

Annual Report

Fiscal Year 2016

BIG GAME COMMERCIAL SERVICES BOARD



DIVISION OF CORPORATIONS, BUSINESS AND PROFESSIONAL LICENSING

This annual performance report is presented in accordance with
Alaska statute AS 08.01.070(10).

Its purpose is to report the accomplishments, activities, and the
past and present needs of the licensing program.

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Identification of the Board

Board Member	Date Appointed	Term Expires
Kelly Vrem, Chair (Sutton) Licensed Registered Guides-Outfitters	Mar 01, 2011	Mar 01, 2019
Karen Polley, Vice-Chair (Juneau) Public	Mar 01, 2011	Mar 01, 2017
David Brown (Wrangell) Designated Game Board Member/Restricted	Jan 15, 2015	Mar 01, 2020
Nicholas Jackson (Gakona) Private Landholders/Restricted	Mar 01, 2016	Mar 01, 2020
James Jones (David) (Kodiak) Licensed Transporters	Mar 01, 2013	Mar 01, 2019
Michele Metz (Douglas) Private Landholders/Restricted	Feb 01, 2012	Mar 01, 2018
Gene Peltola (Bethel) Public	Mar 01, 2013	Mar 01, 2018
Henry Tiffany IV (Ester) Licensed Registered Guides-Outfitters	Mar 22, 2013	Mar 01, 2017
James Atkins (Tom) (Anchorage) Licensed Transporters	Mar 01, 2013	Mar 01, 2017

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Identification of Staff

Cindy Hansen– Licensing Examiner

Department of Commerce, Community & Economic Development
Division of Corporations, Business and Professional Licensing
Post Office Box 110806
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Lee Strout, Investigator

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Narrative Statement

The Big Game Commercial Services Board (BGCSB) has three scheduled public meetings per year, December in Anchorage, March in Fairbanks, July teleconference. We held five teleconferences in FY16. The public meetings in Anchorage and Fairbanks are well attended by guides and public with thirty-to-fifty attendees. The December meetings are attended by State of Alaska Wildlife Troopers, the Department of Natural Resource, the Department of Fish and Game and the Department of Commerce, Community and Economic Development. Federal agencies included the Bureau of Land Management, U.S. Fish and Wildlife Service, USDA Forest Service, U.S National Park Service and the Federal Aviation Administration. These interactions are a useful tool for all concerned because of overlapping regulatory issues. Our board also has a seat reserved for a Board of Game member; an extremely useful cross membership since our boards influence each other regulations; therefore, close ties are vital to a seamless regulatory fit between the departments.

BGCSB has many areas of responsibility. We must protect the natural resources of the state, establish and enforce professional standards and minimize conflicts between public and commercial big game hunter.

Public protection concerns for Alaska residents are primarily over-crowding in some areas of the state by guides. Localized overuse may be caused by transporters as well as guides. Game harvest levels are sustainable in most areas of the state. There are some local areas of concern primarily on state owned land. On federal land guiding pressure is strictly regulated to preserve the wild nature of the land and visitor experience.

The big game guiding industry creates about \$80 million in economic activity the state No figures are available for transporters but a good estimate would be in the \$40-50 million range. About 1,600 jobs with \$13 million in wages and \$12 million spent in rural areas for goods and services can be attributed to the guiding industry in Alaska. In addition to guide fees our clients indirectly spend approximately \$29.5 million.

The BGCSB has an ongoing regulatory program. Alaska is at the forefront of a worldwide commercial wildlife service provider industry. We have no national standards to reference in our regulation development process so we look to other countries in some aspects of developing regulations. Professional standards can be somewhat similar but national policies, politics, geography and conservation issues are widely dissimilar.

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Budget Recommendations for FY 2017

Board Meeting Date	Location	# Board	# Staff
Dec 05, 2016	Anchorage	9	1
	<input checked="" type="checkbox"/> Airfare:		\$2,800.00
	<input checked="" type="checkbox"/> Hotel:		\$3,200.00
	<input type="checkbox"/> Ground:		\$0.00
	<input checked="" type="checkbox"/> Other:		\$2,500.00
Total Estimated Cost:			\$8,500.00

Board Meeting Date	Location	# Board	# Staff
Mar 06, 2017	Fairbanks	9	1
	<input checked="" type="checkbox"/> Airfare:		\$3,400.00
	<input checked="" type="checkbox"/> Hotel:		\$3,000.00
	<input checked="" type="checkbox"/> Ground:		\$700.00
	<input checked="" type="checkbox"/> Other:		\$3,000.00
Total Estimated Cost:			\$10,100.00

Teleconference Date	Location	# Board	# Staff
Dec 05, 2016	Anchorage	9	1
	<input checked="" type="checkbox"/> Phone:		\$2,800.00
	<input checked="" type="checkbox"/> Other:		\$2,500.00
Total Estimated Cost:			\$8,500.00

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Budget Recommendations for FY 2017 (continued)

Travel Required to Perform Examinations: This is performed during board meetings.

