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**IN THE SUPERIOR COURT FOR THE STATE OF ALASKA
THIRD JUDICIAL DISTRICT AT ANCHORAGE**

ROBERT CASSELL,

v.

STATE OF ALASKA, BOARD OF
GAME,

Case No. 3AN-19-07460 CI

**EXHIBITS TO AMICUS CURIAE BRIEF OF ALASKA PROFESSIONAL HUNTERS'
ASSOCIATION**

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- EXHIBIT 11 - Economic Impacts and Contributions of Sportfishing in Alaska, 2007 at ix, xvii and 108 (Alaska Dept. of Fish & Game and Southwick Associates, Inc., 2008)
- EXHIBIT 12 - Tourism and Its Effects on Southeast Alaska Communities and Resources: Case Studies from Haines, Craig, and Hoonah Alaska, pp. ii, iii and viii (U.S. Forest Service, 2005)
- EXHIBIT 13 - Economic Impacts of Guided Hunting in Alaska, pp. 2-3 (McDowell Group, Feb. 2014)

Note: The full text of the reports excerpted in Exhibits 11-13 are available at the web addresses provided in footnote 6 to the accompanying brief.

EXHIBIT 1
Order re APHA involvement in case

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA
THIRD JUDICIAL DISTRICT AT ANCHORAGE

ROBERT CASSELL,

Plaintiff,

vs.

STATE OF ALASKA, BOARD OF GAME,

Defendant.

CASE NO. 3AN-19-07460CI

ORDER

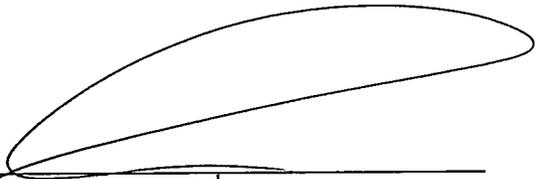
Joint Motion to Accept Plaintiff's Stipulated Agreement

The parties have entered into a stipulation together with *amicus curiae* Alaska Professional Hunters Association, regarding the Association's involvement in this case and a related appeal. The parties ask that the superior court approve the stipulation.

The Motion to Accept Plaintiff's Stipulated Agreement is
GRANTED.

The parties explained that they will be conferring and will soon suggest a briefing schedule in the superior court.

DONE this 4th day of June 2020, at Anchorage, Alaska.



William F. Morse¹
Superior Court Judge

CERTIFICATE OF SERVICE

I certify that on 4 June 2020
a copy of the above was emailed/mailed to each of the
following at their addresses of record:

E. Gardner
M. Findley
A. Peterson
C. Brooking
J. Lister
A. Cook



Ellen Bozzini
Judicial Assistant

¹ This case had been assigned to Judge Eric Aarseth. He has taken a criminal caseload. His civil cases, including this one, will be assigned to Judge Adolph Zeman when he takes the bench in early August. The case is not permanently assigned to me.

3AN-19-07460CI
CASSELL v. BOARD OF GAME
Stipulation

EXHIBIT 2
Settlement Regarding APHA Participation

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA
THIRD JUDICIAL DISTRICT AT ANCHORAGE

ROBERT CASSELL,

Plaintiff,

v.

STATE OF ALASKA, BOARD OF
GAME,

Defendant.

Case No. 3AN-19-07460 CI

**STIPULATION AND SETTLEMENT REGARDING ALASKA PROFESSIONAL
HUNTERS ASSOCIATION PARTICIPATION**

This Stipulation is submitted by plaintiff Dr. Robert Cassell (“Dr. Cassell”) and the Alaska Professional Hunters Association (“APHA”) (“Parties”). Defendant State of Alaska, Board of Game (“State”), while not a party to this Stipulation, has reviewed the Stipulation and does not object to its contents or court approval of it, and further agrees to the notice provision in Paragraph 3(a) below and is a signatory for these limited purposes.

RECITALS

A. On May 29, 2019, Dr. Cassell filed a Complaint in Superior Court Case No. 3AN-19-07460CI, *Cassell v. State of Alaska, Board of Game* (“Litigation”), naming the State as the defendant and alleging, *inter alia*, that the State’s allocation of some hunting draw permits for Kodiak Brown Bear to non-Alaska residents (the “Allocation”) violated the Alaska Constitution.

B. The State filed an Answer denying and opposing Dr. Cassell's claims on July 15, 2019.

C. On August 2, 2019, APHA filed a motion for intervention in the Superior Court Case. Dr. Cassell opposed the motion for intervention, but stated he did not oppose having APHA participate as *amicus curiae*. On October 7, 2019, the Superior Court denied APHA's motion, and granted APHA *amicus curiae* status.

D. On October 31, 2019, APHA timely appealed the Superior Court's order denying intervention, Supreme Court Case No. S-17628 ("Appeal").

AGREEMENT

The Parties agree to settle the issues regarding APHA's participation in the Litigation as follows:

1. APHA will participate in the Litigation as *amicus curiae*. However, for any dispositive motions, APHA will have the same opportunities for briefing and oral argument presentation as the State. In terms of oral argument presentation, the Superior Court would enlarge argument time for APHA to participate. For example, if the case proceeds on summary judgment, APHA would file its opposition to Dr. Cassell's motion at the same time as the State, and would have oral argument time equal to the State's, but its argument time would not reduce argument time for either the State or Dr. Cassell.

2. APHA will not have the ability to file its own motions, but may submit principal and reply briefs in support of any motion filed by the State or in opposition to any motion filed by Cassell.

3. The Parties agree that APHA's status in the Litigation will be revisited as set forth below upon either: (a) the entry of a final appealable judgment in the Litigation (as defined in Alaska Rule of Appellate Procedure 202); (b) a settlement agreement between Dr. Cassell and the State, resolving some or all of the issues in the Litigation, or (c) a concession by the State that some or all of the Allocation is unlawful.

a. Final Judgment. The Parties agree that if the State declines to appeal any final judgment adverse to the State (whether in whole or in part), APHA shall be entitled to intervene as a party for the appellate phase of the Litigation, including the right to file points on appeal. The State shall provide written notice of any decision not to pursue an appeal to counsel of record for both Parties, via U.S. mail and e-mail, within the 30-day timeline for filing a notice of appeal provided in Appellate Rule 204(a). The Parties shall then promptly file a notice with the Superior Court regarding APHA's intervention per this Stipulation, and APHA shall have 30 days from the filing of that notice to submit any appeal under the Alaska Appellate Rules, unless a longer timeframe applies pursuant to Appellate Rule 204(a). Should the State file an appeal and then dismiss that appeal, APHA shall be entitled to substitute for the State as appellant.

b. Settlement. If Cassell and the State reach a settlement in the Litigation, APHA may file a new motion for intervention with the Superior Court, to be decided on its own merits at that time, after all Parties have had an opportunity to be heard. If, however, the settlement involves an agreement by the State that the Allocation is unlawful, in full or in part, or an agreement by the State not to oppose a judicial finding

that the Allocation is unlawful, in full or in part, then the settlement shall be treated as a concession of liability subject to paragraph 3(c) below.

c. Concession of Liability. If the State agrees in writing that the Allocation is unlawful, in full or in part, whether by way of filing an Amended Answer admitting liability or otherwise, then APHA shall be entitled to intervene as of right.

4. Should the Superior Court enter a final judgment on the merits in favor of the State, or a final judgment on the merits in favor of Cassell that the State elects to appeal (both of which are circumstances in which APHA is not entitled to intervenor status pursuant to Paragraph 3(a) above), Cassell agrees not to oppose APHA having amicus curiae status in the Supreme Court, and not to oppose any application by APHA to the Supreme Court for leave to present oral argument as *amicus curiae*.

5. The parties will submit a joint motion to the Alaska Supreme Court for leave to submit this Stipulation to the Superior Court for approval, and then will jointly submit this Stipulation to the Superior Court for approval if such leave is granted. APHA will withdraw the Appeal within seven days of the date this Stipulation is approved by the Superior Court (or by the Supreme Court, if the Supreme Court elects to itself decide whether or not to approve this Stipulation).

SIGNED:

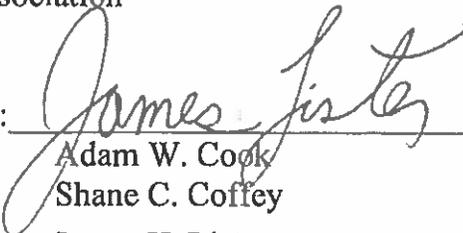
ASHBURN & MASON, P.C.
Attorneys for Plaintiff Dr. Robert Cassell

DATED: 1/22/20

By: 
Matthew T. Findley
Eva R. Gardner

BIRCH HORTON BITTNER & CHEROT
Attorneys for Alaska Professional Hunters
Association

DATED: 1/18/20

By: 
Adam W. Cook
Shane C. Coffey
James H. Lister

ACKNOWLEDGED:

KEVIN G. CLARKSON
Attorney General, State of Alaska

DATED: 1/23/2020

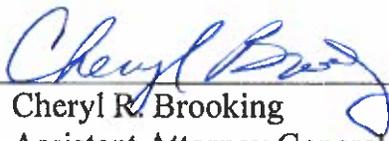
By: 
Cheryl R. Brooking
Assistant Attorney General
Aaron C. Peterson
Assistant Attorney General

EXHIBIT 3
Chervenak Public Comments



**Alaska Board of Game
South Central Region Meeting
March 15-19, 2019**

My name is Paul Chervenak and I am a 39-year resident of Kodiak Alaska. I have been in the guide/outfitting business for 33 years. During this time, I have actively participated with the ADF&G, USF&WS and local native association resource managers and biologists. I participated in the development of the 2002 Kodiak Brown Bear Management Plan and then helped form, and have been chairman of, the Kodiak Unified Bear Subcommittee (KUBS) which oversees this plan and deals with bear issues on Kodiak. I am the State trustee, and chairman of, the Kodiak Brown Bear Trust. I have been on the Kodiak Advisory committee for over 20 years.

I am **opposed** to proposals 98 (changing season dates) and proposals 99,101,102,103,104 and 130 that deal with changing brown bear permit allocation on Kodiak. These will all result in a change in the current harvest rate of bears on Kodiak.

In recent years, there has been a push to change the resident/non-resident allocation for bear permits on Kodiak, increasing permits to residents. These ideas range from changing the distribution from the current 60/40 split (residents/non-residents-which currently is actually 66/34) to a 90/10 or greater, giving non-resident permits to residents and/or establishing a resident waiting list for under subscribed permits.

The first question that should be asked is: **What is good for the bears?**

The current management system is working beautifully. Changes, if any, should be slight and closely monitored.

Bear Management on Kodiak Island is one of the major successes in wildlife conservation. The current population is at an all-time high with a large percentage of the harvest being mature males, showing the health of the population. ADF&G consistently hits the annual target harvest of 6% (~180 animals). It a unique, interdependent and complex system developed over time and we are now at the micro management level. We need to be extremely careful, just slight changes could have potentially multiple and lasting consequences.

The second question that should be asked is: **What will be gained?**

The tables 1&2 in the Kodiak AC minutes show an example of what would happen if you gave the residents 90% of the current permits issued on Kodiak. The tables show: the existing # of non-resident permits, resident permits and total permits by hunt area. The fourth column shows the current resident draw success percentages with the existing resident # of permits (taken from the 2018 ADF&G hunt supplement). The 5th column shows the new draw success percentages for residents given the same # of applicants given 90% of the current # of permits issued. Draw percentages go up minimally.



Giving the “under subscribed” non-resident permits to residents and/or establishing a waitlist for non-used resident permits will negate the variable used by ADF&G in establishing permit numbers. They figure in some resident and non-resident permits being unused, thus issuing a higher number of permits than harvest would allow. These options will probably lead to an actual reduction in permits issued, making the drawing odds even greater.

With the current # of resident applicants, even giving them 90% of the current permits available, drawing odds only increase slightly. Only giving them a few more permits as some of the proposals would do, basically doesn't change their odds of drawing a permit. There is practically nothing gained.

Naturally the next question is: **What will be the cost?**

There will be definite major economical ramifications for the small businesses (guides), Kodiak and the state of Alaska. The change in allocation will most likely have major biological ramifications. Some unknowns probably will be: a decrease in resident permits, depending on harvest, and the loss of the long standing and traditional bear guide industry on Kodiak.

Economically: there will be a major loss of revenue for the small business owners, the guides, and the Kodiak economy.

It's hard to calculate the exact figures, but you would first look at the money generated from the hunts. The Kodiak AC minutes reflect some very minimal figures with just the hunt costs listed, 4.1 million dollars. It is hard to estimate the additional income these nonresidents bring to the economy. They, and often accompanying non-hunters they bring, have the added expenditures of non-resident accommodations, food and drink, equipment, gifts and other tourism related expenditures. Then there is the additional revenue that is gained by many of these hunters returning to Kodiak, often with their families, for other types of trips once they've gotten to know the Island.

Additionally, there is the loss of the guides higher per hunt expenditures of employees, air transportation, food, fuel, equipment, permitting, advertising, etc. These nonresident permits being given to residents will not generate anything even close to the same dollar figures.

Following the 10% allocation of some states in the lower 48 (which some proposers like to use in requesting this allotment) there would only be one non-resident permit available if the prescribed hunt had at least 10 permits available. Using the current # of permits issued, this would reduce the non-resident allotment to a maximum of 15 spring and 3 fall permits. Possibly 18 total permits, down from 170. (see the last column in Kodiak AC's minutes, figures 1&2) Even taking a straight 10%, or 50 of the current 500 drawing permits, would reduce it to less than 1 permit for each of the 62 possible prescribed hunts. This would put most of the bear guiding operations and their employees out of business.



These economic impacts carry over to the state level. These non-resident hunters often have additional tourism related expenditures throughout other parts of Alaska as they travel to Kodiak and then in return trips. It's well documented that non-resident hunters pay for most of the operating costs of the ADF&G (78%). Loss of license and tag revenue from Kodiak nonresident bear hunters alone would be close to one million dollars, if you gave the residents the current nonresident tags. (using the figures in Kodiak AC minutes-Proposal 99)

185 non-res licenses/tags @ \$1160=\$214,600. PR fund match \$643,800 Total \$858,400
120 non-res deer tags @ \$300=\$36,000. PR fund match \$108,000 Total \$144,000
Total lic/tag expenditures \$1,002,400
Comparison-160 res lic/tag @\$70=\$11,200 PR Fund match \$33,600 Total \$44,800

I believe the Kodiak AC's comparison numbers would actually be much lower, if you account for resident show participation rates and the likely probability that they would all already have their hunting licenses. So, 160 res tags@25=\$4000 and with PR funds would total \$16,000.

Biologically: there will be biological ramifications with the change in permit allocation. I disagree with the ADF&G being "political" and saying this is an allocation issue when it is also a biological issue. There will be an increase in sow harvest and a decrease in adult boar harvest. Both leading to lower cub production and lower sow/cub survivability. The resident hunters have a higher percentage of sow harvest. The targeted harvest of adult boars has helped increase sow/cub survivability which has led to a higher bear population. Harvest of adult males needs to continue to maintain the population as is or it will decrease. The guided non-resident hunters account for the majority of the harvest of adult males. (See the Kodiak AC'S Table 3-numbers taken from ADF&G harvest data over the last 8 years: whether looking at 28+", 27+" or 26+" skull sizes defining large boars). These percentages go up if you factor in the resident harvest by guides who drew a resident permit, and the residents who had help from a guide. Guides are primarily responsible for the harvest of large adult boars. Their predictable participation and anticipated harvest rates are very important for the continued health of Kodiak bear management.

Brown bears are not like ungulates, you cannot stockpile them. If you fail to harvest moose in an area, the majority will be there the following year, they do not kill each other. You cannot stockpile bears, you have to keep the harvest of adult boars ongoing.

I'm not trying to be mean, but it's a fact, the resident hunters will not be able to harvest the adult boars anywhere near the guides rate of success, or they already would. The majority of them do not know how to hunt brown bears, even if they were to put in the effort and time the guides do. They do not have the experience or knowledge to do so effectively. Brown bears are too smart, too wary and have too big of home ranges.

I started as a resident rookie brown bear hunter and have now been hunting them extensively in each of the last 35 years. I have a lot of experience, but am not even close to, or will ever, know too much. I have also watched and talked with many resident hunters, often helping



them, and see them repeatedly make the same mistakes I did early on, especially on scent control.

Non-experienced brown bear hunters have no idea on how careful you have to be with scent control. They often; take the easy route into an area, camp close to or in bear concentration areas often having fires, hike around looking for bears, try low odds of success stalks and often try to outdo other hunters in the area. This lack of scent control instantly drives the adult boars miles and miles away, leaving the sows and sub adult boars (both with smaller home ranges) as the bears available for harvest.

Guides are also better at spreading out use over time and the hunt area, giving everyone a higher quality and more successful hunt opportunity. They often coordinate with some of the resident hunters and have better knowledge of the hunt area and means of moving and/or accommodating other hunters. Resident hunters often concentrate in the May time period and lack the ability to coordinate with other residents, often ending up on top of each other, creating a less successful hunt and quality of experience. Putting more resident hunters into these hunts, by changing allocation, will worsen this problem.

Board of Game authority, mandates and their Nonresident Hunter Allocation Policy (NHAP)

The BOG by the Alaska constitution has general authority to provide for the utilization, development and conservation of all natural resources... "for the maximum benefit of the people." The BOG is required to look at the Common Use Policy ..." where the resources are reserved to the people for common use" and they are mandated to make sure the resources are maintained on the sustained yield principle. Additionally, by Alaska Statute, the commissioner of ADF&G is required to manage the resources of the state in the interest of the economy and general well-being of the state.

Maximum benefit of the people-The Kodiak bear is a unique situation in that it is not a "meat" animal, thus isn't managed to maximize it as a food source for the people of Alaska. So, that leaves it for its intrinsic and economic value. The intrinsic value is for all to see and enjoy, photograph. The primary value of the brown bear is to the economic value of the state and local economy. "For the maximum benefit of the people" should thus involve a high percentage of nonresident guided hunters which clearly maximizes the economic value of the Kodiak bear.

Common Use-The common use clause in the constitution makes no differentiation between personal and commercial use. The legal discussion of this is pointed out in the Kodiak AC minutes. Thus, unless conservation demands it, no preference is given to one or the other, residents or resident guides. The vast majority, 97%, of the guides registered in Unit 8 (Kodiak) are Alaskan residents. The times when a preference can be given is when there is a conservation concern. So, in fact, looking at "conservation", it might demand that guides be given preference with their lower sow, and much higher adult boar, harvest rates.



The BOG NHAP also acknowledges that “60% of state remains in Federal ownership and is managed for the benefit of all residents of all U.S. citizens equally”. Approximately 2/3’s of Kodiak Island is in Federal ownership. The USF&WS service wants access to the Kodiak National Wildlife Refuge open to all U.S. citizens equally. In fact, in 1976 when they came up with the current allocation, the USFWS wanted a 50/50 allocation, but compromised on the current allocation.

I think it is very clear that in the **best interest of the bears**, operating on the sustained yield principle, maximizing the benefit to the people and holding to the common use clause, the BOG should maintain the status quo on permit allocation.

Thank you for the opportunity to submit comments and feel free to contact me should you desire any additional information or clarification.

