



Guide Concession Program (GCP) Workgroup

June 23, 2023, at 9:00 AM via Zoom

- Members:** Jason Bunch, Chair of the Big Game Commercial Services Board (BGCSB); Registered Guide; DCCED
Christy Colles, Division Director, Mining, Land, and Water; DNR
Rick Green, Special Assistant; DFG
Coke Wallace, Master Guide
Ted Spraker, Public Member
- Facilitator:** Thomas Bay, Executive Administrator for the BGCSB; DCCED

The meeting convened at 9:02 a.m. Many members of the public observed via Zoom.

Permit Terms and Fees

Full Concessions and Limited Concessions. How are they Awarded?

The group discussed the administrative burden of a concession program including time, cost and resources. Full concessions are a considerable opportunity and will be very competitive. An application in the form of a prospectus is used by federal land managers with much success. Limited concessions could be completed through a "drawing". It is understood a drawing type award would be lawful and in-line with the Owisichik Decision. The limited permit would maximize opportunity for new entry and provide a low impact opportunity to gain experience in the field as a contracting guide. It would also provide opportunity for a smaller business model or single species services within a Guide Use Area. Minimum requirements would need to be met before participating in a draw for limited use of an area. The DNR 2013 proposed limited permit establishes sound parameters to begin with.

Number of Concessions per Guide

The USFWS special use permit allows up to three concessions on USFWS lands as long as they are within 3 guide use areas mandated by Alaska statute. This means a person could possess multiple state, private and federal concessions at the same time. Land ownership around Alaska is diverse. Applying too narrow of a stipulation could have undesirable consequences in the balance of opportunity to compete and viable business. Limiting a contracting guide to 3 state land concession may be the best solution.

Length of Time

The USFWS uses 5-year permits with a second 5-year earned renewal totaling 10 years between competitive processes. Permit stipulations and criteria for holding a concession negate the additional work associated with the 5-year review and ongoing award. A business owner needs at least 10 years to invest in an area and begin to see a return on those investments (infrastructure and conservation). As long as the permit stipulations are sound, a concession holder will lose their opportunity if engaged in unlawful activity regardless of the 5-year review. In other words, it seems unnecessary to have the 5-year review. 10-year concessions are recommended with precise permit criteria.

Number of Applications

A minimum number of applications was established under the 2013 DNR proposal to maintain control of the administrative effort of scoring and awarding many concessions at the same time. Implementing concessions with a criteria-based policy of conservation or allocation by GMU subunit or GMU in the absence of a subunit makes application limits unnecessary.

Application Fee

The group realizes application fees will need more scrutiny once the program is fully developed. Many licensees would like to see as many concession fees as possible wrapped into one. Application fee, per client fee and an annual fee are generally accepted as long as the viability of a business is protected.

Vacancy

The term vacancy still needs clearly defined. The group realizes the need for a vacancy clause and understands the definition must ensure little subjectivity. There are many reasons a concession permittee may choose to not utilize an area. These reasons are broad throughout the state but need safeguarded to ensure good stewardship of an area is not lost due to ambiguous terminology.

Criteria to move a GMU or GMU Subunit to Concession

More discussion is required. The group understands statewide, or region wide implementation will be costly and difficult if not impossible. The group also understands statewide implementation is not necessary and has the potential for many unintended consequences. It is general understood the group should focus on two criteria, conservation and allocation by GMU or GMU subunit. The group understands displaced business owners may relocate to other areas within the state creating the very problem concessions are attempting to correct. It is difficult to know the level at which that will actually happen. By utilizing GMU subunit or GMU in the absence of a subunit, this unintended consequence should be minimized.

Public Comment: Permit Terms and Fees

Wayne Kubat

Mr. Kubat thinks there is potential for a bunch of concessions if the group moved forward with Mr. Bunch's proposal. He suggested a limit of four concessions. He also suggested lengthening the amount of time for a concession to 15 years. He and Mr. Bunch discussed State and federal concessions that don't conform to a guide use area. Mr. Spraker asked if redrawing the guide use area boundaries was something they wanted to do. Mr. Bunch said no, and that one of the requirements for a concession would be that it conformed to the guide use areas.

Cabot Pitts

Mr. Pitts liked the discussion on using the concession as a management tool for ADF&G in problem areas in the state. Mr. Pitts provided some examples of areas that do not need concessions and some that do. Mr. Spraker said he was a strong supporter of a statewide concession versus picking a few small problem areas because he is fearful that it will push guides into areas that don't currently have problems, but, after listening to Mr. Pitts, talking to Mr. Bunch before the meeting, and thinking about the administrative task of statewide, he changed his mind and thinks that the concession should be specific to problem areas in the state, and move forward to other areas as needed.

Thor Stacey

Mr. Stacey said that he was providing comments for the Alaska Professional Hunter's Association (APHA) and that he wanted to be clear that APHA does not have a set position that has been developed with the board and

its members, and that the comments he was providing were in the hope of providing some framework or clarification for the workgroup's decisions. He said that if there is going to be a limit on the number of guides in a concession that it needs to begin by defining the problem area. He used the earlier discussion on limiting concessions on a GMU subunit basis as an example, suggesting that as long as one guide does not monopolize the entire GMU, then limiting each GMU subunit to one concession should be fine. However, he said that it depends on the problem you are trying to solve, such as a valuable species on the threshold of going to draw or a drawing hunt afterwards. He said, if there is going to be an effective tool, that you need to decide as a matter of policy if you are going to have one or two concessions within a GMU subunit, and that, if you were to have more than two, how do you avoid the permit draw situation, with one of them being the possibility of joint use concessions. Mr. Stacey said that Mr. Kubat made some good comments regarding limiting concessions. In his experience with APHA, Mr. Stacey said that there was a fear that a state-concession program would unfairly benefit existing or non-existing federal concession holders and suggested that whatever restrictions are put on concession numbers, if that is the route taken, that they do not unfairly benefit federal or State concession holders down the road. He said that if they limit concessions, they should have open communication with the federal government and existing federal concession holders. He said that it would make sense for agencies to offer terms and conditions up front on limited concessions because the goal is to solve a conservation and Board of Game allocation problem. Regarding the issuance of full concessions, he said that the prospectus itself should probably be designed to migrate into the permit terms and conditions. Regarding narrowing concessions to problem areas and reminding everybody that he cannot speak for APHA at that point, he said that the thought process of using concessions as a tool for those areas has a lot of merit behind it.

Tim Booch

Mr. Booch said that he is completely supportive of the GCP effort. He said that his business, clients, and the product he provides has a lot to do where his camps are located. He said that, if there were two full concessions provided in a GMU subunit, then DNR needs to address camp placement, to reduce competition.

Mark Richards

Mr. Richards, representing Resident Hunters of Alaska, asked if the written comments from Resident Hunters of Alaska, which he provided earlier in the day, would be made available to the public, to which Jason said yes, but that they had to wait for Sara to get back.

Dick Rohrer

Mr. Rohrer does not want to see any change to the current model of three guide use areas. He said that a limit to guide concessions would be an issue because you can have many concessions within one guide use area. He agreed with Mr. Stacey's comments in regard to limiting full concessions to one GMU subunit. He said there was some merit to have further discussion on a draw for limited concessions, assuming that the purpose of those were for new entrants that met certain criteria.