Not applicable

Date	Location	# Board	# Staff

Description of meeting and its role in supporting the mission of the Board:

- Airfare: \$0.00
- Hotel: \$0.00
- Ground: \$0.00
- Conference: \$0.00
- Other: \$0.00

Total Estimated Cost: \$0.00

Out-of-State Meetings and Additional In-State Travel

Not Applicable

Date	Location	# Board	# Staff

Description of meeting and its role in supporting the mission of the Board:

- Airfare: \$0.00
- Hotel: \$0.00
- Ground: \$0.00
- Conference: \$0.00
- Other: \$0.00
- Direct Third-Party Offset: \$0.00
- Reimbursed Third-Party Offset: \$0.00

Net Total Estimated Cost: \$0.00

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Budget Recommendations for FY 2017 (continued)

Non-Travel Budget Requests

- Not Applicable Resources Examinations
 Membership Training Other

Product or Service	Provider	Cost Per Event
		\$0.00

Description of item and its role in supporting the mission of the Board:

Other Items with a Fiscal Impact

- Not Applicable

Product or Service	Provider	Cost Per Event
		\$0.00

Description of item and its role in supporting the mission of the Board:

Summary of FY 2017 Fiscal Requests

Board Meetings	\$18,600.00
Travel for Exams	\$0.00
Out-of-State and Additional In-State Travel	\$0.00
Dues, Memberships, Resources, Training, Teleconferences	\$0.00
Total Potential Third-Party Offsets	\$0.00
Other:	\$0.00
Total Requested:	\$18,600.00

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Recommendations for Proposed Legislation for FY 2017

No Recommendations
The Board has no recommendations for proposed legislation at this time.

Recommendations
The Board has the following recommendations for proposed legislation:

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Regulation Recommendations for FY 2017

No Recommendations

The Board has no recommendations for proposed regulations at this time.

Recommendations

The Board has the following recommendations for proposed regulations:

Legal Review 12 AAC 75.340(d)

12 AAC 75.340 (d) Field craft standards. All classes of guides shall

- (1) conduct themselves in a professional sportsman like manner that shows high standards and regard to the traditions of hunting, and treat wildlife, wild lands and all users with courtesy and respect;
- [(1)](2) use every lawful means at a licensee's disposal to bag a wounded animal while it is in danger of escaping, or in a serious emergency, while human life or well-being is endangered;
- [(2)] (3) barring unforeseen conditions, properly prepare according to generally accepted procedures, all antlers, horns, hides, and capes to be delivered to the taxidermist or to the client at the conclusion of a hunt in a satisfactory and unspoiled condition, unless the guide is providing only outfitting and transportation services for the client;
- [(3)] (4) endeavor to salvage all meat of animals taken by clients, in accordance with state statutes and regulations;
- [(4)] (5) except for brown bear, grizzly bear, wolves, and wolverine, transport the meat of a big game animal taken by the client in accordance with 5 AAC 92;
- [(5)] (6) respect gear, equipment, food, shelter, and camps established by other users;
- [(6)] (7) avoid staging unused or unattended camps and gear to discourage other users from utilizing a location;
- [(7)] (8) allow appropriate buffer areas between hunters and camps in order to avoid disrupting hunts and hunting experiences;
- [(8) AVOID USING AN AIRCRAFT IN ANY MANNER TO SPOT BIG GAME FOR THE PURPOSE OF TAKING A SPECIFIC ANIMAL]
- (9) refrain from using any mechanical powered equipment to knowingly herd, drive, chase or harass big game animals;
- (10) refrain from making multiple, consecutive approaches in any mechanical powered equipment, near any game animal or group of game animals during any open hunting season for that species, to avoid altering the hunting experience of other hunters; unless
 - (A) hunting brown, grizzly or black bears from January 1 through June 30 in an area with an allowable harvest under 5 AAC 85 and 5 AAC 92, of one or more brown or grizzly bears per regulatory year; in this subparagraph, "regulatory year" has the meaning given in 5 AAC 92.990; or
 - (B) specifically authorized under another statute or regulation; but still avoid altering the hunting experience of other hunters;
- [(9) AVOID UTILIZING, IN ANY MANNER, GLOBAL POSITIONING SYSTEM (GPS) OR OTHER ELECTRONIC DEVICES TO ASSIST IN THE TAKING OF A BIG GAME ANIMAL]
- (11) avoid utilizing global positioning systems (GPS) or other electronic devices to locate and stalk a big game animal for the purpose of harvest; and
- [(10)] (12) respond personally or through an assistant to requests for assistance communicated during the hunt; a contracting or employing guide must respond within a reasonable time based on the urgency of the request, weather conditions, and other safety factors.