Sincerely,

Paul A. Chervenak
PO Box 1961
Kodiak, AK 99615
907-486-3008
paul@kodiakoutdoors.com

EXHIBIT 4A
March 16, 2019 BOG Transcript
See Exhibits 4B-4D for additional transcripts.

In The Matter Of:

*Alaska Department of Fish and Game
Board of Game March 2019 Meeting*

*Transcript of Meeting (Excerpt)
March 16, 2019*

*Glacier Stenographic Reporters Inc.
P.O. Box 32340
Juneau, Alaska 99803
www.glaciersteno.com*



Original File Board of Game Meeting Excerpt 3-16-2019.txt
Min-U-Script® with Word Index

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11 Anchorage, Alaska
12
13
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15 Ted Spraker, Chair
16 Nate Turner, Vice-Chair
17 Stosh Hoffman
18 Karen Linnell
19 Larry Van Daele
20 Tom Lama
21 Jerry Burnette
22
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1 PROCEEDINGS
2 [Meeting 03-16-19.MP3]
3 8:31:45 AM
4 (This portion not requested.)
5 9:00:31 AM
6
7 PUBLIC TESTIMONY BY MATT MOORE, ANCHORAGE AC
8
9 **MATT MOORE:** Good morning. My name is Matt
10 Moore, and I live here in Anchorage. And this is
11 my second year of serving on the Anchorage AC. And
12 my testimony today is solely for the Anchorage AC.
13 So thanks, again, for allowing me to testify.
14 This year was my first year to be chair
15 of the game subcommittee. Our interests included
16 trapping, subsistence, hunting, photography,
17 personal use, outdoor use, and conservation. So we
18 cover just about all the bases with the six or
19 seven folks that we had on our subcommittee.
20 There were a few proposals that really
21 piqued the interest of the public, and they came
22 and attended.
23 In particular, we had proposals
24 regarding Kodiak brown bear hunting regulations,
25 and we had quite a few guides, assistant guides,

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1 and lodge owners that attended.
2 We considered, I believe, Proposal 99,
3 which was to actually change the allocation of tags
4 between residents and nonresidents to a 90-10
5 split, and I believe we amended that to 75-25, and
6 hopefully we got that right.
7 We also considered Proposal 55. Sorry
8 for backtracking there. And that was to repeal the
9 prohibition of spotting sheep from the air in Units
10 7 and 14. Just having a full-out ban on it seemed
11 like it was a little bit too much, and everyone
12 that was there in the public supported that
13 position as well.
14 There also seemed to be, at least this
15 year, an increase in resident opportunities that
16 were being proposed. And some of them were
17 supported by the AC, and some of them weren't.
18 Moving on to Proposal 117, that was
19 extending the hunting season for black bear in JBER
20 in 14C. We supported that as well. It seemed like
21 our trend was to increase the opportunities for any
22 opportunity to hunt or to reduce the number of
23 predators that were in our area.
24 We had drafted Proposals 8, 118, and
25 119, which were both registration black bear hunts

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1 within the Chugach State Park. These were in
2 specific areas that we had -- they had allowed to
3 have antlerless hunts, DM666.
4 So it would be from McHugh Creek and
5 Upper Campbell Creek. And so they were the same
6 areas, the same weapons that would be allowed,
7 which would be shotgun or muzzleloader, and
8 reasonable dates for hunting. And those passed
9 unanimously.
10 I went as a representative of the
11 Anchorage AC to the Chugach State Park Citizens
12 Advisory Board and provided them information on
13 what those hunts would entail or could entail.
14 They were not well-received, but we
15 tried our best anyway. And I would still like the
16 support of the board for those, because we believe
17 that there are too many black bears that are in the
18 Anchorage Bowl. And one of the ways that we can
19 keep them from getting in the Anchorage Bowl is
20 being able to have a hunt that's close by in the
21 state park to keep that from happening.
22 We also had a few proposals that
23 addressed bear-baiting in the state park. And we
24 kind of looked at it from the opposite end of the
25 telescope compared to a lot of folks. A lot of

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1 folks were telling us, "Well, you know, this is
2 teaching a bear to become habituated to human
3 food."
4 And our position was, "They already are.
5 That's why they're getting into trash on the
6 Hillside and down in Muldoon. So let's see if we
7 can stop them before they get into town and start
8 causing troubles."
9 And in the past we have had problems, I
10 believe, historically along the McHugh Creek, where
11 we've had interactions between black bears and
12 hikers. And that's been a problem, and a few years
13 ago we had the same sort of problem down on Bird
14 Creek as well.
15 So if anyone has any other questions, I
16 would be happy to address them.
17 **CHAIRMAN SPRAKER:** Okay. Matt, thank you.
18 Very concise.
19 Board members, questions?
20 Tom.
21 **MR. LAMAL:** This is a question on the
22 bear-baiting. So you had -- what was the feedback
23 basically that you really got with that? I know
24 that there's a lot of people that don't want them
25 close to where they live, and --

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1 **MATT MOORE:** Well, part of the feedback was, I
2 believe, from the folks on the citizens advisory
3 board, was they felt like there would be trails
4 that would be made by people constantly going in
5 and out over, I guess, their fragile flora and
6 establishing some sort of a trail in people that
7 weren't well-versed with where the trail systems
8 were in the park. They would actually walk onto
9 these bait sites.
10 I believe by regulation it's -- you
11 know, it's pretty obvious that you have to put
12 signage up and make it clear that it is a bait
13 station. So I don't think that's a real big
14 concern.
15 They were more concerned that there
16 would be more human hiker type of interactions with
17 people that were out there trying to bait. It's
18 very straightforward.
19 **MR. LAMAL:** Okay. Thank you.
20 **CHAIRMAN SPRAKER:** Other questions for Matt?
21 Larry.
22 **MR. VAN DAELE:** Yeah. Thank you,
23 Mr. Chairman.
24 And, Matt, you guys are amazing how many
25 times you meet. The dedication your AC has is

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1 second to none, and I appreciate that. I just want
2 to put that on the record.
3 With regard to specific proposals --
4 following on what Member Lamal was talking about --
5 do you have any residents from Bird or Girdwood on
6 your AC?
7 **MATT MOORE:** I don't believe we do. I think
8 most of them are directly either in Anchorage or
9 live in Chugiak or Eagle River.
10 **MR. VAN DAELE:** Because it seems like most of
11 the public comments that we received with regard to
12 the bear hunting had concerns specifically around
13 the Girdwood area. And I wonder if when you
14 considered this, if you addressed those concerns or
15 discussed them at all.
16 **MATT MOORE:** No. We were -- and, no, we
17 didn't. Really what we were thinking more was in
18 line with something that was closer the Anchorage
19 Bowl, not necessarily in Girdwood or Bird.
20 I do believe that there are
21 opportunities around Girdwood and Bird to black
22 bear hunt within the state park. But as far as
23 baiting goes, no, we didn't discuss that.
24 **MR. VAN DAELE:** Okay. Shifting gears a bit,
25 Proposal 55, the sheep flying --

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1 **MATT MOORE:** Right.

2 **MR. VAN DAELE:** -- proposal. Was your
3 discussion on the generic idea that that was not a
4 good idea from the get-go, and we don't like it, or
5 was it specific to Unit 14 about the sheep hunts
6 you have here?

7 **MATT MOORE:** It was both. Part of it was, you
8 know, when we have an opportunity to go out and
9 hunt, we have a few different ways that we can do
10 it. We can bow hunt or we can rifle hunt. This
11 was just -- seemed like a natural extension that
12 some people like to be able to scout or be able to
13 see sheep from a plane to be able to say, "At least
14 I know there's sheep in this area. I know that
15 they've got four legs, and they go places we can't
16 go, but at least we know that they're there."

17 Now, I've gone into areas before where
18 I've seen sheep, you know, years ago, spotted them
19 from planes. You go in, and then you see a sheep
20 that you never saw before.

21 So, in particular, it was a -- I think
22 the example that was used was a fellow who wanted
23 to go hunting with his children. And so by going
24 out and being able to spot from the air, in
25 particular in 14, it would give them the

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1 opportunity to share that kind of pre-hunt exercise
2 together so they could start understanding what
3 sheep hunting would be, and so it would also not
4 wear out the child in the process.

5 **MR. VAN DAELE:** And did you hear any
6 complaints about too many airplanes in the 14, Unit
7 14 areas, 14C?

8 **MATT MOORE:** No. I can tell you in the past
9 from personal experience in other locations I've --
10 I've experienced some harassment in that way, but
11 no.

12 **MR. VAN DAELE:** But not specific to --

13 **MATT MOORE:** No. You know, really what we
14 were trying to do was to say there should be some
15 way, or if you want to be able to use a plane to
16 spot for sheep, you should be able to do it.

17 And if there are people that are, you
18 know, operating outside the law, there should be
19 some method to be able to, you know, curtail that
20 activity and do it pretty quickly.

21 **MR. VAN DAELE:** Okay. Thank you, sir.

22 Thank you, Mr. Chairman.

23 **CHAIRMAN SPRAKER:** Matt, on that same venue,
24 did anybody testify that things are quieter in the
25 mountains since 207 has been in place?

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1 **MATT MOORE:** Oh, yeah. Yeah. And I think
2 that's -- you know, that's part of what you have to
3 deal with when you're hunting in modern times. You
4 know, a lot people when they say, "I'm going to go
5 out and hunt, and I'm going to use my quad," some
6 people, you know, are referring to their legs.
7 Other folks are talking about using four-wheelers.

8 And some people like to go out and hunt
9 because it gives them an opportunity for a little
10 bit of serenity. And when they hear that noise, it
11 kind of, you know, drives them crazy, or they think
12 that, you know, if I'm out on a hunt in the middle
13 of Alaska, like for a nonresident, they come up and
14 they hear all the same things that they hear in the
15 modern world, it's not exactly what they
16 envisioned. You know? But, yeah, I actually like
17 it when it's quiet.

18 **CHAIRMAN SPRAKER:** Well, I mean, that's --
19 that was the -- the reason why 207 came to this
20 board --

21 **MATT MOORE:** Uh-huh.

22 **CHAIRMAN SPRAKER:** -- and so forth was people
23 complaining about harassment.

24 **MATT MOORE:** Well, you know, there are also
25 other possibilities too and ways to address it.

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1 You could say something along the lines of -- let's
2 just pick an arbitrary example. Let's say during
3 this period of time when you're actually out
4 spotting sheep, you can be no lower than 2,000 feet
5 AGL when you're spotting. You know, you could do
6 things like that, and you could actually have noise
7 abatement in that way.

8 **CHAIRMAN SPRAKER:** Yeah. Okay. We'll
9 certainly dig into that one.

10 **MATT MOORE:** Okay.

11 **CHAIRMAN SPRAKER:** Any other questions for
12 Matt?

13 All right. Matt, thank you. Good job.

14 **MATT MOORE:** Thank you for the opportunity.

15 **CHAIRMAN SPRAKER:** Matt, hold on just a
16 second.

17 **VICE-CHAIR TURNER:** Actually, sorry to delay
18 you there. But I just wanted to commend you guys.
19 It was already mentioned a couple times in this
20 meeting how great your notes are. And Larry just
21 commended you guys for your hard work. I wanted to
22 add to that.

23 And could you talk briefly about your
24 AC? It looks like there's some changes in
25 membership. And has there been --

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1 **MATT MOORE:** Sure. We started off this year
2 with 17 members. Then we had three, one that had
3 to leave for personal reasons, the other two that
4 resigned because they had job conflicts. And so
5 we're, you know, working at about 14. And
6 typically we have, I don't know, maybe eight, nine,
7 ten that show up at meetings on a regular basis.
8 There's -- I think like every
9 organization, there's a core group, a choir, if you
10 will, that shows up and is extremely dedicated and
11 eventually gets burned out. We aren't burned out
12 yet, but, you know, we're trying pretty hard.
13 **VICE-CHAIR TURNER:** Well, thank you personally
14 for stepping up and taking on a leadership role,
15 and you did a good job here at the board.
16 **MATT MOORE:** Well, thanks.
17 9:12:51 AM
18 (This portion not requested.)
19 9:47:35 AM
20
21 PUBLIC TESTIMONY BY JASON BUNCH
22
23 **JASON BUNCH:** How is that? Am I a little loud
24 or not as loud right there? Some folks are pretty
25 loud.

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1 **CHAIRMAN SPRAKER:** Yeah. That's okay.
2 **JASON BUNCH:** Mr. Chairman and members of the
3 board, I thank you for your time. For the record,
4 my name is Jason Bunch. I'm a 22-year resident of
5 Kodiak. I'm a father of two boys, who enjoys
6 sharing with them many of our outdoor privileges we
7 have as residents.
8 I'm also the secretary for the Kodiak
9 Advisory Committee, but today I'm speaking to you
10 as a resident of Kodiak, who has much pride in our
11 community, and, like the residents of Kodiak, trust
12 in the AC process and want to emphasize its
13 importance and efficiency to you.
14 I own and operate two businesses in
15 Kodiak: a very small guide business and a small
16 asphalt business. I share this because I feel my
17 perspective on the proposals concerning Unit 8
18 include a few different points of view.
19 And I would like to point out they have
20 consequences --
21 (Fire drill alarm.)
22 **JASON BUNCH:** Can we start mine I'm over after
23 this?
24 (Off record.)
25 **CHAIRMAN SPRAKER:** Well, good morning again,

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1 ladies and gentlemen. We're going to continue with
2 the public testimony. We had a brief at ease there
3 due to a fire alarm going off in the building.
4 Luckily, there was no fire. So we're going to call
5 the meeting back to order at 10:09 a.m. We had --
6 Jason Bunch started his presentation.
7 So you can either start over or start at
8 whatever point you want to, but we're going to
9 start your time over again. So we'll at least --
10 we're not going to dock you for that one. So
11 you've got five minutes. Go ahead.
12 **JASON BUNCH:** Thank you, Mr. Spraker and Board
13 of Game members.
14 For the record, my name is Jason Bunch.
15 I'm a 22-year resident of Kodiak. I have a
16 father -- I'm a father of two boys, who enjoys
17 sharing with them many of our outdoor privileges we
18 have as residents.
19 I'm the secretary for the Kodiak
20 Advisory Committee, but I'm speaking to you today
21 as a resident of Kodiak, who has much pride in our
22 community, and, like the residents of Kodiak, trust
23 in our AC process. And I want to emphasize its
24 importance and its efficiency.
25 I own and operate two businesses in

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1 Kodiak: a very small guide business and a small
2 asphalt maintenance business. I share this with
3 you because I feel my perspective on the proposals
4 concerning Unit 8 including a few -- I think they
5 include a few different points of view. And I
6 would like to point out they have consequences that
7 will not only affect my family but all residents of
8 Kodiak and ultimately Alaska.
9 Instead of reiterating the Kodiak
10 Advisory Committee comments, I ask that you
11 thoroughly review them, as they reflect my personal
12 position with the exception of Proposal 97. That's
13 the primitive weapon season to muzzleloaders on the
14 road system. But each and every other proposal
15 reflects my personal opinion.
16 I was one of two -- let's see. I would
17 be happy to answer questions concerning any of the
18 proposals concerning Kodiak, but, first, I would
19 like to speak to the efforts by the committee for
20 the AC comments, because, after all, they represent
21 me.
22 The AC of Kodiak is comprised of
23 designated user seats, which, if you look at the
24 first page on your -- on the AC minutes, you'll
25 notice that the designated user seats are

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1 illustrated before each name of member present. I
2 believe that those designated user seats properly
3 and accurately represent the community.
4 In this day and age it is seldom one
5 would see such a wide spectrum of individuals
6 unanimously come together for the betterment of
7 their community, but we see it time and time again
8 regarding the citizens of Kodiak.
9 As you know, designated user seats
10 ensure a collective measure of all of the community
11 and guard against self-interest groups.
12 You may also see that there was multiple
13 unanimous votes. And that doesn't mean that no one
14 was -- that cared that was there. It doesn't mean
15 that they were easily led. That is definitely not
16 the case.
17 These proposals were taken very
18 seriously during collaboration. Decisions didn't
19 come from personal opinion, rather from an enormous
20 amount of time gathering factual information,
21 reviewing the topics, and debating the consequences
22 of each proposal.
23 In the end, my desires and the desires
24 of our community were to safeguard the resources of
25 Kodiak Island. They are important for the economic

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1 stability of each and every citizen of Kodiak, all
2 the way down to the guy who paints the parking lots
3 and fills the potholes.
4 The estimated \$4-plus million that
5 circulates through our economy is relevant,
6 especially to an already stagnant and struggling
7 economy. And even if some do not want to talk
8 about dollars when discussing the management of
9 brown bears, mountain goats, and Sitka black-tailed
10 deer, we must so that we take every precaution to
11 manage, conserve, and protect them. They are
12 priceless to us in so many ways.
13 In closing, misinformation can drive
14 itself between people striving to do what they
15 think is right. I trust the board's decisions will
16 be made with truthful and accurate information that
17 takes into account all the diverse issues
18 associated with the use of our Alaskan resources.
19 Thank you again for the time today.
20 We're facing important issues that have lasting
21 consequences on the economic stability of Kodiak
22 and the management of our most prized resource, the
23 Kodiak brown bear. Thank you.
24 **CHAIRMAN SPRAKER:** Okay. Jason, very well
25 done.

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1 Board members, questions?
2 Larry.
3 **MR. VAN DAELE:** Thank you Mr. Chairman.
4 Thank you, Mr. Bunch. Proposal 97, you
5 said that you didn't feel exactly the same as the
6 committee did. Do you want to expound on your
7 thoughts on that?
8 **JASON BUNCH:** Sure. Thank you, chairman -- or
9 Member Van Daele. That was regarding adding
10 muzzleloaders to primitive weapons season and
11 extending that season on the road system of Kodiak.
12 I opposed that.
13 You know, it took me some time to make
14 sure that I wasn't being biased when making that
15 decision to oppose, because I spend a lot of time
16 with the mountain goats on Kodiak. I hold them in
17 a pretty high regard, and I enjoy spending time up
18 in the mountains with them. Probably on a given
19 year I spend seven weeks a year up in the mountains
20 with the goats.
21 So when looking at that proposal, the
22 muzzleloader season is proposed to come at the end
23 of the season, at the very end of the fall. I
24 can't remember right off the top of my head the
25 dates exactly on that, but -- December 16th to

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1 January 31st.
2 When the winter comes, there are many
3 goats that come from outlying areas of the road
4 system. The road system has a great winter range.
5 So those goats will come from other areas, and
6 they'll pour into the road system.
7 And now we're going to open up a
8 muzzleloader, which, in my opinion, is a -- these
9 days muzzleloaders are borderline primitive weapon.
10 They're very efficient these days.
11 So now we have these trophy goats coming
12 to the road system, coming very low, and now we
13 have a weapon that's very efficient, shooting long
14 distances. You could harvest a trophy goat from a
15 different management area from the road in the --
16 during this time.
17 And so I felt like the trickle effect of
18 consequences to that down the road to these
19 outlying permit areas would come into play.
20 I also feel like the muzzleloaders
21 users, there's not that many of them, but they have
22 opportunity during the draw. They could use a
23 muzzleloader then.
24 And Kodiak has a 480 registration area
25 on the entire south end of the island. And so if a

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1 person wants to hunt goats with a muzzleloader,
2 there's more than enough opportunity for that.
3 Additionally, the road system of Kodiak
4 manages for 20 percent harvest, which is extremely
5 high. And so I don't see the need to take
6 additional goats with a muzzleloader.
7 **MR. VAN DAELE:** Okay. Thank you, Mr. Bunch.
8 Thank you, Mr. Chairman.
9 One other question for you. I asked a
10 couple other folks from Kodiak. What are your
11 thoughts on this breakaway snare? Do you think
12 that's something that's needed or practical?
13 **JASON BUNCH:** Thank you for that question.
14 Yes, I do think that is a necessary step. I
15 understand that many trappers don't want to see
16 further regulations, or they don't want to see kind
17 of the -- they don't want to see a regulation that
18 could be implemented elsewhere in the state that's
19 going to affect their methods and means.
20 But Kodiak is -- the road system of
21 Kodiak is very different than the rest of Kodiak in
22 that it has a certain level of users who are new to
23 the outdoors. They are transient in nature.
24 They're physically capable, and they're hungry to
25 learn about the outdoors.

