.

*Recess The Board recessed 2:12 p.m.; reconvened at 2:20 p.m.*

Mr. Cox posted maps to accept Board recommendations on the number of operators in the different areas. The maps were numbered the same as the GUA maps for the sake of consistency.

Mr. Johnson informed the Board that a new Findings and Facts had been given to him by Mr. Howes requesting the Board's consideration. The Board reviewed the Findings and Facts for case #1700-08-005 and 1700-08-006. The Board had a brief discussion concerning AS 08.54.720(a)(8)(A).

**On a motion duly made by Leif Wilson, seconded by Disc Rohrer and approved unanimously, it was**

**RESOLVED to accept the findings and facts for case #1700-08-005 and 1700-08-006 as written.**

**Roll Call Vote**

<b>NAME</b>	<b>YES</b>	<b>NO</b>
<b>Bob Mumford</b>	<b>X</b>	
<b>Dick Rohrer</b>	<b>X</b>	
<b>BJ Schmitz</b>	<b>X</b>	
<b>Ted Spraker</b>	<b>X</b>	
<b>Raymond Stoney</b>	<b>X</b>	
<b>Leif Wilson</b>	<b>X</b>	
<b>Paul Johnson</b>	<b>X</b>	
<b>Dirk Nickisch</b>	<b>X</b>	

Mr. Johnson signed the Findings & Facts and handed it back to Mr. Howes.

Mr. Johnson informed attendees that the Board would be making advisory concession number for DNR.

**Map 2:**

After taking into consideration public comments (written and oral) the following motions were made.

**On a motion duly made by Leif Wilson, seconded by Dick Rohrer, and approved unanimously, it was**

**RESOLVED to recommend 20-04 have four (4) operators.**

Mr. Johnson polled the Board, hearing no disagreement the Board moved on.

**On a motion duly made by Leif Wilson, seconded by Bob Mumford, and approved unanimously, it was**

**RESOLVED to recommend 12-01 have two (2) operators.**

Mr. Johnson polled the Board, hearing no disagreement the Board moved on.

**On a motion duly made by Leif Wilson, seconded by Dirk Nickisch, and approved unanimously, it was**

**RESOLVED to recommend 20-08 have up to two (2) operators.**

Mr. Johnson polled the Board, hearing no disagreement the Board moved on.

**Map 3:**

After taking into consideration public comments (written and oral) the following motions were made.

**On a motion duly made by Dick Rohrer, seconded by Leif Wilson, and approved unanimously, it was**

**RESOLVED to recommend 8-30 have five (5) operators.**

Mr. Johnson polled the Board, hearing no disagreement the Board moved on.

**On a motion duly made by Dick Rohrer, seconded by Bob Mumford, and approved unanimously, it was**

**RESOLVED to recommend 8-29(A) have two (2) operators.**

Mr. Johnson polled the Board, hearing no disagreement the Board moved on.

**On a motion duly made by Dick Rohrer, seconded by Bob Mumford, and approved unanimously, it was**

**RESOLVED to recommend 8-26 have two (2) operators.**

Mr. Johnson polled the Board, hearing no disagreement the Board moved on.

**On a motion duly made by Dick Rohrer, seconded by Leif Wilson, and approved unanimously, it was**

**RESOLVED to recommend 9-25 be limited to one concessionaire.**

Mr. Johnson polled the Board, hearing no disagreement the Board moved on.

**On a motion duly made by Dick Rohrer, seconded by Leif Wilson, and approved unanimously, it was**

**RESOLVED to recommend 9-19 have two (2) operators.**

Mr. Johnson polled the Board, hearing no disagreement the Board moved on.

**Map 5:**

After taking into consideration public comments (written and oral) the following motions were made.

**On a motion duly made by Bob Mumford, seconded by Dick Rohrer, and approved unanimously, it was**

**RESOLVED to recommend 26-06 and 26-07 have four (4) operators.**

Mr. Johnson polled the Board, hearing no disagreement the Board moved on.