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Goals and Objectives

Part I

FY 2016's goals and objectives, and how they were met:

- Improve non-resident guide required species drawing procedure in lottery hunts.
- Cooperation with ADF&G and the Board of Game to improve non-resident hunt drawing for guide required species. The past process was confusing and many opportunities had been lost due to non-resident drawing applicants applying for big game tags without realizing that a guide was required and the associated cost of a guided hunt. This resulted in many tags left unused and income opportunities lost by guides authorized to operate in drawing hunt areas.

A new system requires non-residents to agree to the services of a qualified guide who then will place the applicants name in the drawing pool. This clarifies the cost and logistics involved for the hunters and result in less tags going unused. A "Unique Verification Code" is issued to guides who can then register non-resident clients for permit drawings. Guides must be registered in the area the year of the draw and the year of the hunt.

- Identify regulation violation trends and prepare educational materials to reduce violations.
A "Final Guidelines and Precedence" and a "Guide contracting Process" was created by the board and the Investigator to educate guides, prevent violations and encourage self-reporting.
- Improvement of the Registered Practical exams.
A subcommittee has updated the practical exams and is currently updating the written exam.
- Debt reduction.
An aggressive budget plan was implement beginning with the 2016-17 renewal forms to pull the program out of debt by FY2018-19.

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Goals and Objectives

Part II

FY 2017's goals and objectives, and proposed methods to achieve them.

Describe any strengths, weaknesses, opportunities, threats and required resources:

The boards goal for FY 16-17 is to aggressively pay down debt through cost cutting measures, additional fees and levy's.

Measures in progress include:

1. Process fees for guides and transporters.
2. Institute a one time levy payable in two yearly installments.
3. Reform consent agreement procedures, by cooperation from the department of justice through simultaneous court proceedings and consent agreements.
4. Revise non felony penalties for first offenses.
5. Conduct quarterly judicial teleconference reviews.
6. Continue volunteer exam proctors.
7. Use free state meeting locations rather than rented facilities.

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Sunset Audit Recommendations

Date of Last Legislative Audit: 8/1/2015
Board Sunset Date: 6/30/2019

Audit Recommendation: DCBPL'S director should ensure staff adheres to procedures designed to provide efficient and effective support to the board.

Action Taken: DCCED concurs that additional training and oversight of licensing staff are needed to ensure meetings, exams, and minutes are properly noticed. In January 2015, the division's policies and procedures pertaining to board meeting management were updated to include additional guidance and checklists to ensure these standards are met. The public notice procedures were rewritten and the responsibilities consolidated to one position in 2014, streamlining the tasks involved and improving accountability.

Next Steps: None.

Date Completed: January, 2015.

Audit Recommendation: DCBPL's director should take steps to improve the timeliness of investigations.

Action Taken: In the fall of 2014, the Director and new Chief Investigator took immediate efforts to address the bottleneck of case review by restructuring the investigative unit to provide more effective supervision of both personnel and investigative actions.

Next Steps: None.

Date Completed: September, 2014.

Sunset Audit Recommendations (continued)

Audit Recommendation:	DCBPL's director, in coordination with the board, should increase licensing fees to address the board's operating deficit.
Action Taken:	The board has implemented an aggressive budget plan with increased license fees and new filing fees with a schedule of being debt free by FY2018-19.
Next Steps:	None.
Date Completed:	November, 2015.

Audit Recommendation:	DCBPL's director should ensure the transporter license renewal application form complies with statute.
Action Taken:	The form was updated in time for the 2016-17 license renewal season.
Next Steps:	None.
Date Completed:	November, 2015.