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1 And so they take up trapping around the
2 road system where it's easy to go check your lines.
3 And they don't really know what they're doing, and,
4 admittedly, it's okay to say that. They admittedly
5 don't know what they're doing, but they're
6 experimenting, they're trying, and we appreciate
7 that.
8 But in that process there has been many
9 dogs, bears, buffalo, cattle caught in these snares
10 that were inappropriately set, maybe set in a
11 high-use area unknowingly to the person who is
12 setting them because they're transient residents.
13 And so for that -- and then we see the
14 consequences of those dogs and other animals being
15 caught in those snares. The consequences of those
16 sometimes are very, very high.
17 So a -- we reached out to multiple
18 trappers that are very experienced on the road
19 system of Kodiak, and they all explained different
20 trapping methods to the advisory committee. We
21 spent a long time on it.
22 And they -- and it was their
23 recommendation to use a breakaway, and so that's
24 where our proposal came from.
25 Keep in mind that this proposal is only

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1 for the road system, and it's only for public
2 safety. It doesn't have a hidden agenda to distort
3 methods and means in other parts of the state or
4 other parts of Kodiak Island, it's simply for
5 public safety.
6 **MR. VAN DAELE:** Okay. Well, thank you, Jason,
7 for your service as a secretary and also for your
8 service as a rescue swimmer. I really appreciate
9 what you've done for Kodiak's community.
10 And that's all I have, Mr. Chairman.
11 **JASON BUNCH:** Thank you, sir.
12 **CHAIRMAN SPRAKER:** Other questions?
13 Jason, I have a quick one on the goat
14 hunt. There's a proposal -- I think it's probably
15 95 -- where they talk about a two-goat bag limit,
16 but only can be a billy.
17 With your experience, how do you think
18 that's going to play out in the field as far as
19 hunters being able to identify males from females?
20 **JASON BUNCH:** Sure, Mr. Chairman. Thank you
21 for the question. Kodiak has an abundant amount of
22 goats on the south end of the island.
23 In the past we have taken small
24 incremental steps to assist in the harvest of those
25 critters. We established the 480 registration

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1 area. It used to be a draw. We established it as
2 480.
3 Then we established -- that didn't
4 really -- that didn't work very well. So then we
5 established a two-goat bag limit to attempt to draw
6 users in. Especially our outlying villages, they
7 can utilize those goats for subsistence, and they
8 do.
9 We even went as far as to remove the
10 educational language that stated "taking of nannies
11 is discouraged," because we wanted to reduce the
12 population. "Two goats" didn't work. Then we took
13 the verbiage out, "Hey, you can go ahead and shoot
14 a nanny." That still didn't work.
15 And so by now we realized that we need
16 to take nannies out of that group of goats down
17 there, that population of goats down there. If
18 they continue to grow, at what point are they going
19 to fall? And that is -- that's a very important
20 question.
21 So we reached out to a lot of different
22 guides and resident hunters alike and asked them if
23 they would take a nanny. And most of them, they --
24 they had kind of a funny look on their face.
25 "Really? You want me to take a nanny?" It's not

Page 25

1 very socially acceptable.
2 But we need to do something, so we
3 talked about many different ways. But we went to
4 one nanny and one billy. And the question came up,
5 "How do we expect somebody to identify a nanny
6 versus a billy?"
7 Well, we expect resident -- we expect
8 our hunters to identify a full-curl sheep. We
9 expect our hunters to identify a 50-inch moose. So
10 what is the difference in expecting our hunters to
11 educate themselves properly and begin to gain the
12 knowledge and understanding what a nanny looks like
13 or a billy looks like?
14 There's lots of literature out there.
15 There's many states that have put out video
16 resources and education online that can assist
17 people in gaining that knowledge. And there's a
18 lot of knowledge, I think, throughout the community
19 of Kodiak to kind of expand on that education. So
20 that's why we decided, yeah, let's go for the one
21 nanny and the one billy.
22 Also, if a hunter kills a nanny and
23 thought it was a billy, that's the best education
24 you can get. You go down there. You think you
25 have a big billy. You shoot it. Some people call

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1 it ground-checking, but I don't think that's very
2 respectful. And they come up on it, and they see
3 that it's a nanny. Now they know what they're
4 looking at. Now they're going to be that much more
5 capable if they want to harvest a second goat.
6 If they kill a billy, same thing is
7 going to happen. They kill a billy. They
8 understand what a billy look likes now. And now
9 they can start looking at the other goats and try
10 and pick out a nanny.
11 **CHAIRMAN SPRAKER:** Okay. The word is shoot
12 the nanny first?
13 **JASON BUNCH:** Shoot a goat; hopefully it's a
14 nanny.
15 **CHAIRMAN SPRAKER:** Any further questions for
16 Jason?
17 Tom.
18 **MR. LAMAL:** Thanks, Jason. What you just said
19 kind of rung with -- true with me is that we were
20 just in Southeast, and there was a big concern
21 about shooting nannies down there. And so I guess
22 you can't make a mistake, at least the first time.
23 You guide goats and bears or just -- or
24 both species or just one or the other?
25 **JASON BUNCH:** Yes, sir, I guide for goats and

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1 bears. I originally started taking hunters on goat
2 hunts. Goat hunts is where I started guiding.
3 It's not really -- identifying a goat I don't think
4 is where a guide is needed if you have a two-goat
5 area like that.
6 However, the climbing, the mountains,
7 the weather, the terrain, that's where my Coast
8 Guard history came into play. And I was able to
9 utilize that and start maintaining, you know, a
10 safer trip afield for people. That's how I became
11 a guide.
12 **MR. LAMAL:** Okay. Thank you. Yeah, they're
13 pretty safe from me. That's for sure.
14 **CHAIRMAN SPRAKER:** Okay. Jason, thank you
15 very much.
16 **JASON BUNCH:** Yes, sir.
17 10:25:55 AM
18 (This portion not requested.)
19 10:54:11 AM
20 **CHAIRMAN SPRAKER:** Bob, good morning.
21
22 PUBLIC TESTIMONY BY BOB CASSELL, RESIDENT HUNTERS
23 OF ALASKA
24
25 **BOB CASSELL:** Thank you. Good morning. My

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1 name is Bob Cassell, and thank you for your time on
2 the board and considering my proposal.
3 I'm testifying on behalf -- for myself,
4 but also a board member of Resident Hunters of
5 Alaska, which has now about 2,000 members. I'm
6 also one of more than 100,000 residents of Alaska
7 who hold hunting licenses, so it's a big group of
8 us.
9 Last year I received my permanent
10 hunting license. That means I graduated. I made
11 it to 60. I've been applying for most of my adult
12 life for a brown bear tag. I was informed last
13 month by Fish and Game that I didn't get one again.
14 I've never had an opportunity to hunt in Kodiak for
15 brown bears, and my proposed allocation change
16 would effectively double my chances of drawing that
17 tag on Kodiak.
18 So residents and nonresidents agree -- I
19 have a point here. During the development of this
20 proposal, I asked other Alaskans their opinions and
21 experiences with applying for Kodiak brown bear
22 permits.
23 A friend related to me he had a
24 conversation with two nonresident hunters who had
25 hunted Kodiak Island for brown bear. One of the

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1 residents -- or one of the nonresidents killed a
2 bear with his bow on his second hunt. The other
3 nonresident went three times and killed three
4 bears. Both nonresidents felt they were lucky to
5 get permits every time they applied.
6 When my friend explained how the system
7 allocates permits, the nonresidents thought that
8 was unfair to Alaska residents.
9 Alaskans have told me they've given up
10 even trying to get the permit. This conflicts with
11 ADF&G's goal to try and recruit and retain hunters.
12 I read in the public comments submitted
13 by this Proposal 99 that there are 23 people in
14 favor of it, pretty good notes.
15 So arguments I saw on that, biological
16 concerns. And I read the negative comments on
17 that, implying biologic concerns with having
18 greater resident harvests.
19 Fortunately, we have Dr. Van Daele,
20 Ph.D. thesis on Kodiak brown bears, the expert. He
21 measured the harvest of female brown bear
22 statistically equal between residents and guided
23 nonresidents.
24 However, a similar brown bear
25 population, not in Kodiak, actually suffered

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1 biological harm/damage because of the
2 self-proclaimed experts, the commercial hunting
3 guides.
4 You may remember ADF&G recommending the
5 Board of Game approving a one-week shorter brown
6 bear season for Unit 9 for both residents and
7 nonresidents for brown bears. It's a substantially
8 greater percentage of females killed by guided
9 nonresident hunters.
10 Another issue commercial hunters have
11 with Proposal 99 is a concern that would devastate
12 them financially. Well, I doubt that to be the
13 expected outcome. I want to observe that the
14 resident hunters have had about 40 years of lost
15 opportunity for this current allocation.
16 Fairness with other states is sort of an
17 issue. Unfairness with an allocation, actually, a
18 harvest of over 50 percent of the brown bear
19 harvests going to nonresidents on Kodiak Island.
20 Most other states allocate 90 percent to
21 their residents for limited draw hunts such as
22 this. North Dakota allocates only 1 percent of
23 their trophy deer permits to nonresidents.
24 California allocates one permit to
25 nonresidents. As soon as one is drawn, there are

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1 no more nonresident permits issued for California.
2 So, for me, it's an issue of fairness, and you kind
3 of backed me in a corner on this. I'd like to go
4 to Kodiak and hunt brown bears. I haven't done it
5 yet in my life.
6 I'm expecting a vigorous debate over it,
7 and thank you for your time and consideration. I
8 really appreciate this board.
9 **CHAIRMAN SPRAKER:** Thank you, Bob.
10 Questions?
11 Nate.
12 **VICE-CHAIR TURNER:** Yeah. Bob, thanks for
13 coming and sharing your thoughts. And I know
14 you're real passionate about this issue, and I
15 remember all your other discussions and --
16 **BOB CASSELL:** Yes.
17 **VICE-CHAIR TURNER:** -- explanations and
18 reasoning with the board in explaining yourself.
19 So I appreciate your coming forward and continuing
20 to share your thoughts on something you feel strong
21 about.
22 You mentioned that you've never drawn on
23 Kodiak. I remember you mentioning that before or
24 for brown bear. Have you applied every year?
25 **BOB CASSELL:** I've applied for brown bears

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1 every year I could. I mix it between Unimak and
2 Kodiak. Now it's six times. So it costs me a
3 little more, and I'm glad to see the department put
4 it to good use. I get to draw.
5 I have shot brown bears on Kodiak with
6 Dr. Van Daele before as a capture restudy on Terror
7 Lake, but that was from the back of a helicopter,
8 not a fair chase. In fact, that's the first teeth
9 I pulled is on brown bears.
10 **VICE-CHAIR TURNER:** How long have you been
11 applying? When did you start applying?
12 **BOB CASSELL:** I would say early '80s when I
13 could afford to do that. That's when I started to
14 work for the department. I actually had a hunt on
15 Kodiak. I went with Dave Harkness. That went to
16 the cover article of Field & Stream. He did
17 harvest a bear. I didn't have a tag, but I enjoyed
18 it. It was really fun. Dan Sisson wrote the
19 article up.
20 **VICE-CHAIR TURNER:** Were you successful on
21 your Unimak draw attempts?
22 **BOB CASSELL:** Oh, I never -- no, I've never
23 drawn a brown bear permit, not yet.
24 **VICE-CHAIR TURNER:** Okay. Thank you.
25 **CHAIRMAN SPRAKER:** Other questions?

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1 Tom.

2 **MR. LAMAL:** I'm not sure positively, but is --

3 Alaska is the only state, I think, where there is

4 hunting of brown or grizzly bears, I think. Am I

5 correct in that?

6 **CHAIRMAN SPRAKER:** What exactly is your

7 question, Tom?

8 **MR. LAMAL:** Well, I was wondering if we are

9 the only state where you can hunt brown bears or

10 grizzly bears.

11 In other words, there's grizzly bears in

12 Wyoming, Montana, and other states, but I don't

13 believe there's any hunting in any of those states.

14 And so I guess what I'm getting at is,

15 in some of those states where they have other

16 species that are coveted, like moose and goats and

17 bighorn sheep, some of those species are like once

18 in a lifetime.

19 So I can see where this is a coveted

20 permit and where the concern comes from. It's kind

21 of like Delta Bison. It is impossible just about

22 to draw that. I've quit putting in for that one.

23 I've never put in for a bear permit.

24 But I was just kind of curious as to any

25 other options that would be there for people for

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1 bear permits. And I don't think there are any

2 other places in the United States. It's a

3 question, I guess, maybe to the department, if

4 they're aware of any other place you can hunt

5 bears, or is it specific to Alaska?

6 **CHAIRMAN SPRAKER:** Well, other than grizzlies

7 in, you know, Canadian provinces, I don't think

8 there's any in the Continental U.S. to hunt

9 grizzlies, not that I know of.

10 **KAREN LINNELL:** I think those are discussions

11 that we have during our deliberation.

12 **CHAIRMAN SPRAKER:** I understand. I was just

13 trying to answer a simple question there just for

14 clarification, but your point of order is taken.

15 Bob, you ever hunt the road system in

16 Kodiak?

17 **BOB CASSELL:** Not for brown bears, no. I

18 would want the quality of experience -- it's to be

19 away, remote, fly in somewhere. I've hunted deer,

20 go on charters and done tent camps and really

21 enjoyed it. It's a wonderful place. I wouldn't

22 want to be on the road system, not my preference.

23 I've shot brown bears before, and it's -- and I've

24 been to the Alaska Peninsula also. But that

25 experience would be cherished if I could get it,

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1 and it would be a fall hunt if I would draw.

2 **CHAIRMAN SPRAKER:** Okay. Any other questions

3 for Bob?

4 Nate.

5 **VICE-CHAIR TURNER:** Bob, I think you just

6 answered my question, but I'm having a little bit

7 of trouble hearing you. So I just wanted to

8 clarify. I think the -- no, you didn't ask that

9 question. Never mind.

10 Unit 9 in general obviously has a lot of

11 remote areas, and some would say equal quality

12 bears as Kodiak in portions of it, if not most of

13 it. Have you hunted there over the years, and were

14 you successful?

15 **BOB CASSELL:** Several times bow and arrow. If

16 I drew a tag, it would be an archery hunt. And

17 I've been down there backing a friend and done it

18 probably three or four times but not -- never drew

19 back on a bear myself.

20 **VICE-CHAIR TURNER:** Could you repeat that last

21 part? I'm having a little trouble --

22 **BOB CASSELL:** Oh, I have never drawn back on a

23 bear myself with a bow. I've had -- I've been

24 there -- backed up a friend that harvested one with

25 his when I was there covering him. Yeah.

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1 **VICE-CHAIR TURNER:** Just out of curiosity, why

2 do you prefer the draw areas over the basically

3 general season or registration opportunities?

4 **BOB CASSELL:** Oh, there's deer to hunt

5 concurrently. It would be a fall hunt, deer and

6 brown bear hunt.

7 **VICE-CHAIR TURNER:** I see. That makes sense.

8 Thank you.

9 **CHAIRMAN SPRAKER:** Larry.

10 **MR. VAN DAELE:** Thank you, Mr. Chairman. And

11 thanks bringing up our catch-and-release bear

12 hunting opportunities.

13 Just a comment, Bob. I just want to

14 acknowledge all the things you've done for sheep

15 conservation in this state. I mean, you have

16 contributed a tremendous amount of your personal

17 time and money to helping the critters of this

18 state, and I want to thank you on the record for

19 that.

20 **BOB CASSELL:** Oh, thank you.

21 **CHAIRMAN SPRAKER:** Yeah. And Bob was also

22 part of the sheep working group as well, spent a

23 lot of time working on that.

24 **BOB CASSELL:** That's my legacy. That's what I

25 want to be remembered for, not so much this,

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1 please.
2 **CHAIRMAN SPRAKER:** Yeah. Any other questions?
3 Thank you.
4 11:04:34 AM
5 (This portion not requested.)
6 11:36:39 AM
7
8 **PUBLIC TESTIMONY BY BRAD SPARKS**
9
10 **BRAD SPARKS:** Thank you, Chairman and the
11 board, for this opportunity to be here. This is my
12 third year to present to the Board of Game.
13 So this year I'd like to talk about
14 Kodiak and all the proposals that relate to that.
15 So I'm the president of Resident Hunters of Alaska,
16 but I'm speaking on my own behalf today. I've also
17 been a member of multiple wildlife organizations.
18 I've got a degree in biology, if anybody
19 cares about that, and I spend several weeks a year
20 in a tent sleeping somewhere.
21 So the problems are Kodiak.
22 Nonresidents get 40 percent of the tags in the
23 Kodiak National Wildlife Refuge. As we all know,
24 the national standard in most other states is
25 nonresidents get up to 10 percent of the tags.