**On a motion duly made by Bob Mumford, seconded by Dirk Nickisch, and approved unanimously, it was**

**RESOLVED to recommend 24-03 have three (3) operators.**

Mr. Johnson polled the Board, hearing no disagreement the Board moved on.

**On a motion duly made by Bob Mumford, seconded by Dick Rohrer, and approved unanimously, it was**

**RESOLVED to recommend 25-02 have two (2) operators.**

Mr. Johnson polled the Board, hearing no disagreement the Board moved on.

**On a motion duly made by Bob Mumford, seconded by Leif Wilson, and approved unanimously, it was**

**RESOLVED to recommend 25-03A have up to two (2) operators.**

Mr. Johnson polled the Board, hearing no disagreement the Board moved on.

**On a motion duly made by Dirk Nickisch, seconded by Dick Rohrer, and approved unanimously, it was**

**RESOLVED to recommend 26-12 and 26-13 have two (2) operators.**

Mr. Johnson polled the Board, hearing no disagreement the Board moved on.

**Map 6:**

After taking into consideration public comments (written and oral) the following motions were made.

Ms. Schmitz informed the Board as most of the land for her portion of the map is managed by BLM and NPS; there were no recommendations on concession numbers at this time.

**On a motion duly made by Ted Spraker, seconded by Leif Wilson, and approved unanimously, it was**

**RESOLVED to recommend 17-03 have up to six (6) operators with four (4) operators on the Nushagak River and two (2) operators in the uplands with a five mile corridor on the Nushagak River up through Big Bend.**

Mr. Johnson polled the Board, hearing no disagreement the Board moved on.

**On a motion duly made by Ted Spraker, seconded by Leif Wilson, and approved unanimously, it was**

**RESOLVED to recommend 19-03 have ten (10) operators once concessional lines are finalized.**

Mr. Johnson polled the Board, hearing no disagreement the Board moved on.

Mr. Wilson asked to be allowed to make a motion regarding the concession lines in 13-02. The Board asked Mr. Wilson to continue.

**On a motion duly made by Leif Wilson, seconded by Dick Rohrer, and approved unanimously, it was**

**RESOLVED to recommend that the concession line in 13-07 be removed and replaced with two new use areas.**

Mr. Johnson polled the Board, hearing no disagreement the Board moved on.

**Map 5:**

**On a motion duly made by Dirk Nickisch, seconded by Leif Wilson, and approved unanimously, it was**

**RESOLVED to recommend 20-05 have two (2) operators.**

Mr. Nickisch informed the Board that several people from Fairbanks had approached him regarding 20-05 and that maybe more consideration and research would be needed before finalizing recommended concession numbers. Mr. Johnson asked for a motion to strike the previously made motion.

**On a motion duly made by Dirk Nickisch, seconded by Leif Wilson, and approved unanimously, it was**

**RESOLVED to withdraw the previously made motions which recommended 20-05 have two (2) operators.**

Mr. Johnson polled the Board, hearing no disagreement the Board moved on.

The Board completed concession number recommendations and moved on to other topics.

Mr. Rohrer asked staff how many 2008 hunt records (HR) had been received. Mr. Marx responded that they had received 237. Ms. Spencer stated that she still had about 200 HR's awaiting data entry and scanning.

Mr. Johnson again informed the Board that a request for a statute change to the supervision requirements had been made and that a proposed resolution was needed.

*Recess The Board recessed 3:11 p.m.; reconvened at 3:22 p.m.*

Mr. Johnson asked Mr. Spraker if he would want to consider his previous motion recommending concession numbers in 17-03. Mr. Spraker responded that he would like to amend the motion as more information had been received regarding the five mile corridor on the river.

**On a motion duly made by Ted Spraker, seconded by Dick Rohrer, and approved unanimously, it was**

**RESOLVED to amend the previous motion recommending concession number to recommend 17-03 have up to seven (7) operators; four (4) operators on the Nushagak River and three (3) operators in the uplands. The suggested five mile corridor on the river would include all tributaries.**

Mr. Johnson stated that he felt good about this motion.

Mr. Mumford asked if the corridor would follow five miles up each tributary. Mr. Spraker stated that the corridor would just go up the main tributary up the Nushagak.