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1 Another issue is, the nonresident
2 next-of-kin tags come out of the resident
3 allocation. A nonresident next of kin is a
4 nonresident. A nonresident's tag should never come
5 out of the resident allocation.
6 Another issue: Nonresident's tags are
7 essentially registration tags, while resident tags
8 are draw tags. This allows a nonresident to
9 transfer their tag to another hunter and to hunt
10 the majority of their tags.
11 Alaska residents, we only hunt
12 55.7 percent of the tags, and that's from the
13 five-year data from 2013 through 2017. There's no
14 alternate lists or ability to transfer tags if
15 somebody's not able to use that tag.
16 So, really, hunters in the field, that
17 drops the number down to residents, 55 percent of
18 the hunters, and nonresidents make up 45 percent of
19 the hunters.
20 Another problem: You must be a guide in
21 order to outfit. This goes beyond the scope of the
22 Board of Game, but this has negative impact on
23 Alaska residents. And the guides who are in Kodiak
24 and across the state, rarely do they outfit Alaska
25 resident hunter, but they use this law to restrict

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1 Alaska resident access into the field.
2 This is an example: This is a typical
3 resident hunter tent, and on Kodiak, a lot of times
4 the nonresidents are hunting from a lodge or a
5 cabin.
6 The nonresident usually has a much
7 bigger boat, twin motors, can move a lot faster,
8 where a resident looks more like this on a Zodiac,
9 fighting for his life in the middle of the ocean
10 trying to hunt the coastlines.
11 Another issue: So all Alaska residents
12 should have equal ownership in our wildlife,
13 including Kodiak brown bear. So why do I only get
14 a benefit by getting drawn once in 11 years, while
15 other residents benefit financially by getting 15
16 tags a year? That's 15 tags times 11 years I've
17 been applying times \$25,000 a tag, that's over
18 \$4 million that one person gets a benefit from, and
19 I only get one tag during that same time. To me,
20 that does not seem equal or fair.
21 In the refuge, there's 243 hunt areas.
22 There's less than 20 guides that get 40 percent of
23 the tags. And you have over 105,000 Alaska
24 residents who purchase a hunting license and are
25 trying for the other 60 percent of the tags. In

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1 addition, they're competing with a nonresident next
2 of kin for these tags as well.
3 So, in summary, after all these
4 problems, the nonresidents harvest more Kodiak
5 brown bears than residents. In the five-year time
6 span between 2013 and 2015 nonresidents harvested
7 468 brown bear, whereas the resident harvest was
8 355. This should never happen. Nonresidents
9 should never be harvesting more of our highly
10 desired resources than residents.
11 So I ask the board to not kick the can
12 down the road, and let's address these issues: We
13 need to address the issue of allocation. We need
14 to get the nonresident next of kin out of the
15 resident pool. We need to allow residents to have
16 an alternate list and be able to hunt all of their
17 allotted tags. We need to allow residents to be
18 able to rent equipment in the field from anyone.
19 And we need -- each resident should have equal
20 opportunity to benefit from the resources.
21 And that's the end of my testimony.
22 **CHAIRMAN SPRAKER:** Brad, good job. Your
23 timing was perfect. I just hope you weren't
24 driving that little Zodiac.
25 **BRAD SPARKS:** That was not me, but I've been

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1 in a boat like that.
2 **CHAIRMAN SPRAKER:** So have I.
3 Board members, comments?
4 Nate.
5 **VICE-CHAIR TURNER:** Brad, could you go back to
6 your presentation, and the next to the last slide,
7 just leave that up. I was trying to write those
8 notes.
9 **BRAD SPARKS:** Sorry.
10 **VICE-CHAIR TURNER:** You didn't RC this, I
11 don't believe, right?
12 **BRAD SPARKS:** We submitted -- I turned it in
13 this morning, but it was probably not an RC. RC40
14 I heard.
15 **VICE-CHAIR TURNER:** Okay. Thank you.
16 **BRAD SPARKS:** This one.
17 **VICE-CHAIR TURNER:** Yep. Thank you. I just
18 wanted to make sure I got it in my notes.
19 **BRAD SPARKS:** Okay. Thank you.
20 **CHAIRMAN SPRAKER:** Any questions? It looks
21 like the presentation was pretty clear. And we've
22 got RC40.
23 **BRAD SPARKS:** It's very clear to me. Thank
24 you.
25 **CHAIRMAN SPRAKER:** Thank you.

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1 11:42:53 AM
2 (This portion not requested.)
3 11:46:43 AM
4
5 **PUBLIC TESTIMONY BY SAM ROHRER**
6
7 **SAM ROHRER:** Good morning, Chairman Spraker
8 and board members. Thank you for the time you all
9 put in serving Alaska, and thank you for taking the
10 time to hear my testimony today.
11 For the record, my name is Sam Rohrer.
12 I was born and raised on the Kodiak Island. My
13 wife and I still make our home there with our four
14 kids.
15 And I'm active in my local community. I
16 serve on the Kodiak and Aleutians Regional
17 Subsistence Advisory Council. I've served there
18 for the last 16 years. I've been involved with the
19 local AC process since my middle school days, and
20 currently I serve as the president of the Alaska
21 Professional Hunters Association.
22 I'm also a second-generation hunting
23 guide, and currently my wife and I and our children
24 run our business, a small guide business on the
25 west side of Kodiak.

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1 I have submitted written comments, and
2 so I hope you've had a chance to look at those. I
3 won't touch on everything from those comments, but
4 I do want to hit a few key points.
5 Proposal 99 would allocate over
6 90 percent of the drawing tags for bear on Kodiak
7 to resident hunters. I ask that you oppose this
8 proposal, as it would single-handedly upset the
9 hugely successful management structure on Kodiak
10 that's been in place for over 40 years. It would
11 also have devastating financial effects on local
12 small businesses and our Kodiak community at large.
13 Currently nonresident bear hunting
14 brings in over \$4 million of economic benefit to
15 the community of Kodiak, in addition to almost
16 \$1 million in license and tag fees to Alaska
17 Department of Fish and Game when you factor in the
18 Pittman-Robertson matching funds.
19 If the proposal passed as written, we
20 would be left with 18 nonresident hunting permits
21 each year on Kodiak. This would devastate small
22 local guiding businesses, including my own.
23 In a time when our community is already
24 feeling the pinch from a depressed local economy
25 due to a multiple of reasons, including fisheries

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1 issues, this would be an incredibly tough hit.
2 I'd like to point out that even if
3 100 percent of all available tags were offered to
4 resident hunters, there's still some areas that
5 wouldn't have any substantial higher draw odds. In
6 fact, on the most popular hunts, the draw odds for
7 a resident hunter would increase by less than
8 1 percent.
9 It's often left out of the discussion
10 that resident hunters can currently hunt every
11 spring and fall on Kodiak via over-the-counter tags
12 on the Kodiak road system. And lest someone think
13 that's a second class hunt, I'd just point out that
14 the second largest bear killed in Alaska in the
15 last 35 years was killed on the road system. I
16 think it's been four years ago. There's great
17 opportunity on the road system, and that just gets
18 left out of the discussion.
19 I'd also like to discuss Proposal 100.
20 This has to do with how second degree of kindred
21 permits are issued. I ask that you support the
22 concept in this proposal. The Board of Game has
23 long asked for the public to bring a proposal that
24 could be applied statewide for 2DK permits.
25 The Kodiak AC put a lot of thought into

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1 this issue to come up with this proposal. It
2 basically provides for a separate drawing hunt with
3 a separate 2DK allocation for the guiding --
4 sorry -- with a separate 2DK allocation.
5 For the guiding industry in Alaska to
6 have long-term viability, we need stability. A
7 separate drawing and allocation provides that
8 stability we need.
9 I do have to admit there's still some
10 thoughts and ideas that folks in the audience have
11 been hashing around about it. And I would guess at
12 some point there will probably an RC submitted with
13 a little bit more information for that proposal.
14 Briefly I want to discuss Proposal 102.
15 This would -- this asks the board to eliminate
16 nonresident bear hunting on the road system. I ask
17 that you oppose this proposal. It's telling that
18 the entire community of Kodiak, through the local
19 AC, unanimously opposed this proposal.
20 There's certainly no biological or
21 conservation concern that would justify the
22 closure, and, in fact, most locals would encourage
23 a substantially higher harvest on the road system.
24 If conflicts were happening on the road system, we
25 can all rest assured the Kodiak AC would put in a

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1 proposal to address it. This is truly a proposal
2 that's offering a solution where no problem exists.
3 And on a personal note, I'll add just
4 two nights ago -- I live on the road system. Two
5 nights ago I had a bear walk right through my back
6 yard, knock out two fences.
7 In the morning I could follow his track
8 across town via Facebook posts. So I can assure
9 you there's no issue with the bear numbers on the
10 road system.
11 Lastly, Proposal 130 seeks to address
12 how second degree of kindred proposals are
13 allocated. And I would just ask either that you
14 oppose this proposal or take no action on it. The
15 Proposal 100 by the Kodiak AC addresses the issue
16 that Proposal 130 seeks to address.
17 And with that, I appreciate you hearing
18 my testimony and appreciate all that you do for
19 Alaska serving on the board. Thank you.
20 **CHAIRMAN SPRAKER:** Okay. Thanks, Sam. Great
21 timing as well.
22 Board members, questions?
23 Larry.
24 **MR. VAN DAELE:** Thank you, Mr. Chairman and
25 Sam.

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1 One real quick one. In looking at your
2 testimony you submitted and what you said here, you
3 didn't mention Proposal 98, which is the one to
4 extend the fall bear hunting season earlier in
5 October. Did you have any thoughts on that?
6 **SAM ROHRER:** Through the chair, Member Van
7 Daele, thanks for that question. So personally
8 Proposal 98 would be great for me. My -- you know,
9 my personal hunting -- you know, the hunting
10 success would substantially increase.
11 But it doesn't work -- if the season was
12 extended, harvests would substantially increase
13 island-wide, and the result would be you'd have to
14 reduce opportunity.
15 So you've heard other speakers talk
16 about conflicts in the field. There would be
17 increase of that. There's still folks over fishing
18 into September and, well, even into October. And
19 so you'd have overlap of hunters and fishermen in
20 the field. That's not a good situation. More sows
21 and cubs out and about, and it's going to
22 substantially increase harvests. So I would hope
23 that the board would oppose that.
24 **MR. VAN DAELE:** Thank you, sir.
25 Thank you, Mr. Chairman.

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1 **CHAIRMAN SPRAKER:** Nate.
2 **VICE-CHAIR TURNER:** Sam, I wanted to thank you
3 for coming and testifying, and especially the list
4 of all the things you've said you're involved with
5 and how long you've been involved with them. You
6 know, you're relatively a young guy still. That's
7 good news.
8 And you've spent, it sounds like, nearly
9 half of your life pretty deeply invested, whether
10 it's ACs or RHAK or the industry that you're
11 involved in. So I just really want to commend that
12 and thank you for participating in the process.
13 **SAM ROHRER:** Thank you.
14 **CHAIRMAN SPRAKER:** Any other questions? Okay.
15 Sam, thank you very much.
16 **SAM ROHRER:** Thank you.
17 11:54:15 AM
18 (This portion not requested.)
19 1:45:11 PM
20 **CHAIRMAN SPRAKER:** I have Lance Kronenberger.
21 There he is. Hello, Lance.
22
23 PUBLIC TESTIMONY BY LANCE KRONENBERGER
24
25 **LANCE KRONENBERGER:** Mr. Spraker, board

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1 members, for the record, my name is Lance
2 Kronenberger. I'm a registered guide on Kodiak and
3 the Alaska Peninsula. Also, I'm a 17-year resident
4 of Alaska and am raising my family here, and this
5 is where we call home.
6 My wife and I are both guides. My
7 wife's the assistant guide. We make our sole
8 living off the guiding industry. We're raising our
9 kids in that industry also, and they both have --
10 they're 11 and 13. Both have harvested animals.
11 And not only are we guides, but we're, you know,
12 residents that like to get out and go hunting
13 ourselves.
14 I'm here to talk about Proposal 99.
15 There's been a few misconceptions that have been
16 said. I keep seeing this 10 percent is what other
17 states do. I'm a licensed guide and have hunted in
18 other states. And that is true they're 10 percent,
19 but those are animals that cannot be purchased to
20 hunt over the counter. Those are
21 once-in-a-lifetime species in most states.
22 When we start talking about brown bears,
23 we have over-the-counter hunts for Kodiak, we have
24 over-the-counter hunts for brown bears on the
25 Alaska Peninsula.

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1 So the correlation that the other states
2 do 10 percent, we're not comparing apples to
3 apples. They are doing a very, very limited
4 resource that you don't have the opportunity to
5 just go buy a tag and hunt.
6 If Proposal 99 was adopted, it would
7 destroy the Kodiak guide industry. It would put
8 virtually all of us out of business. And if it's
9 adopted, you're basically taking the areas that are
10 the most sought after for the residents and going
11 from less than half a percent to draw to less than
12 a percent. So by adopting 99 does not guarantee
13 that any of these guys are going to draw the tag
14 that they want.
15 The misconception too that if you draw
16 one of these tags on the refuge areas on Kodiak
17 you're going to kill a bigger brown bear are
18 incorrect. Someone stated earlier that one of the
19 biggest bears was killed on the road system.
20 The Alaska Peninsula, if you go through
21 harvest data, is killing larger bears on average
22 than what has been killed on the peninsula -- I
23 mean on Kodiak.
24 So we're going to dismantle an industry
25 just because we don't have the good facts on it.

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1 You want to be remote, you want to kill bigger
2 bears, the Alaska Peninsula offers that.
3 And so when I hear the arguments for
4 Proposal 99, they don't hold true to somebody who's
5 living out there, guiding out there, and being out
6 there all the time.
7 The air taxis, the businesses, all the
8 things that are in Kodiak that revolve around the
9 guide industry, they would all be drastically
10 hindered. The guides that are employed, I think we
11 forget that a lot of guides, especially on Kodiak
12 are residents of Kodiak and residents of Alaska.
13 So I just -- I urge the board to
14 understand that we're trying to -- if Proposal 99
15 is adopted, we are really throwing a wrench in
16 something that has been a huge success, and we're
17 upsetting the apple cart that has to do with the
18 guiding industry. Those draw areas are refuge
19 lands, and I think the refuge has made reference to
20 those are for all Americans.
21 ANILCA also references that where there
22 is healthy populations, that federal lands are to
23 be -- they're supposed to encourage guided hunting
24 activity. So we have congressional acts and things
25 that recognize that on federal lands we need to be

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1 given these opportunities. So I just urge you to
2 not -- to oppose Proposal 99.
3 And then real quick, Proposal 115,
4 second degree kindred in 14C, I just -- I think you
5 should adopt that proposal. I think that's
6 something that we need to figure out statewide.
7 As a guide service, that applies to
8 sheep hunters in 14C. We're seeing the number of
9 guided hunter applicants go down, the number of
10 next of kin applicants go up. With there being no
11 cap and no set regulation, the number of next of
12 kin that are going to be applying will just
13 continue to increase. So thank you.
14 **CHAIRMAN SPRAKER:** Okay. Thank you, Lance.
15 Board members, questions?
16 Nate.
17 **VICE-CHAIR TURNER:** I just wanted to thank
18 you, Lance, for participating in a lot of different
19 meetings that you do and also being very succinct
20 with your point. You covered a lot of ground and
21 obviously put a lot of thought into your comments
22 and obviously some research too, so good job.
23 **CHAIRMAN SPRAKER:** Okay. Any other questions?
24 Okay. Lance, thank you very much.
25 **LANCE KRONENBERGER:** Thank you.

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1 1:51:28 PM
2 (This portion not requested.)
3 2:27:07 PM
4
5 PUBLIC TESTIMONY BY MATT MOORE
6
7 **MATT MOORE:** Thank you, Chairman Spraker and
8 the board, for allowing me to testify for a second
9 time today.
10 I wanted to talk a little bit about
11 Proposal 99. Our AC voted in favor of it,
12 changing -- making an amendment to it, to have it
13 be like 75-25 instead of 90-10 as proposed. We did
14 have one vote against it. It wasn't unanimous.
15 That's why I'm speaking today.
16 I think it's important to realize that
17 these guides that are down on Kodiak are all small
18 businessmen in addition to being guides.
19 One of the things that this does is it
20 throws a big monkey wrench in what would be their
21 business plan. They've got a lot of money that
22 they've invested. They're good stewards typically
23 of the areas that they're in, and that's part of
24 the reason why it's such a wonderful destination
25 for hunting. It's not just the fact that they have

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1 big bears. A large portion is truly because they
2 do their part to make sure that that resource is
3 looked after.
4 I know that they had made arguments in
5 the past that because of the way the system was set
6 up, we had big bears because of that, but that's
7 not all of it. It's truly because they help their
8 clients pick the right bears, and they allow a lot
9 of them to walk away so they can grow older and
10 much larger.
11 So I think there's a great benefit to
12 having the same number of nonresident tags in place
13 in the foreseeable future for them to continue
14 their operations.
15 I'd like to speak to Proposal 118 and
16 119, which were both proposals for having
17 additional black bear hunts in Chugach State Park.
18 One of the things that seemed like it
19 was a real obstacle for the Chugach State Park
20 Citizens Advisory Board was the use of shotguns and
21 muzzleloaders for hunting. They had made the claim
22 that they were concerned about ricochets.
23 These are the same areas and the same
24 weapons that are used for DM666, which is drawing
25 for moose. They didn't seem to have any complaints

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1 about ricochets or bullets or slugs or pellets at
2 that time.
3 If it's such a big concern that they
4 will not authorize the discharge of firearms on
5 those particular hunts, I would like for you to
6 think outside the box. And I will actually give
7 you a small pathway to do that, if you want to.
8 If it's the use of projectile or if it's
9 the use of weapon that they don't like, you could
10 consider archery as well. Archery has come along
11 way since we had a Hillside hunt that wasn't very
12 favorable, that did -- you know, was kind of poor,
13 in fact, really bad optics for moose on the
14 Hillside years ago.
15 The thing that we could also do is we
16 could look at proficiency. We have proficiency
17 tests for being a certified archer, but you could
18 also request a proficiency test for this particular
19 hunt if you wished.
20 So I will take any questions you might
21 have.
22 **CHAIRMAN SPRAKER:** Okay. Thank you. I
23 haven't heard about the Hillside moose -- archery
24 moose hunt for quite a few years.
25 **MATT MOORE:** And I wish I never did again.

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1 **CHAIRMAN SPRAKER:** Yeah, that was kind of a
2 blight.
3 Board members, comments?
4 Larry.
5 **MR. VAN DAELE:** Yeah. Thank you,
6 Mr. Chairman.
7 Thank you, Matt. But I don't thank you
8 for making me try to figure out how to spell
9 ricochet in my notes here. It's not as easy you
10 might think going fast.
11 Did you discuss this with the citizens
12 advisory board, this concept of archery, or was
13 that just kind of thinking of it yourself after
14 your meeting?
15 **MATT MOORE:** No, I didn't. But I will tell
16 you I am -- I'm actually the original author of
17 those two.
18 And what the whole idea was, was to be
19 able to say we want another opportunity to hunt
20 bear and reduce the bear population. What would be
21 the most agreeable way of doing that? And it would
22 be to mimic what's already been accepted and
23 adopted. And so that's why we went with either
24 shotgun or muzzleloader.
25 **MR. VAN DAELE:** Okay. And one other question,

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1 if I may, Mr. Chairman.
2 Again, back with your discussion with
3 the CAB, I don't think they're going to testify on
4 their own. If they do, then I apologize to them.
5 Did they understand that if some of
6 these animals -- some of these bears aren't taken
7 out by hunters, that Fish and Game will probably be
8 taking them out in other means, or is that -- was
9 that discussed?
10 **MATT MOORE:** That was discussed in a very
11 brief way. And I think they were more happy with
12 having the Department of Fish and Game be
13 responsible with doing that and the liability
14 resting with them. And with that I disagreed.
15 **MR. VAN DAELE:** Okay. Thank you.
16 Thank you, Mr. Chair.
17 **CHAIRMAN SPRAKER:** Okay. Any other questions
18 for Matt? Okay. It sounds like we got you loud
19 and clear.
20 **MATT MOORE:** Thank you.
21 **CHAIRMAN SPRAKER:** Thank you.
22 2:32:34 PM
23 (This portion not requested.)
24 3:28:31 PM
25

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1 PUBLIC TESTIMONY BY MIKE MUNSEY
2
3 **MIKE MUNSEY:** Thank you. My name's Mike
4 Munsey. I'm a guide down on Kodiak. I was born
5 and raised in the guiding industry down on Kodiak.
6 I've lived my entire life out in Uyak Bay on Kodiak
7 Island. My dad, Park Munsey, started Munsey's Bear
8 Camp back in 1956.
9 And we've survived earthquakes and one
10 big tidal wave, we survived deregulation of the
11 guiding industry back in '89. I've seen a lot of
12 changes in the guiding industry and a lot of
13 changes in regulations on Kodiak and throughout the
14 whole state.
15 And this year will be our 63rd year in
16 business, but next year will be our last year in
17 business if Proposal 99 is adopted. It's just the
18 guiding business on Kodiak would not survive those
19 drastic of cuts, whether it's 90-10 or 75-25.
20 And it's not just the guiding industry
21 that would -- is impacted by this proposal. You've
22 got the state economy that's going to be impacted
23 by license and tag sales, you've got the local
24 economy that's impacted, you've got air charter
25 companies, you've got sporting good stores, hotels,

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1 restaurants, even tourists shops. The Native
2 corporations are all going to be impacted by this
3 proposal.
4 And also guides are the stewards of the
5 land that we hunt on. We're the caretakers. I
6 live in my guiding area, and I take care of it.
7 You know, if the troopers come out and -- they know
8 who to talk to if they want to know what's going
9 out in Uyak Bay.
10 In fact, I've had the troopers come out
11 and say, "Hey, we've got this guy that we're
12 keeping an eye on. Will you help us keep an eye on
13 him and just, you know, let us know what he's up
14 to?"
15 Other hunters in the area, they know
16 they can come to us if they have a problem, if they
17 have an emergency, or if they just need help or
18 just need communication.
19 So if you take the guide out of the
20 equation, you lose that connection with the land,
21 and you lose that connection with the resources,
22 and you lose that connection with the people.
23 Thank you for your time.
24 **CHAIRMAN SPRAKER:** Okay. Mike, thank you.
25 Board members, questions?

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1 Nate.
2 **VICE-CHAIR TURNER:** Mike, I've never had a
3 chance to meet you, and I still haven't even yet at
4 this meeting. I've been meaning to. But I've
5 heard your family's name forever obviously and
6 always with respect. And I think your comments
7 today reflect that, so --
8 **MIKE MUNSEY:** Thank you.
9 **VICE-CHAIR TURNER:** -- just thanks for coming.
10 **MIKE MUNSEY:** Thank you. And just since
11 I'm -- I think I'm okay on time. And, Larry,
12 you're asking about the proposal for unused
13 nonresident permits.
14 And I think it would be an undue
15 hardship on the guiding industry to try to do --
16 especially one drawing a year is what they had been
17 talking about and not having a reserve, a list like
18 that. Because it's hard to book bear hunters. You
19 know, they're paying a lot of money, and you need
20 that extra time. All right. Thank you very much.
21 **CHAIRMAN SPRAKER:** Okay. Thank you.
22 3:33:06 PM
23 (This portion not requested.)
24 3:55:40 PM
25

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1 **CHAIRMAN SPRAKER:** Dan, good to see you again.
2
3 PUBLIC TESTIMONY BY DAN MONTGOMERY
4
5 **DAN MONTGOMERY:** Good to be here again. I
6 don't know if my voice is going to hold up. I've
7 got a bad cold.
8 But, anyway, my name is Dan Montgomery.
9 And I'd like to thank Chairman Spraker and board
10 members for this opportunity to comment on the
11 Southcentral Region proposals.
12 I've been a resident of Alaska for 37
13 years. I'm a big game master guide, and I've made
14 my living guiding since 1993. I've lived in
15 Wasilla since 1993.
16 I'm a life member of the Boone and
17 Crockett Associate Program, a life member of the
18 National Wild Sheep Foundation, also the Montana
19 chapter, the Alaska chapter, and the Washington
20 chapter, a life member of NRA, SCI International,
21 and SCI Alaska chapter. I've served on the Mat
22 Valley AC for the last 11 years.
23 I support the following proposals:
24 Proposal 55, support but amend. The aircraft
25 restriction should be lifted in areas 14C and 14A

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1 and only applied to hunters during the open periods
2 that their permits are for. These areas have
3 multiple seasons with different opening and closing
4 dates. With this change, the permit holders would
5 have the same restrictions as the general season
6 hunters.
7 Proposal 110, I support this proposal to
8 change the archery goat hunt in Lake George area
9 back to a registration hunt from a draw hunt.
10 The department has told me they will
11 close the hunt by emergency order if a very low
12 harvest goal is met, and they won't close the
13 nonresident draw hunt by EO if the -- too goats are
14 harvested. And I guide in this area, and so that's
15 very important to me.
16 Proposal 115, I support this proposal.
17 I have a separate -- to have a separate allocation
18 for second degree kindred. I want it amended to
19 not add permits, but to take Permit DS230 from
20 Peters Creek, Permit DS237 from Ship Creek, and
21 both rifle hunts and Permit DS240 archery permit to
22 2DK and convert them to DS331, DS327, and DS340
23 that only second degree kindred can apply for.
24 By doing this, you will not increase the
25 nonresident allocation, but eliminate the

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1 competition in the nonresident draws between guided
2 hunters and 2DK guided hunters.
3 In the last three years 2DK hunters have
4 drawn eight permits. This change would guarantee
5 them nine permits in that same time period. The
6 end result would be six rifle permits and three
7 archery permits for guided hunters and two rifle
8 permits and one archery permit for 2DK hunters.
9 Passing this proposal will -- with these
10 amendments would stabilize the draw process for
11 both groups of hunters.
12 I oppose the following proposals: I
13 oppose the Kodiak Proposals 99, 100, 101, 102, and
14 103.
15 The current draw allocation system has
16 been in place since 1997, and it works very well
17 and should not be changed. The guiding of
18 nonresidents for brown bear on Kodiak is vital to
19 the economy of Kodiak and Alaska and brings in
20 millions of dollars to our state and adds almost a
21 million dollars to Fish and Game that covers all
22 management of game in Unit 8 with thousands left
23 over for other management projects in the state.
24 I also oppose Proposal 114, the youth
25 sheep hunt. This would cause 12 more permits to be

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1 issued for sheep in 14C and may cause overharvest.
2 The board cannot rescind the shared-bag
3 statute. It is already a quality hunt, and it
4 can -- and if you can draw it, the youth can
5 participate in it now. There's no reason to add a
6 youth hunt in this area.
7 And thank you very much for this
8 opportunity to speak to you, and I am done for now.
9 Thank you.
10 **CHAIRMAN SPRAKER:** Okay. Thank you, Dan.
11 Board members, questions? Comments?
12 Nate, do you have a question?
13 **VICE-CHAIR TURNER:** I'm still formulating it,
14 but you don't have to wait for me. I can always
15 ask Dan off to the side if I need to.
16 **CHAIRMAN SPRAKER:** Dan, on the 14C, 2DK, I
17 remember looking at the comments on that one. And
18 some years there were a couple second degree
19 kindreds, other years there weren't. Would there
20 be a system just to say you can only have one 2DK
21 per year, kind of like what you're saying?
22 **DAN MONTGOMERY:** A system for only one you say
23 or --
24 **CHAIRMAN SPRAKER:** Yeah, only one potentially
25 being drawn per area.

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1 **DAN MONTGOMERY:** That's -- the current system
2 we have set up now, the only permits available to
3 nonresidents, there's only one in each hunt except
4 for the late archery hunt. There's -- there is
5 three available there.
6 But with this proposal we would take two
7 of the current any nonresident hunts for rifle and
8 one for bow and make them for 2DK people only.
9 **CHAIRMAN SPRAKER:** Okay.
10 **DAN MONTGOMERY:** And it wouldn't -- the
11 original proposal actually wants you to add three
12 permits to this system, and I don't want you to add
13 them. I don't want you to keep the nonresident
14 numbers the same, but just change these three
15 permits into non -- into 2DK only permits.
16 **CHAIRMAN SPRAKER:** Okay.
17 **DAN MONTGOMERY:** Yeah.
18 **CHAIRMAN SPRAKER:** I follow you there.
19 Okay. Nate.
20 **VICE-CHAIR TURNER:** Yeah. Thank you. Dan, in
21 your comments on Proposal 55, you basically were
22 suggesting --
23 **DAN MONTGOMERY:** I can hardly hear you.
24 **VICE-CHAIR TURNER:** Oh, I'm sorry. On your
25 comments on Proposal 55, you were basically

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1 suggesting it be amended. Could you flesh that
2 out, that idea a little more what you're
3 describing.
4 **DAN MONTGOMERY:** Which proposal?
5 **VICE-CHAIR TURNER:** Proposal 55.
6 **DAN MONTGOMERY:** 55?
7 **VICE-CHAIR TURNER:** Yeah, where you were
8 suggesting that only be applied to --
9 **DAN MONTGOMERY:** That was just my idea when I
10 read it. I realized that there's no way we are
11 going to rescind that, you know, especially just a
12 region rescinding or anything. I still have
13 problems with the way the -- the distance and we
14 can't spot sheep at all.
15 But this -- when it was originally
16 proposed by the board, I mentioned this, that it
17 isn't fair to these hunters in these areas, because
18 there are different hunt dates and stuff, and they
19 have no opportunity to look before their actual
20 hunt.
21 Like in the third hunt in 14C, there's
22 already been 26 days in the hunting season, and
23 these people, you know, have no opportunity just to
24 even fly through high and just survey the area.
25 And so by implementing this the way I

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1 had stated it to you, it would only -- only apply
2 to the people that have the permits during their
3 season. So you could still fly up there, but you
4 couldn't do it during the season your permit was
5 good for. And that would be exactly what the
6 other -- the other restriction does statewide for
7 the general season.
8 **VICE-CHAIR TURNER:** That makes sense to me.
9 Okay. Thank you.
10 **CHAIRMAN SPRAKER:** Okay. Any other questions?
11 Comments?
12 Okay. Dan, thank you very much.
13 **DAN MONTGOMERY:** Thank you.
14 **CHAIRMAN SPRAKER:** Next on my list I have Dick
15 Rohrer.
16
17 PUBLIC TESTIMONY BY DICK ROHRER
18
19 **DICK ROHRER:** Mr. Chair, members of the board,
20 my name is Dick Rohrer. I am a 50-year resident of
21 Kodiak. I've been guiding in the same location
22 since 1974 or '75.
23 The current permit system went into
24 place in 1976. It's, I think, nowhere they need to
25 point out that the number of permits that Roger

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1 Smith originally came up with for primarily the
2 refuge areas are the same today.
3 I want to give you some historic
4 information to just emphasize the success of the
5 Kodiak program. I pulled out Roger's report to the
6 advisory committee in 1977. Estimated population
7 is 2,500 bears. Unit 8-wide the estimated
8 population today is 3,500.
9 The average harvest 1961 to '76 he
10 reported as 134 a year. In 1977 the harvest was
11 124. That was a year after we started the drawing
12 permit system that we operate under today.
13 By the 1990s that annual harvest was up
14 to 160. And the average harvest today is 190,
15 pushing 200 bears.
16 The bear population on Kodiak as a
17 whole, we have not seen a decline. There's been a
18 steady, stable incline in the last 40-some years,
19 actually, 50 since I been there.
20 The other thing I just want to point out
21 that's really interesting to me is the number of
22 large bears with 28-inch skulls or larger.
23 I think you probably have in your report
24 from the department that the years 2011 to 2018
25 there were 19 bears per year with 28-inch skulls or

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1 larger.
2 I went back to the years '71 to '78, 40
3 years ago, and the average was 3.4 per year. That
4 was at the start of when we implemented the permit
5 system.
6 It's interesting to note, I think, that
7 this last spring season -- this is just the spring
8 season for 2018, numbers came from the department's
9 report -- 119 animals harvested. 30 male bears had
10 skulls 27 inches or larger.
11 And I think what's really important to
12 point out to you, that 26 of those bears came from
13 different permit areas. So 26 of the 31 areas
14 produced trophy bears last spring. So there's big
15 bears, as has been pointed out before, everywhere
16 on Kodiak.
17 The other thing that was interesting to
18 me, and I think should be to you, from the spring
19 harvest, 14 percent of the guided harvest were
20 females. 48 percent of the unguided harvests last
21 spring were females. The last three-year average
22 is 12 percent female harvest for guided, 38 to
23 39 percent female harvest by residents, to simply
24 point out to you how major changes would have to
25 take place if these allocation numbers are

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1 drastically changed.
2 Kodiak system is built on a percentage
3 of permits being unused. There's 500 permits
4 issued a year total to harvest, in round numbers,
5 200 bears.
6 If all of the unused permits, both
7 guided and unguided, were to be used, that number
8 would have to be drastically reduced probably to,
9 in rough numbers, maybe 300 permits, reducing
10 everyone's opportunity or chance of success in
11 drawing a permit.
12 I might add for those who have not been
13 successful in drawing a permit, last year there was
14 one area on Kodiak that was a 50 percent chance of
15 draw for a resident.
16 I have a 15-year-old granddaughter that
17 drew a permit for this spring -- or for next spring
18 in this most recent draw. I have a daughter-in-law
19 that was successful in drawing a permit. One of my
20 sons was successful.
21 Point being is, if you want to draw a
22 permit in Kodiak, you can. I'm not going to tell
23 you where to apply, but if you apply in 1 percent
24 draw areas, you're probably not going to apply
25 for -- or draw for 20 years, but you can draw a

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1 permit in Kodiak.
2 **CHAIRMAN SPRAKER:** Thanks, Dick. Good timing.
3 Pretty interesting statistics.
4 Board members, comments? Questions?
5 Stosh.
6 **MR. HOFFMAN:** Yeah. Thank you for that
7 testimony. Just a quick question. What's your
8 opinion why the resident take of sows is much
9 higher than the guided?
10 **DICK ROHRER:** I think it's quite clear that
11 they don't have the experience that guides do. We
12 sit there for hours and hours and hours. And
13 certainly sometimes we make a mistake and take a
14 female. But they just don't have the time to
15 spend. They don't have the experience that 50
16 years of many days on the hill offer.
17 Mr. Chair, could I mention one thing
18 about 2DK permits?
19 **CHAIRMAN SPRAKER:** Sure. Go ahead. I'll ask
20 you about 2DK permits.
21 **DICK ROHRER:** Okay. Thank you. 2DK for
22 Kodiak came into being in '67 and '68. By the time
23 we got to '83 and '84, it was clear that the
24 demand -- the interest in those permits was
25 drastically increasing.

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1 That's when we established the limit
2 that we currently have, and that's when we
3 established those permits to be drawn from the
4 resident pool because of resident hunters' interest
5 that they could apply in a party tag. They could
6 apply their nonresident relative in a party tag so
7 both of them could draw and hunt together. If 2DK
8 as we know it goes away, those party tags will --
9 they won't be available anymore.
10 So that was a big reason, that was a big
11 interest in pulling those tags from the resident
12 allocation as it's been at 2DK as we saw it and as
13 the advisory board says is benefit to a resident
14 hunters. So my recommendation is leave Kodiak the
15 way it is. It's not broken.
16 I do have a couple suggestions for 2DK,
17 if the board decides that we really need to change
18 that.
19 **CHAIRMAN SPRAKER:** Dick, I would recommend
20 that if you have suggestions, as I would recommend,
21 you know, to others about proposals, that you could
22 RC those options, put that before the board at some
23 time soon, and we'd be willing to look at that.
24 But I would RC that for everybody.
25 **DICK ROHRER:** Thank you.

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1 **CHAIRMAN SPRAKER:** Any other questions?
2 Questions?
3 Nate.
4 **VICE-CHAIR TURNER:** Dick offered it before I
5 could ask it. I was wondering what your views were
6 on the 2DK topic. But what you just mentioned
7 about the history of its formation, remind me, were
8 you there in those early years when they were
9 talking about the 2DK?
10 **DICK ROHRER:** Oh, absolutely. I've been there
11 since the start of the program, also as part of the
12 brown bear management planning team. Yep, been
13 there for 50 years.
14 **VICE-CHAIR TURNER:** Well, thanks for coming
15 and informing us. And you just certainly gave me a
16 lot to chew on. I've got some good notes, and
17 there was some striking observations you made.
18 Thank you.
19 **CHAIRMAN SPRAKER:** Larry.
20 **MR. VAN DAELE:** Yeah. Thank you,
21 Mr. Chairman.
22 And, you know, you're being polite,
23 Dick. You were there when the ice receded. You've
24 been there a while.
25 I would just like to thank you on the

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1 record for all you've done for the resource.
2 You've donated an awful lot of hunts and your
3 services for a number of different organizations,
4 which are beneficial to hunting and to
5 conservation. And I really appreciate the things
6 you've been doing down there and a lot of other
7 places. So thank you.
8 **DICK ROHRER:** You're welcome. Thank you.
9 **CHAIRMAN SPRAKER:** Okay. Thanks, Dick.
10 4:13:26 PM
11 (This portion not requested.)
12 5:00:23 PM
13
14 PUBLIC TESTIMONY BY MARK RICHARDS, RESIDENT HUNTERS
15 OF ALASKA
16
17 **MARK RICHARDS:** Good afternoon, Chair Spraker,
18 Vice-Chair Turner, members of the board, agency
19 staff.
20 I'd like to give a special welcome to
21 Jerry Burnett, our newest board member. Thank you
22 for stepping up to the plate, Jerry, and serving
23 the state and Southeast Alaska. We're confident
24 you're going to be a great asset on this board.
25 Also, a big welcome to Director Grasser.