Mr. Johnson polled the Board, hearing no disagreement the Board moved on.

Mr. Johnson announced that this would be Dave Lorrington's last meeting with the Board and asked Mr. Lorrington to come forward.

The Board thanked Mr. Lorrington for all his hard work and assistance and stated he would be missed.

Mr. Lorrington thanked the Board and stated he had enjoyed working with them and guides.

**Item 16. Board Discussion**

- **Set dates and locations for Next Board meetings and GMU examinations**

The Board held a brief discussion and decided that the next meeting would be held in Anchorage, December 7<sup>th</sup>-9<sup>th</sup>, 2009 and that the examinations would be held at the same location as the meeting on December 9<sup>th</sup>-10<sup>th</sup>, 2008.

Mr. Johnson asked staff to explore alternative locations besides the Egan Convention Center. The Board also said they would keep in touch with staff regarding its March 2010 meeting as they liked being able to use UAF facilities during Spring break.

- **Supervision Subcommittee Update**

Mr. Rohrer informed the Board that since statutory changes to the supervisor requirements nothing further has happened; however he would like to keep this topic on the agenda for December 2009.

- **Amend/adopt December 9-11, 2008 Meeting Minutes**

**On a motion duly made by Leif Wilson, seconded by Bob Mumford, and approved unanimously, it was**

**RESOLVED to adopt the December 9-11, 2008 meeting minutes as written.**

Mr. Johnson polled the Board, hearing no disagreement the Board moved on.

- **Applications with “yes” answers. Define Board procedure(s) for review and potential issuance of license**

Ms. Spencer asked the Board how they would like staff to handle applications with “yes” answers.

Mr. Johnson stated if a violation/incident happened 20 years ago staff should not worry about it; any recent or significant “yes” answers should be addressed by the Board. Ms. Spencer asked for clarification on what the Board considered “recent” and significant”.

Mr. Spencer reviewed the “yes” answer application review process; once an application is complete with all required documentation a copy is sent to investigations via supervisor via Division Chief; once investigations receive the application it can take up to two months to get information back.

Ms. Spencer went on to inform the Board that all other occupations which have Boards in place routinely review and approve, deny or table applications and that staff does NOT issue licenses to applicants until approval is received from their Board. Ms. Spencer also stated that this Board does not respond to mail or email votes which means applications will pile up for the next scheduled meeting and that staff is not comfortable issuing licenses without the Boards approval, which must be a quorum not just two members.

Mr. Mumford said if a violation/incident occurs within five years of the application staff should be able to issue the license without investigative review.

Mr. Rohrer stated that this issue also relates to the violation subcommittee and maybe its findings would assist staff.

Mr. Mumford stated that if a misdemeanor happened within the last five years it should not need investigative or Board approval and if a felony occurred within the last ten years it should not need investigative/Board approval.

Mr. Spraker announced that he had to leave in order to catch his flight. The Board bid Mr. Spraker farewell.

- **Correspondence**

The Board reviewed provided correspondence.

Mr. Johnson stated he and Mr. Marx would write a response to the Unit 23 working group's letter. The Board agreed.

Mr. Johnson asked if there were any other items that needed the Board's attention before they adjourned into executive session. Hearing none; Mr. Johnson thanked everyone for their assistance and participation.

**On a motion duly made by Leif Wilson, seconded by Dick Rohrer, and approved unanimously, it was**

**RESOLVED to adjourn into Executive Session under the authority of AS 44.62.310 to speak with Quinten Warren, Investigator.**

The Board adjourned into executive session at 3:44 p.m., and returned from executive session at 4:50 p.m.

**On a motion duly made by Dick Rohrer, seconded by Leif Wilson, and approved unanimously, it was**

**RESOLVED to adjourn the meeting of the Big Game Commercial Services Board.**



*The Board adjourned at 4:50 p.m.*

Respectfully submitted:

5/18/09 /s/  
Cynthia Spencer, Licensing Examiner

Approved:

/s/  
Paul Johnson, Chairperson  
Big Game Commercial Services Board

Date: 5/19/2009