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1 Glad to see you here, Eddie.
2 For the record, my name is Mark
3 Richards. I'm the executive director of Resident
4 Hunters of Alaska. We pronounce our acronym RHAK.
5 And I'm here today representing our 2,000 members
6 from across the state who support a resident
7 hunting priority. Please refer to our public
8 comments, PC79.
9 I want to begin with RHAK Proposal 102.
10 Proposal 102 asks to remove nonresident opportunity
11 for the Kodiak road system hunt, which is conducted
12 under an unlimited registration hunt for both
13 residents and nonresidents.
14 As we state in our proposal, this is the
15 only Kodiak brown bear hunt where residents have a
16 guaranteed chance of hunting. The more guides and
17 their nonresident clients are taking advantage of
18 their opportunity, and it is affecting residents'
19 success in harvest.
20 I see what you mean by the echo, Ted.
21 Yeah, it's quite an echo.
22 It was brought up that the number of
23 residents that registered for this hunt is much
24 higher than nonresidents, but one has to remember
25 that a lot of local residents pick up a permit just

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1 in case they see a bear along the road system, just
2 like I pick up a black bear permit when I'm driving
3 from Fairbanks to Circle, heading back to our cabin
4 on the Kandik. I'm not really hunting, but just in
5 case.
6 I appreciated the comment from Frank
7 Bishop on our proposal. It's always good to hear
8 another side of the argument.
9 And in that regard, we've learned a lot
10 in the ten long months since we submitted this
11 proposal. We don't agree on everything, but I feel
12 our proposal does have merit in light of the
13 difficulty of a resident drawing a Kodiak brown
14 bear permit, and this being the only hunt where a
15 resident is guaranteed the privilege to hunt.
16 There seems to be the perception that if
17 we eliminated or reduced nonresident opportunity
18 for this hunt, that bears would overwhelm
19 communities, people would not be safe. We don't
20 buy that argument.
21 Having said that, we'd like to offer an
22 amendment to our proposal to not eliminate all
23 nonresident opportunity, but restrict it to a draw
24 permit instead of a registration permit with a
25 limited allocation, and we suggest ten permits to

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1 start. Let's see how that works out.
2 Moving on to Proposal 103, the RHAK
3 proposal. I want to refer you to the map of the
4 exclusive guide use areas that we turned in with
5 our proposal, as well as RC 23, this chart here,
6 which is information put together by Nate Svoboda,
7 the Kodiak area biologist, showing the actual
8 number of nonresident permits that went unused.
9 I do want to spare us -- again, as with
10 other proposals, we always find out more
11 information between the time we turn in a proposal
12 nearly a year ahead of the meeting. And our PC79
13 comments reflect our current views, and we ask that
14 you consider those comments in your deliberations.
15 The initial reason we drafted this
16 proposal was because of this draw permit hunt
17 supplement. We had a meeting in Fairbanks with our
18 members. Somebody brought it up. It sure looked
19 like there was a lot of under-subscribed
20 nonresident permits.
21 As we say in our proposal, after further
22 research and speaking with Fish and Game staff in
23 Kodiak, we became aware that many of those permits
24 were actually allocated and hunted, they just did
25 not go through the draw permit process, but, still,

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1 many were not utilized as well. The department
2 hasn't really been tracking this information, and
3 it was never reflected in the draw permit results.
4 It turns out there's a loophole of sorts
5 in 5 AAC 92.061, and many nonresidents and guides
6 are not going through the draw permit process.
7 There really is no alternate list as the regulation
8 states.
9 These permits are essentially given to
10 the guides for the exclusive guide use areas, and
11 guides can pick and choose which clients they want
12 or whether they want to hunt all of the allocated
13 permits. Some guides have told me personally they
14 do not utilize all the permits available to them.
15 There's absolutely no reason for a
16 nonresident to put in for a draw permit when he or
17 she can contact a guide with exclusive privileges
18 to work out an arrangement and show up in Kodiak
19 with a signed guide plan agreement.
20 As our PC79 comments state, we believe
21 5 AAC 92.061 should further be amended to require
22 all nonresident guided hunters to go through the
23 draw permit application process before they can be
24 given a permit to hunt.
25 Every draw hunt for residents, if you

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1 don't apply on time, you're out. And residents
2 can't circumvent the draw permit process like
3 nonresidents can do for Kodiak brown bear.
4 Essentially a guide can guarantee a
5 nonresident opportunity to hunt completely outside
6 the draw permit system. That isn't how it's
7 supposed to be.
8 We also stand by our initial request to
9 amend 5 AAC 92.016 so that any unallocated resident
10 draw permits be moved to the resident pool of tags.
11 Thank you.
12 **CHAIRMAN SPRAKER:** Did you finish, Mark?
13 **MARK RICHARDS:** Yep.
14 **CHAIRMAN SPRAKER:** Good.
15 **MARK RICHARDS:** I tried to do it right on
16 time.
17 **CHAIRMAN SPRAKER:** Perfect. Yeah.
18 Okay. Board members, comments?
19 Questions?
20 Mark, on the part about reissuing the
21 tags that aren't issued, you know, did you -- there
22 was a lot of testimony today about there's very few
23 of those and so forth. Do you have an exact number
24 that are issued? I thought it was something like
25 one a year or something.

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1 **MARK RICHARDS:** I would refer you to Nate
2 Svoboda's graph that he put together for Joe Want
3 and myself, RC23. He's listed all of the unused
4 nonresident tags from 2013 to 2017.
5 **CHAIRMAN SPRAKER:** Okay. I'll -- it's --
6 that's 23?
7 **MARK RICHARDS:** Yep.
8 **CHAIRMAN SPRAKER:** All right. I'll study that
9 this evening.
10 **MARK RICHARDS:** And I could -- you know,
11 it's -- it averages, I think, around eight to ten.
12 Some years it's more, some years it's less.
13 **CHAIRMAN SPRAKER:** Okay. Any other questions?
14 Larry.
15 **MR. VAN DAELE:** Thank you, Mr. Chairman.
16 Thank you, Mark. You didn't get a chance to talk
17 about Proposal 56, which is another one of your
18 group's proposals. Do you want to speak to that at
19 all or just leave your comments in your --
20 **MARK RICHARDS:** Fill me in, Member Van Daele,
21 on 56.
22 **MR. VAN DAELE:** No. 56, prohibited nonresident
23 hunting of moose and caribou under intensive
24 management.
25 **MARK RICHARDS:** Yes. Yeah, we put in that --

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1 we're going to keep putting in that proposal until
2 the board eventually passes it. But we would just
3 state that, you know, at the -- one of the last
4 meetings, the Region 4 meeting, the board basically
5 adopted that same type of guideline for the
6 Nelchina herd. You said that nonresident hunting
7 will only be allowed for the Nelchina herd if we're
8 within the population objectives.
9 So we believe that it comports with what
10 the board has stated with the Nelchina herd, and
11 it's a fairly -- you know, a fairly reasonable
12 proposal.
13 **MR. VAN DAELE:** Thank you, sir.
14 **CHAIRMAN SPRAKER:** Okay. Any other questions?
15 Okay. Mark, you're also signed up for
16 personal testimony as well?
17 **MARK RICHARDS:** Just one more comment if I
18 can, Mr. Spraker. I just wanted to say that the
19 joint board meeting, you know, is during our
20 banquet next Saturday, and we've invited you all to
21 our banquet.
22 I just wanted to state that if you
23 attend our banquet, you are not a member of RHAK.
24 So have no fears that if you come and you pay for a
25 ticket, you are not a RHAK member.

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1 **CHAIRMAN SPRAKER:** We're not afraid.
2 **MARK RICHARDS:** I know it happened with
3 another banquet or a get-together, so I just wanted
4 to stress that.
5 **CHAIRMAN SPRAKER:** Okay. So personal.
6 **MARK RICHARDS:** Yep.
7
8 PUBLIC TESTIMONY BY MARK RICHARDS
9
10 **MARK RICHARDS:** Again, for the record, my name
11 is Mark Richards. This is my personal testimony.
12 I currently live in Fairbanks, after
13 spending over 30 years living in the remote bush of
14 the eastern Interior with my wife, raising a family
15 of three children on the wild fish and game and fur
16 that gave me the passion to be before you all
17 today.
18 Please don't mistake that passion or any
19 criticism I offer to mean I don't greatly
20 appreciate your service on the board or that I
21 don't respect each and every one of you. We may
22 disagree, but we should do so in a way where we can
23 still shake hands, share a beer or a cup of coffee.
24 I want to talk about Board of Game
25 issues and my personal experience with this board.

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1 For over a decade now I've been part of proposals
2 for this board asking to limit nonresident sheep
3 hunters who continue to take 60 to 80 percent of
4 our sheep in some areas of the Interior. Those
5 proposals never passed; neither did the ones asking
6 for an earlier resident-only season.
7 The reasons the public, your
8 constituents asked to limit nonresident sheep
9 hunters were never disagreed with. In fact, here's
10 a statement outlining what Alaskans have been
11 telling this board for some time.
12 And I quote: "Another area the Board of
13 Game is looking at" -- I'm sure this is going to
14 come up fairly soon. We've got a meeting in
15 Fairbanks in 2014 in the spring, and this is south
16 of Fairbanks, 20A. That's currently about 15
17 guides registered for this area.
18 If you want to hear from other guides --
19 I'm not a guide, but from what I hear from other
20 guides around the state is that the area can
21 probably support about a third of that number and
22 have some really quality hunting. So that's
23 another area we're going to have to deal with.
24 And here's something else I'm really
25 concerned about, is that there's a difference in

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1 having guides competing with guides. That's one
2 issue.
3 But the way I look at it, as a Board of
4 Game member and a real state's rights sort of guy,
5 is that this really puts a lot of competition on
6 residents. Because guides are well-equipped. They
7 have large camps, wall tents, a string of horses,
8 aircraft. They're set up. I mean, this is their
9 business.
10 For your average hunter that goes in
11 there for a long weekend or a week or whatever,
12 those guys, those residents have a tough time
13 killing and getting game in places where you have a
14 lot of guide competition.
15 As you know, Mr. Chairman, that was part
16 of your statement to the House Resources Committee
17 in the spring of 2013 in support of the proposed
18 DNR Guide Concession Program.
19 This board has continually represented
20 that the problem is too many guides, when, in fact,
21 the problem is equally too many nonresident hunters
22 are required to hire a guide, being given unlimited
23 opportunity by this board.
24 For ten years this board has only
25 supported one solution to the known problems, this

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1 yellow-brick-road Guide Concession Program that
2 never leads us to OZ, whereby we'd create a whole
3 new division with DNR with new staff to take on
4 what was always the job of the Big Game Commercial
5 Services Board that is supposed to regulate guides.
6 The bill Chair Spraker supported in the
7 28th Legislature to create this Guide Concession
8 Program never made it out of committee, in part,
9 because a million-dollar fiscal note for startup of
10 the program.
11 I say "in part," because we have to
12 remember, it was opposed by about half the guides
13 in this state, who felt they would go out of
14 business if it was instituted. That also had a big
15 effect on the Legislature never bringing it to a
16 floor vote.
17 In the 30th Legislature, however, the
18 guide industry and their cohorts lobbied a select
19 few legislators to furtively include in the Walker
20 budget federal receipt authority for some
21 \$2.1 million for startup of the Guide Concession
22 Program with the money supposedly going to DNR for
23 wildfire suppression activities, but with a caveat
24 that it would be diverted to the Guide Concession
25 Program. The idea was to pass the Legislature

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1 completely.
2 For a decade this board has kicked the
3 can down the road touting the Guide Concession
4 Program is the savior for the very known problems
5 Chair Spraker expressed in 2013.
6 As it turns out, DNR gave their budget
7 report to the Senate Finance Committee earlier this
8 session and stated that the 2.1 million in federal
9 monies to be diverted for the Guide Concession
10 Program never materialized. And with their current
11 budget crisis, we aren't going to suddenly find
12 100,000, let alone a million or more nor the will
13 or the way to fund it.
14 My point here is that we have to
15 recognize that it's dead, and we need to stop
16 bringing it up, to discontinue the stalling and
17 kicking the can down the road when this board has
18 the authority to fix the known problems.
19 I just don't want to hear at the next
20 Interior statewide meeting, when the very same
21 proposals resident hunters have been putting in for
22 ten years will be before this again, that the
23 answer is the Guide Concession Program. Nothing
24 has changed between the time Chair Spraker gave
25 that statement to the Legislature in 2013.

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1 This board can't -- and the board still
2 has not dealt with it. This board can't limit
3 guides, but for darn sure this board can limit the
4 nonresident hunters that are required to hire a
5 guide.
6 Draw permits work in other areas of the
7 state without exclusive guide use areas to provide
8 business stability. Business models change. Many
9 guides are not using their outfitter capabilities,
10 and there's a big market there as well that could
11 cater to nonresident hunters. Thank you.
12 **CHAIRMAN SPRAKER:** It's a good thing you can
13 read fast, Mark.
14 Okay. Questions?
15 Mark, my attitude on the concession has
16 not changed. I still think it's a positive move
17 forward.
18 **MARK RICHARDS:** But it's not going to happen,
19 Mr. Chairman.
20 **CHAIRMAN SPRAKER:** Well --
21 **MARK RICHARDS:** We don't have the money for
22 it.
23 **CHAIRMAN SPRAKER:** Okay. We're not going to
24 have a dialogue on that on the record. But I'm
25 just making it clear since you've quoted me there

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1 several times, I still think that's a viable thing,
2 so I just want to --
3 **MARK RICHARDS:** I'm going to keep quoting you.
4 **CHAIRMAN SPRAKER:** You will. I do -- I
5 understand that.
6 **MARK RICHARDS:** Thank you all for your
7 service. I really do appreciate your service today
8 even though we disagree at times, really,
9 sincerely. Thank you.
10 **CHAIRMAN SPRAKER:** Okay. Any questions?
11 I think you were pretty clear.
12 Oh, Larry.
13 **MR. VAN DAELE:** Yeah. I just want to throw it
14 back at you, Mark, and thank you for what you and
15 the RHAK have been doing. You know, you are the
16 kind of person that you can talk to regardless of
17 how we feel on this side, and I really appreciate
18 that about you. And keep up the good work in your
19 group as well.
20 **MARK RICHARDS:** Thank you, Member Van Daele.
21 **CHAIRMAN SPRAKER:** Okay. Next we have Thor
22 Stacy.
23
24 PUBLIC TESTIMONY BY THOR STACY, ALASKA PROFESSIONAL
25 HUNTERS ASSOCIATION

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1
2 **THOR STACY:** Mr. Chair, members of the
3 committee or the board, I'm signed up for both
4 testimony for the Alaska Professional Hunters
5 Association and individually. And I would like to
6 do the group testimony first, if possible.
7 **CHAIRMAN SPRAKER:** Okay.
8 **THOR STACY:** For the record, my name is Thor
9 Stacy. I'm here on behalf of the Alaska
10 Professional Hunters Association. I represent the
11 group as their director of government affairs.
12 I'm also a registered lobbyist for the
13 group with responsibilities to interact with the
14 Alaska Legislature, the Board of Game, Big Game
15 Commercial Services, as well as coordinate our
16 various fears of federal oversight.
17 The number of proposals I'm going to
18 address today are actually fairly short for this
19 meeting.
20 So, first off, the Alaska guide industry
21 is -- brings approximately \$87 million of economic
22 benefit to the state each year. \$55 million of
23 that is new dollars to the economy.
24 Most of our clients are nonresident
25 hunters. The total nonresident allocation is

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1 somewhere around 13 percent, whereas we are about
2 20 percent of that number. So of the big picture,
3 the guided hunting allocation statewide for all
4 species of big game is around 3 percent. So 3 out
5 of every hunters in the field is a guided hunter
6 statewide for big game animals on a statewide
7 basis.
8 72 percent of the Division of Wildlife's
9 funding sources come from nonresident licenses and
10 hunting tags, and approximately -- and this is very
11 important for the allocation discussions before you
12 at this meeting -- between 86 to 89 percent of
13 Alaska's guide businesses are Alaskan-owned.
14 So the relationship between the amount
15 of animals that are allocated to the hunting guides
16 and Alaska ownership of their business is healthy
17 and brings a very robust and significant economic
18 benefit to the state and its citizens, especially
19 in rural areas where at least 50 percent of those
20 economic impacts are felt where there's limited
21 opportunities for jobs, businesses, or to create a
22 livelihood.
23 I'm going to address Proposal 56. We
24 oppose Proposal 56. That's the intensive
25 management -- the restriction on nonresident

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1 hunters if an intensive management program is
2 active.
3 We feel that nonresident use may
4 contribute to achieving intensive management goals,
5 especially where guides rely on a limited amount of
6 non-predator allocations to keep their businesses
7 going.
8 Oftentimes in remote portions of the
9 state those limited allocations result in a net
10 positive gain on the predator species or to achieve
11 the intensive management goals, be what they may.
12 It's also a cost-efficient use,
13 cost-efficient partnership to achieve the intensive
14 management goals, and we don't think that a
15 statewide policy or proposal is warranted, a
16 region-wide proposal in this case.
17 We oppose Proposal 84. It offers an
18 ambiguous solution. That's a sheep hunting
19 proposal.
20 And then Proposal 115, this is an
21 important proposal affecting second degree of
22 kindred hunters or allocations in Unit 14C.
23 You know, setting a hard number on
24 second degree of kindred hunters is a good idea.
25 As it is right now, the entire nonresident

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1 allocation could theoretically be won by second
2 degree hunters with no guided nonresident
3 allocation.
4 So it's -- we feel it's important that
5 the board look at the allocations in 14C and put a
6 hard cap on the number of second degree hunters. I
7 think our member, Dan Montgomery, had some good
8 ideas about how to break that out, but we would
9 obviously defer to your allocations.
10 We support a hard cap in those hunts to
11 prevent 100 -- potentially and theoretically at one
12 point it's going to be 100 percent of the
13 nonresident allocation being nonresident relatives.
14 We want to support the guides that came
15 here to testify on Proposal 147. During the
16 meeting in Dillingham the season-shortening actions
17 by this board were really specific to address
18 conservation concerns in 9E and 9D.
19 During that discussion the units in the
20 northern regions of 9, frankly, got lost in the
21 mix. And as a group, I feel it's partly our
22 responsibility to have better input from the guides
23 in Northern 9, which we did not have.
24 Part of it was we didn't get specific
25 input from those guides at our teleconference and

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1 as we generated our positions on proposals before
2 the meetings. So we support those efforts.
3 Finally, as a group, we oppose Proposals
4 98, 99, 101, 102, and 103. And we really --
5 **CHAIRMAN SPRAKER:** No worries. If you've got
6 a little bit more, go ahead and finish up.
7 **THOR STACY:** Those are the Kodiak proposals.
8 We really urge -- you know, there's been an amazing
9 amount of -- amazing number of guides that have --
10 that use Kodiak Island and live in the community
11 that have come to this meeting, and they provided a
12 holistic kind of perspective of what their use is.
13 As a group, we don't have anything to
14 add to the perspectives of the individual guides
15 that have come before you to testify on Kodiak.
16 Those individual perspectives represent really many
17 facets of that use.
18 So as you look at those allocations, we
19 urge you to defer to those individual testimonies.
20 And with that, I'm happy to answer any
21 questions on APHA's positions on proposals or
22 political positions or advocacy of any kind.
23 **CHAIRMAN SPRAKER:** Okay. Thank you, Thor.
24 Any questions for Thor?
25 Larry.

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1 **MR. VAN DAELE:** Thank you, Mr. Chair.
2 And thank you, Thor. Between Proposal
3 56 and 115, I forgot to jot down the number that
4 you had. Is it 89?
5 **CHAIRMAN SPRAKER:** 84.
6 **MR. VAN DAELE:** 84.
7 **THOR STACY:** Proposal 84.
8 **MR. VAN DAELE:** Okay.
9 **THOR STACY:** And there was -- I think it's
10 114. There's a youth hunt proposal involved. And
11 just we didn't comment on that because of the
12 statutory limits that we think affect that
13 proposal.
14 **MR. VAN DAELE:** Okay. And are you RC'g this?
15 **THOR STACY:** We will RC our positions pro in
16 support with some brief comments on our proposals.
17 **MR. VAN DAELE:** Thank you, sir.
18 **CHAIRMAN SPRAKER:** Nate.
19 **VICE-CHAIR TURNER:** Yeah. Thank you.
20 Thank you, Thor. You're always a good
21 speaker, and you manage your time very, very well.
22 You just cut off in the middle of it.
23 You mentioned that 9B and 9A, that
24 discussion and what developed out of it that we're
25 talking a lot about at this meeting. Was part

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1 of -- you mentioned there was a couple reasons why
2 that missed not only the board's attention but
3 missed your attention as well in the Dillingham
4 meetings.
5 We had the testimony today about 9C is
6 also in some ways being applicable to the same
7 situation. Has there been discussion in your group
8 about that? Was that also viewed as an oversight?
9 **THOR STACY:** Through the chair, our positions
10 are formed through kind of a collaborative -- we
11 have a teleconference. We involve -- we usually do
12 a couple of them and tap into the membership to
13 develop our positions on what proposals are
14 relevant for the meetings. We look at it from a
15 statewide perspective. So as a group, no, we did
16 not approach the 9C issue.
17 But I will say that the testifier that
18 came before that holds the Katmai Preserve area,
19 his essential points of the land status and, you
20 know, a minority of the land in that unit is
21 available for hunting or for take, his basic
22 outline of why you should -- I think you should
23 consider 9C when the department's in front of you.
24 It makes total sense.
25 And I would just -- from the group's

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1 perspective, I would encourage the board to look at
2 9A, B, and C. And, you know, I don't want to get
3 ahead of the department on the conservation
4 concerns or the abundance of the animals, but it
5 sounds to me like 9C should be on the table.
6 And if there's a resource there that
7 doesn't fit the decisions of 9E or 9D with limited
8 amount of state land, it made sense to me that you
9 should consider amendment or to add 9C to the
10 discussion.
11 **VICE-CHAIR TURNER:** Okay. Thank you for that.
12 If I might continue, Mr. Chair.
13 I did ask the department to be prepared
14 to present some information on that, so I'm sure
15 we'll look at that as well.
16 You know, something that -- it's come up
17 a lot in many proposals over the years, recent
18 years and at this meeting as well is the idea
19 around the allocation formulas in Alaska, whether
20 they're fair or appropriate.
21 And it's often -- you know, Lower 48 is
22 often cited as a model, you know, almost like it's
23 precedent-setting and that Alaska should follow
24 suit.
25 As a group, have you guys talked about

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1 that concept? I mean, I know you've opposed it
2 before, but do you have further thoughts on it or
3 deeper thoughts, I guess?
4 **THOR STACY:** Through the chair, Member Turner,
5 the -- I believe there was testimony given at this
6 meeting that suggested that Alaska was an outlier
7 where nonresident allocation was concerned, and
8 that the national standard was 10 percent. In the
9 California example, I think it was even one tag of
10 a specific animal was given.
11 And we have discussed national policy
12 versus Alaska policy many times. The APHA is a
13 strong advocate for Alaska's institution, for
14 Alaska as a state.
15 The Alaska Professional Hunters
16 Association was intimately involved in the drafting
17 of ANILCA and specific provisions within ANILCA
18 that addressed guiding in rural areas of the state.
19 We supported the guides. It was -- APHA was formed
20 after statehood, but the guides as a whole
21 supported the state's ability to manage. The APHA
22 has supported delegation of allocation authority to
23 this board.
24 And I think that we would point out that
25 from a national policy perspective, the policy of

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1 the United States is to historically -- some of
2 this is changing now, but historically has been to
3 extirpate predators in favor of domestic animals,
4 to prioritize agricultural development and
5 basically degradation of wildlife habitat for the
6 utilization of people, for people's use.
7 As far as settlement with Native
8 peoples, reservations are used in the Lower 48 or
9 is national policy, whereas in Alaska we have
10 Native corporation lands.
11 And for all of those reasons and more
12 Alaska is different. Alaska has been recognized as
13 being different by the U.S. Supreme Court. Alaska
14 is recognized as being different in federal
15 statute.
16 We do not support overturning ANILCA.
17 We do not support overturning ANCSA. We do not
18 support overturning the statehood compact. We do
19 not support undercutting this board's authority to
20 allocate resources and make the tough decisions on
21 allocation.
22 And for all those reasons, we would
23 disagree that national policy is a model for what
24 should happen in the state of Alaska on many
25 issues, and, in particular, how nonresident

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1 allocations come down.
2 Alaska has subsistence law is a classic
3 example, and nowhere else in this country do you
4 have that type of priority.
5 So from a national perspective, we would
6 absolutely disagree that this board or this state
7 should defer to what happens in other states for
8 wildlife resource allocations.
9 **VICE-CHAIR TURNER:** Wow. That was a small
10 question.
11 **THOR STACY:** Through the chair, there's a
12 basis -- there's many things in Alaska that are
13 different and we think worth highlighting and
14 defending as a group. And we put our resources
15 where our beliefs are.
16 **VICE-CHAIR TURNER:** Very good. Thank you.
17 **CHAIRMAN SPRAKER:** Tom.
18 **MR. LAMAL:** Thor, I have a question on 56 with
19 the IM, intensive management. And you said that
20 guides having guided nonresidents can help improve
21 the IM.
22 So when objectives can't be met, like
23 this is for Region 2, how will guided nonresidents
24 be able to help Alaska residents get more food in
25 their freezer in Region 2? Where in Region 2 would

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1 you suggest that something like that, that guided
2 hunts would help the IM program?
3 **THOR STACY:** Through the chair, Member Lamal,
4 that's an excellent question. I don't have a
5 specific example of any proposal of the intensive
6 management program that's active at this time.
7 What I'm merely suggesting is that you
8 don't want to pass a proposal that ties your hands
9 where you may have that situation in the future.
10 So if the department, through its
11 discretion, needs to make a decision, you don't
12 want to have to undo a regulation that you've
13 passed, or to respond to an intensive management
14 protocol, you don't want to have a regulation on
15 the books that, frankly, has a populous appeal that
16 requires addressing the touchy nonresident issue,
17 and you have expensive intensive management
18 programs in the field, and there's a potential that
19 the guide in the field exceeds -- you know, is --
20 through his business or her business viability has
21 an impact on the desired predator species.
22 So our perspective is, there's no --
23 nothing that we want you to do. We just don't want
24 you to tie your hands for future decision-making
25 process.

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1 **MR. LAMAL:** Okay. I guess just my -- it's
2 just hard for me to kind of get my head wrapped
3 around how that would help the resident as far as
4 filling their freezer. Thank you.
5 **THOR STACY:** Through the chair, the intensive
6 management goals are set up to basically put food
7 in the freezers.
8 You don't -- we argue against a current
9 regulation that was put out by the National Park
10 Service that preempts the state's decision. So it
11 puts conditions where you can't harvest certain
12 predators affirmatively. It makes that -- takes
13 the decision off of the table.
14 By passing a proposal like this, you
15 preempt a future board's decision or a future
16 department's decision where there's department
17 discretion even if it makes sense for the specific
18 condition at the time. So this preempts a future
19 decision-making, something that we do not support.
20 **MR. LAMAL:** Okay. Thanks.
21 **CHAIRMAN SPRAKER:** Any other questions? Okay.
22 Thor, do you want to go into your personal
23 testimony?
24
25 PUBLIC TESTIMONY BY THOR STACY

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1
2 **THOR STACY:** Thank you, Mr. Chair, members of
3 the board. I'm giving personal testimony today.
4 This is testimony of my own, purely based on my own
5 experience. This is separate from any group
6 position or affinity that I may have.
7 My name is Thor Stacy. I'm a resident
8 of Juneau, Alaska. I'm a lifelong Alaskan. I have
9 been an active user of wildlife resources here in
10 the state for my entire life.
11 I have been a sport hunter, a federally
12 qualified subsistence hunter, a state-qualified
13 subsistence hunter, and an active hunting guide for
14 20 years.
15 I've actively guided in the Arctic,
16 Kodiak Island, the Interior of Alaska, Southwest
17 Alaska, the Alaska Peninsula, Southeast Alaska, the
18 Wrangell-St. Elias National Park & Preserve, and
19 then portions of the Alaska Range.
20 I want to talk specifically about Kodiak
21 Island. You know, as I look at Kodiak Island and
22 its significance in the world and its significance
23 in the state and the types of allocation decisions
24 that you have in front of you right now, Kodiak
25 Island is the model of stability and the model of a

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1 dependable, frankly, a bear cow.
2 You know, you have a sustainable
3 resource, a brown bear resource on Kodiak that's
4 been producing opportunity, benefits to Alaskans,
5 all Alaskans. It benefits, of course, the
6 residents of the island for many, many, many years
7 now.
8 Contrast that with the instability of
9 other types of, frankly, state government, economic
10 opportunities in Kodiak. You have issues with cod,
11 you have issues with salmon, you have issues with
12 all these other resources that vary in abundance
13 over time.
14 The most stable resource available to
15 Kodiak Island -- and this has been demonstrated for
16 30, maybe 40 years now -- has been Kodiak brown
17 bears.
18 What you have before you is a series of
19 proposals that would upset those carefully crafted
20 compromises.
21 And by "carefully crafted compromises,"
22 I want to take you through -- this is how I see
23 this problem on Kodiak -- a series of checklists
24 that you make when you decide on management, you
25 decide on allocation, and this board decides on how

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1 bears are going to be hunted and used.
2 You have constitutional mandates. You
3 have a mandate for sustained yield. That's
4 conservation of a limited resource on an island.
5 You have the maximum benefit to all
6 Alaskans. That's not just specifically hunters or
7 the person pulling the trigger, that's people that
8 are outside of the take of the animal or the
9 attempt to take the animal.
10 You need to require equal access and
11 equal opportunity not just to hunters but to
12 non-hunters and other people alike. You need to
13 provide for common use.
14 All of those checkmarks are met on
15 Kodiak Island under the current system. You need
16 to check the conservation perspective just from
17 this process. Are we sustainably taking or
18 harvesting animals? The answer is yes.
19 Next you have to deal with a mixed land
20 management status on Kodiak Island. You have state
21 land, you have federal land, you have Native
22 corporation land, and you have municipal
23 governments. All of those needs are being met.
24 In fact, before you at this meeting you
25 have opposition to these, especially Proposal 99,

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1 kind of the flagship proposal, from Native
2 corporations, from local residents, from
3 non-hunters. You have opposition from an industry
4 voice, you have opposition from regular Kodiak
5 Alaskans that don't -- and you will have more
6 opposition if somehow you upset this fragile
7 compromise that you have on an island where you
8 don't have enough bears to view.
9 So you've checked the boxes of land
10 management, conservation, constitutional, and I
11 would say statutory mandates. Nothing at this
12 meeting has decided that something that you're
13 doing on Kodiak is illegal.
14 As you look at the draw odds, you know,
15 I look at this, and you -- this board changed the
16 way drawings were done a few years ago. You can
17 put six applications in one area now, and that that
18 has significantly changed the ability to draw on
19 Kodiak Island.
20 My -- from the drawings supplement, for
21 a spring hunt for brown bear on Kodiak, you have
22 between a 6 to 80 percent chance to draw a tag if
23 you put all six of your applications in on the same
24 area. That's straight out of the drawing hunt
25 supplement. You just multiply that number by 6

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1 every time you put in an application.
2 For a fall hunt the odds are lower
3 because residents want to hunt deer and bear. It's
4 between slightly less than 60 percent, up to
5 60 percent if you put all your opportunities in for
6 one hunt.
7 And then I'll just go quickly. Finally,
8 if you look down the road, you have an opportunity
9 with the -- where are there bears or places that
10 you can improve Kodiak? It's through education and
11 outreach from resident hunting groups to address
12 DLP? You have between 30 and 40 bears a year
13 killed as DLP bears. That's an educational issue.
14 It happens most of the time during the deer hunting
15 season. It's proven that by outreach and by
16 education you can reduce those incidents.
17 As you start to look at where can we
18 address the opportunity for second degree of
19 kindred, or potentially how can we provide more
20 opportunity for residents, I would say don't upset
21 anything at all right now.
22 **CHAIRMAN SPRAKER:** Thor, go ahead and finish.
23 **THOR STACY:** You don't need to upset the core
24 tenets of the structure. There's 30 to 40 bears
25 that are unintended, non-targeted take. There's

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1 probably slightly a few more because of small
2 villages and some unreported DLPs, but we have to
3 go by the reported numbers.
4 Through education and work with the
5 department and partnering with groups that should
6 be doing education and outreach, there's additional
7 bears to be put into the pool, but you have to
8 address the DLP issue.
9 So be very careful. It's a model of
10 stability. It's something that we should all be
11 proud of in the world. It's the largest subspecies
12 of the largest land carnivore, and this state
13 hasn't wiped them out, and that's a pretty amazing
14 thing. Don't upset the apple cart would be my
15 personal opinion.
16 **CHAIRMAN SPRAKER:** Okay. Thank you, Thor.
17 Board members, questions? It may be
18 hard to generate a question with a statement like
19 that, but --
20 Nate.
21 **VICE-CHAIR TURNER:** Actually, I don't have a
22 question. I want to go back and somewhat apologize
23 when I made my joke at the end of your answer to my
24 last question, and I said "Wow." That was really
25 meant for humor. You had a lot of good points. So

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1 I don't have anything to ask at this time. You
2 made a lot of good points again. You're a good
3 speaker.
4 **CHAIRMAN SPRAKER:** Stosh.
5 **MR. HOFFMAN:** Yeah. Thank you, Thor, for your
6 testimony and appreciate your work with the
7 Professional Hunters Association.
8 This is a little off topic, but --
9 because I know you're an avid waterfowl hunter. We
10 talk about it from time to time. What are your
11 thoughts on Proposal 92? And do you think -- 92 is
12 the one where the proposer is asking for -- to open
13 some harvest on tundra swan. Are you -- can you
14 tell the difference between a tundra swan and a
15 trumpeter swan?
16 **THOR STACY:** Through the chair, Member
17 Hoffman, I cannot always tell the difference
18 between a brant and a cackling goose, so -- in
19 flight. On the ground I can.
20 And I've eaten swan. It's not -- I
21 could forget about it. I mean, there is
22 opportunity under federal subsistence seasons to
23 take swan, and I have taken swans. And there's
24 better birds to eat, but this is my own personal
25 opinion.

1 And to specifically answer your
2 question, no, I can't tell a difference, not in a
3 way that I'd be comfortable if I was going to get a
4 ticket for shooting the wrong one.
5 **MR. HOFFMAN:** So you don't know if you had
6 eaten tundra swan or trumpeter swan?
7 **THOR STACY:** It was gray, literally.
8 **CHAIRMAN SPRAKER:** And big.
9 **THOR STACY:** The younger ones seem better, I
10 thought.
11 **CHAIRMAN SPRAKER:** Good light note. Any other
12 questions for Thor.
13 Thank you, sir. Very good.
14 5:40:53 PM
15 (This portion not requested.)
16 6:02:45
17 END OF REQUESTED PORTION
18
19
20
21
22
23
24
25

1 C E R T I F I C A T E
2
3 SUPERIOR COURT }
4 STATE OF ALASKA } ss.
5
6 I, LYNDA BARKER, Registered Diplome
7 Reporter and certified for transcription services
8 by the United States Courts and the Alaska State
9 Courts, hereby certify:
10
11 That the foregoing pages contain a
12 full, true and correct transcript of proceedings in
13 the above-referenced matter, transcribed by me to
14 the best of my knowledge and ability, or at my
15 direction, from the electronic sound recording.
16
17 DATED at Juneau, Alaska, this 10th day
18 of July, 2019.
19 SIGNED AND CERTIFIED TO BY:
20
21 
22
23 LYNDA BARKER, RDR
24 Notary Public for Alaska
25 My commission expires:
5/6/2020

EXHIBIT 4B

March 17, 2019 BOG Transcript

See Exhibits 4A, and 4C - 4D for additional transcripts.

In The Matter Of:

*Alaska Department of Fish and Game
Board of Game March 2019 Meeting*

*Transcript of Meeting (Excerpt)
March 17, 2019*

*Glacier Stenographic Reporters Inc.
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Min-U-Script® with Word Index

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16 Nate Turner, Vice-Chair
17 Stosh Hoffman
18 Karen Linnell
19 Larry Van Daele
20 Tom Lama
21 Jerry Burnette
22
23
24
25

Page 3

1 PROCEEDINGS
2 [Meeting 03-17-19.MP3]
3 9:06:52 AM
4 (This portion not requested.)
5 9:08:36 AM
6 **CHAIRMAN SPRAKER:** Wayne, let me ask you to go
7 to the -- your right side there, please, sir.
8 That's where the little light is. Yeah, that seat
9 right there. Perfect. Press the button, and it's
10 all yours.
11
12 PUBLIC TESTIMONY OF WAYNE KUBAT
13
14 **WAYNE KUBAT:** Chairman Spraker, and Alaska
15 Board of Game members, thank you for your service
16 and for letting me speak today. I've handed in
17 RC47.
18 I'm Wayne Kubat. I've lived in Alaska
19 permanently since 1976. I earned my assistant
20 guide license in 1981. I registered my license in
21 1986 and started my own guide business in 1987. I
22 became a master guide in 2004. I conduct about ten
23 guided hunts per year on average.
24 I served nine years on the Mat-Su AC and
25 four as a chairman. I have been a professional

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1 member of Alaska Professional Hunters Association
2 since 1986 and am the current vice president. I'm
3 speaking for myself today.
4 I started my guide business prior to the
5 1988 Owsichek decision, which ended the former
6 state guide area program.
7 Every year since then I've seen contempt
8 towards guides and nonresident hunters grow. With
9 the formation of a new resident hunting
10 organization in 2016, I've seen this contempt
11 explode.
12 On their website they state that over
13 200 new guides were licensed since 2015 but failed
14 to mention that as of May 2018 there are 236 fewer
15 registered and assistant guides than there were in
16 April of 2015. 159 of those were assistants, 77
17 were registered. That is about a 20 percent
18 decrease in three years.
19 With all of the misinformation and
20 propaganda that is out on the street today, it's
21 not hard to understand why many Alaskan hunters
22 might believe that the powerful and even evil guide
23 industry has this board and the Legislature in
24 their pocket and that guides are overwhelming
25 Alaskan landscape and ravaging our wildlife

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1 resources.
2 Any more, it seems like guides and
3 nonresident hunters have become constant subjects
4 of scorn and ridicule, even though when it comes to
5 helping pay for Alaska's wildlife management, they
6 are the goose that lays the golden egg.
7 The following are some facts that I feel
8 are credible and well-documented: First, of the
9 roughly 300 guides that contract hunts in Alaska
10 each year, about 90 percent are residents.
11 Second, there was a total of 3,088
12 guided nonresident hunters in 2015, which figures
13 out to be only about 3 percent of the approximate
14 109,000 licenses sold. But that 3 percent
15 accounted for 52.5 million new dollars and
16 \$87.2 million in total economic activity with
17 multiplier effects to the State of Alaska.
18 News flash: Alaska is not awash with so
19 much cash that we should be discouraging and
20 crippling a historic and important industry that
21 brings in a significant amount of new money, much
22 of it to rural Alaska for the small footprint that
23 they leave.
24 Third, nonresident hunters purchased
25 about 13 percent of the total number of licenses

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1 sold in 2015, but provided about 72 percent of
2 Alaska's wildlife funding, and that was before the
3 new -- before the recent license and tag fee
4 increases.
5 This is a very good deal for Alaska's
6 wildlife and residents. Thousands and thousands
7 and thousands of Alaskans can more easily afford to
8 hunt than may otherwise be able to if it were not
9 for the major funding provided by a minor
10 percentage of nonresident hunters.
11 Fourth, here's a shocker: Many Alaska
12 residents were once nonresidents themselves --
13 mercy sakes alive -- and some of them not very long
14 ago. Most nonresidents, just like many Alaskans,
15 are citizens of the United States, and many of them
16 want the reasonable opportunity to hunt in states
17 other than their own.
18 Many are veterans who served their
19 country with honor, some are wounded warriors who
20 sacrificed much for this country, many of them have
21 resident friends or family that wish to share an
22 Alaska hunting experience with them in the future.
23 Fifth, only about 22 percent of the
24 total nonresident effort each year is guided. The
25 rest come to Alaska with resident friends or

Page 7

1 family, air taxis or transporters, yet guides seem
2 to get most of the blame for all of the problems
3 with very little, if any, mention of air taxis and
4 transporters, who take more people than the guides
5 do.
6 It is not a stretch to conclude that
7 Alaska residents bring more nonresident hunters to
8 Alaska than do guides, and that severely
9 restricting nonresident access will negatively
10 impact far more residents than it will guides.
11 Proposal 56, I'm opposed. I'm pretty
12 sure the board has voted this down several times
13 already, and I'm not aware of any changes or new
14 information that would dictate otherwise.
15 No. 99 I oppose. Every nonresident
16 hunter that you replace with a resident will cost
17 the state in excess of \$4,000 in wildlife
18 management, and, in many cases, without
19 substantially increasing the resident's chances of
20 drawing. The rural community of Kodiak will be the
21 big loser.
22 Numbers 101 and 103 I oppose. The
23 current system seems to be working well overall.
24 Thank you.
25 **CHAIRMAN SPRAKER:** Thank you, Wayne. Good

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1 presentation and right on time.
2 Board members, questions?
3 Nate.
4 **VICE-CHAIR TURNER:** Yeah. Thank you, Wayne.
5 I just want to commend you. You're one of the most
6 diligent people I know. You're tough, you're
7 hard-working, and you never give up. I like that.
8 Thank you.
9 **WAYNE KUBAT:** Thank you.
10 **CHAIRMAN SPRAKER:** Wayne, I have a -- just a
11 clarification. I've heard this several times. I
12 just want to make sure I'm clear. 3 percent of all
13 guided -- of all hunters in the state are guided;
14 is that what -- that you said?
15 **WAYNE KUBAT:** 3 -- there's a hundred --
16 roughly 109,000 hunting licenses sold; that's
17 counting everybody. Only 3 -- and there were 3,088
18 guided nonresidents. That's according to the hunt
19 contracts at the -- we got to send into the state.
20 That's about 3 percent. 3,088 is about 3 percent
21 of 109,000.
22 **CHAIRMAN SPRAKER:** Okay. Okay. I had it
23 right. Thank you.
24 **WAYNE KUBAT:** And the non -- the guided part
25 is about 22 percent of the total nonresident

Page 9

1 hunters, which is about 14,000.
2 **CHAIRMAN SPRAKER:** 22. Okay. All right.
3 Wayne, thank you very much.
4 9:15:35 AM
5 (This portion not requested.)
6 9:16:05
7
8 PUBLIC TESTIMONY OF DAN MONTGOMERY,
9 MAT VALLEY AC
10
11 **DAN MONTGOMERY:** Good morning, Chairman
12 Spraker, the board. Thank you for this
13 opportunity.
14 My name is Dan Montgomery. I'm the
15 vice-chair for game for the Mat Valley AC, and I'll
16 be testifying today.
17 We have an RC38 that -- well, I just
18 kind of -- our AC notes and the stuff that's been
19 submitted to the board is a little bit scattered
20 and hard to track, and we don't necessarily
21 consider the proposals in order.
22 So what I did was go through all the
23 proposals we supported and all the ones we opposed
24 and broke down the counts, a little easier for you
25 guys that like to keep track of the AC votes and

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1 how that was processed. So that's RC38, if you
2 wanted to use that in some of your decision-making.
3 **I'm going to start off with Proposal 55:**
4 Remove the restriction to use aircraft spotting for
5 sheep in 7 and 14. Our AC voted 6-3 on this. We
6 were adamantly opposed to 207 unanimously. And
7 overall the board -- the AC is still opposed to the
8 aircraft restriction.
9 Proposal 56: Prohibit the nonresident
10 hunting of moose and caribou under intensive
11 management in Southcentral Region until the harvest
12 population objectives were met. We voted this one
13 down 0-9. We voted all these down in multiple
14 regions.
15 Over the last few years it's always been
16 unanimous. We don't think that's a very good
17 management strategy at all, and nonresidents are a
18 valuable asset out in the field to help control the
19 predators too.
20 On the Kodiak area, Proposal 93:
21 Increase the bag limit for deer in Unit 8. We
22 opposed this one 3-7. We don't think that we
23 should manage the deer population in that manner.
24 We think the department does a good job of that.
25 When there's abundance, they increase

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1 the bag limits and stuff, and we don't think it
2 should be put into regulation how many they should
3 be harvesting. We'll leave that up to you guys.
4 On Proposal 98: Length in the fall
5 season for brown bear in Unit 8, we unanimously
6 opposed it 0-10. Our AC didn't think that was a
7 good idea. It might be causing overharvest, and
8 the current system works very well, and we want it
9 to leave the same.
10 Proposal 99: Allocate at least
11 90 percent of Unit 8 brown bear drawings permits
12 for residents. Quite a bit of debate on that one.
13 It got pretty vigorous. It was pretty obvious that
14 as we got into it, there was no way it was going to
15 pass as is.
16 A member amended it. We took up the
17 amendment and passed it. And that amendment was to
18 make 80 percent of the permits for residents and 20
19 percent for nonresidents, and that one passed 6-4,
20 a bare minimum. There's still quite a bit of
21 debate on that one, but we did pass it 6-4.
22 Proposal 100: Create a separate drawing
23 for second degree of kindred brown bear permits in
24 Unit 8. We thought the current system was
25 basically taking the 2DK hunts out of the resident

Page 12

1 pool. It made sense because it was for residents.
2 So they're taking their relatives -- a resident is
3 taking their relative there. And we voted 0-10 to
4 keep that the way it is and not create a separate
5 drawing.
6 Proposal 101 we took no action on. The
7 board cannot change those tag fees and stuff, so we
8 didn't even consider it because it wasn't legal
9 what it was asking to do.
10 Proposal 102: Eliminate the nonresident
11 opportunity for registered bears 230 and RB260. We
12 had quite a bit of debate on that.
13 Looking at the recent harvest and stuff,
14 there's been a pretty good increase in the
15 nonresident participation in that hunt. And some
16 of our members felt like it was getting
17 overutilized by nonresidents, and we voted for that
18 one 6-4. Again, we passed it just on the bare
19 minimum, but we voted to eliminate that opportunity
20 for nonresidents.
21 Proposal 103: Transfer under-subscribed
22 nonresident Kodiak brown bear drawing permits to
23 resident drawing permit allocation. We voted this
24 down 7-3. We didn't think that was a very good
25 management strategy either, and that's not how the

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1 Kodiak system works, and it failed 7 -- 3-7.
2 Proposal 104: Allow residents to return
3 Kodiak brown bear drawing permits in advance of the
4 hunting season to be reissued as residents. We
5 voted this one down 1-9.
6 We did know the people that were against
7 this one didn't want to be restricted to one tag
8 every four years on their drawing. They thought
9 that was a bad idea. They wanted to be able to
10 apply every year even if you had drawn one as long
11 as you haven't harvested.
12 In the Anchorage area, Proposal 110:
13 Modify the nonresident bow and arrow goat hunt
14 structure in Lake George area in 14C from a drawing
15 to a registration hunt.
16 We had quite a bit of debate on this
17 one. The department said this in their proposal:
18 They actually stated that this -- the harvest of
19 this hunt would be -- took -- applied to the
20 overall harvest quota for the area. And there was
21 some real fear that it might close down some of the
22 resident opportunity or even in the nonresident
23 draw opportunity.
24 They said if they hadn't -- the
25 department hadn't actually stated that in their

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1 proposal, that's how it would be applied. They
2 would have voted different. But we actually tied
3 on that one 5-5.
4 And I've talked to the department quite
5 a bit after that, and they say they were going to
6 have a very low harvest quota on that, and it would
7 be closed by EU, but there were some fear of how it
8 would be implemented. So we failed to pass that
9 one.
10 Proposal 114: Open a youth drawing hunt
11 for Dall sheep in Unit 14C. This would add 12
12 permits to those draw hunts, and nobody thought
13 that was a good idea.
14 It's also a very quality hunt right now.
15 The way it sits, even if you get in there with the
16 other people that draw, there's so (indiscernible)
17 permits, it's still a very quality hunt, and it
18 would still be a very good experience for youths,
19 so -- and they can apply for those permits too. We
20 failed that one, that youth hunt, 0-10. Nobody
21 thought it was a good idea.
22 On Proposal 115: Establish a separate
23 Dall sheep drawing for second degree of kindred
24 hunters in 14C. We failed this one also 1-9. It
25 was going to add three nonresident permits for that

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1 particular hunt, and it was a bad idea.
2 And I didn't offer my amendment that I
3 testified to the board the other day that we could
4 apply it just to the current resident permits. But
5 that one failed 1-9.
6 All the proposals, Proposal 116 through
7 121, that would offer more bear hunting opportunity
8 in 14C in Chugach State Park, we passed all these
9 basically 10-0. We'd like to see some more
10 opportunity there.
11 There's some questions on weapon use and
12 stuff and where they can be applied, but we think
13 any opportunity to harvest more bears, especially
14 adjacent to the Anchorage Bowl would be a good
15 opportunity, and it would prevent Fish and Game
16 from having to euthanize a lot of those bears when
17 they're causing trouble in Anchorage.
18 On proposal -- on the proposal in other
19 regions, Proposal 126: Allow additional moose
20 harvest opportunity in 16A, providing antlerless
21 hunt and/or any bull hunt, our AC voted this one
22 down 1-9.
23 There's -- we don't have very much
24 confidence at all in the department's counts on
25 these areas. A lot of our members actually hunt

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1 these areas and stuff, and nobody has seen the
2 amount of moose that the department is saying is
3 there, and it certainly is way below the highs of
4 the late '90s. And so nobody -- hardly any support
5 for that one, and we voted that one down 1-9.
6 If it was implemented, I don't think
7 there's any way our AC is ever going to sanction an
8 antlerless hunt if it came up in front of us.
9 And directly related to that one is
10 Proposal 146. That one is to change the bag limit
11 in the Tier II moose hunts, any moose and establish
12 resident antlerless moose drawings in Unit 16B as
13 follows.
14 I actually put in a proposal like eight
15 years ago to eliminate this Tier II hunt. And how
16 we can have a moose population that's said to be
17 3,500 over their carrying capacity, and we're still
18 having a Tier II hunt in there is beyond us. And I
19 asked them again, and they don't really have an
20 answer for that. But we voted this one down 2-8.
21 Also, there's a lot of fear that we just
22 do not have any faith in those moose counts. And
23 there's a lot of fear if we start having an
24 antlerless hunt, it's going to really devastate the
25 moose in all the access points, the easier access.

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1 You're going to create dead zones around all those
2 access points, and you're going to have very little
3 moose to hunt, and it's going to really affect the
4 general hunt too because there won't be hardly any
5 recruitment in those areas where you'll have those
6 young bulls coming up and stuff. So we really,
7 really fear this one, most of the members on that
8 one. We failed it 2-8, 146.
9 And then Proposal 130: Drawing hunts
10 with a separate allocation for residents and
11 nonresidents. All nonresident permits would be
12 issued from the nonresident allocation pool.
13 That proposal in this particular region
14 only applied to Kodiak, and we had quite a bit of
15 discussion on that. And, again, it was -- our
16 members -- we failed this one 4-6. We thought it
17 was kind of a resident privilege anyway, and so it
18 should still remain to come out of the resident
19 pool.
20 And that's the conclusion of my
21 testimony. And if you have any questions, I can
22 answer them as the best of my ability.
23 **CHAIRMAN SPRAKER:** Okay. Dan, good job as
24 usual.
25 Board members, questions?

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1 Larry.
2 **MR. VAN DAELE:** Thank you, Mr. Chairman.
3 Thank you, Dan. It sounds like you're
4 starting to feel better. Appreciate that.
5 **DAN MONTGOMERY:** Yep.
6 **MR. VAN DAELE:** I just want to note that the
7 Mat Valley AC has had the most meetings per year
8 for the past three years of any other AC.
9 **DAN MONTGOMERY:** Had what?
10 **MR. VAN DAELE:** Had the most meetings.
11 **DAN MONTGOMERY:** Oh, yeah.
12 **MR. VAN DAELE:** And that either means you're
13 incredibly inefficient or you're dedicated, one or
14 the other.
15 **DAN MONTGOMERY:** Yeah. We're really involved
16 in the fisheries side of it too. You know, the
17 upper Inlet, Cook Inlet is really suffering right
18 now and so -- but, yeah, we -- we've had a lot of
19 meetings. We've actually been restricted where we
20 meet over in the MTA building too. We used to have
21 three-hour meetings, now we only have two-hour
22 meetings, so we don't get as much done.
23 **MR. VAN DAELE:** Well, we sure appreciate all
24 the times you guys devote to it because --
25 **DAN MONTGOMERY:** Thank you.

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1 **MR. VAN DAELE:** -- I'm sure there's a lot of
2 time in the coffee shops and other places that
3 you're having discussions.
4 Some specific questions, if I may.
5 Proposal 55, which is the sheep proposal, it sounds
6 like there was a lively debate on that, and a lot
7 of discussion was just a generic, "Don't like old
8 207. We shouldn't be doing that." Was there any
9 specific debate on Unit 7 and 14, which this
10 proposal is about?
11 **DAN MONTGOMERY:** No.
12 **MR. VAN DAELE:** Whether it's needed for these
13 areas?
14 **DAN MONTGOMERY:** No. We looked at that, and
15 we didn't even debate. Again, I offered an
16 alternative here with my personal testimony, but I
17 didn't bring that up with the AC. We just were
18 looking at it as applied and whether -- you know,
19 whether it was appropriate or not still.
20 There was some AC members -- we voted
21 6-3 on that one. There was some AC members thought
22 there was no chance it was going to get rescinded
23 anyway, and I don't think there is either. But I
24 didn't offer to just apply it to those particular
25 areas in 14C and stuff.

Page 20

1 But the problem with a lot of our
2 members that we had with the original 207, it was
3 so restrictive. You can't -- you know, literally
4 you can't see a sheep at any distance in an
5 airplane if you're going to hunt sheep and then
6 talk about it. You know, you can see them, but you
7 can't discuss it, or you can't see what you're --
8 you know, and -- so and that's what I had really a
9 problem with it too is the same thing, is that I
10 can't imagine why you can't point out a sheep at a
11 half a mile as you're flying into an area and
12 saying, "Oh, look at those over there. It looks
13 like they might even be rams or something." But we
14 can't do that.
15 And that's a restriction I really find
16 offensive. I just don't think it's necessary to
17 restrict us to that point. You know?
18 And it's such that I have to advise my
19 clients when I'm flying them in is, "We can't talk
20 about it." Because all it takes is some trooper
21 interviewing a guy out in the field somewhere, and
22 he says, "Oh, yeah. Did you guys see any sheep on
23 the way in?"
24 "Oh, yeah, we saw a bunch of them. They
25 looked like ram stuff."

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1 And you can get in trouble for it. And
2 I just -- I find that's just gone way too far. I
3 understand the aircraft restriction. It is quieter
4 out there, but at the same time I just -- I feel
5 like it just went a little too far.
6 **MR. VAN DAELE:** Okay. Thank you, sir.
7 Proposal 100 and 130 that had to do with the 2DK --
8 **DAN MONTGOMERY:** I can't hear you.
9 **MR. VAN DAELE:** Proposal 100 and 130 that had
10 to do with 2DK down on Kodiak --
11 **DAN MONTGOMERY:** Uh-huh.
12 **MR. VAN DAELE:** -- which you guys opposed, was
13 discussion centered around -- for instance, one of
14 our public testimonies yesterday said that the
15 original intent to that was to have a party permit,
16 and you could get them both out of the resident
17 pool. Was that part of the discussion that you
18 guys had?
19 **DAN MONTGOMERY:** It was a little bit part of
20 it, and part of it was there were so few permits,
21 and there was so many permits issued, and there was
22 so many permits getting unused that it wasn't that
23 big of impact on the resident opportunity. And it
24 was also a resident thing that where it's residents
25 putting in there -- you know, willing to guide

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1 their nonresident relatives. So it was in that
2 context that we thought that it was better just to
3 leave it the way it was.
4 It wasn't -- you know, the one I think
5 we voted on 100 there, we voted that one down
6 100 percent, but on changing the allocation and
7 stuff. And that was just a feeling that it was put
8 in that way a long time ago and that was -- and we
9 should keep it the way it is.
10 **MR. VAN DAELE:** My last question, Mr. Chairman
11 if I may.
12 Proposals 120 and 121, which had to do
13 with black bear baiting in the 14C.
14 **DAN MONTGOMERY:** Uh-huh.
15 **MR. VAN DAELE:** Yesterday we heard testimony
16 from Girdwood and also from the proposer of the
17 idea of amending that to take the drainage that
18 includes the Girdwood Valley out of that proposal.
19 Did you guys have any discussion, or do
20 you think that your group would be in support or
21 opposed to that?
22 **DAN MONTGOMERY:** Well, it's -- there is a
23 restriction within one mile of a residence. And so
24 anything going on in some of that areas, it's
25 certainly -- I bear bait myself.

Page 23

1 So, you know, we look at it as it's not
2 as dangerous as people might think, that you're
3 going to have this pile of bears next to a trail,
4 and then they've got be a fair amount of ways off,
5 that it's going to be so dangerous.
6 I haven't heard anybody ever having an
7 encounter around a bear bait yet, and it's been in
8 place for a long time. It just -- those bears are
9 still wild animals, and they're still scared of
10 humans. And I just -- I don't think it's a real
11 threat to have a bear bait -- you know, if you had
12 it removed -- I'm not quite sure what the
13 restriction is on a trail around there. But just
14 getting a bear bait a mile away from a house in any
15 of these areas, you're pretty remote already and
16 stuff, and then getting it off a trail where you
17 aren't going to be exposed to the general public
18 walking by and stuff. But we really don't think
19 overall it's going to be a problem and stuff.
20 And there's a lot of that area that, you
21 know, is pretty remote. And so I don't think
22 there's going to be a lot of problems there at all.
23 Certainly -- like I said, I have heard nobody being
24 charged around a bear bait in any way, shape, nor
25 form anywhere in Alaska so far.

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1 **MR. VAN DAELE:** Okay. Thank you, Dan.
2 Thank you, Mr. Chairman.
3 **CHAIRMAN SPRAKER:** Any other questions?
4 Okay. Dan, thank you very much.
5 **DAN MONTGOMERY:** Uh-huh. Thank you.
6 **CHAIRMAN SPRAKER:** Next we're going to hear
7 from the Kodiak AC, Paul Chervanek.
8
9 PUBLIC TESTIMONY OF PAUL CHERVANEK, KODIAK AC
10
11 **PAUL CHERVANEK:** Good morning Mr. Chairman,
12 members of the board.
13 My name is Paul Chervanek. I'm chairman
14 of and here testifying for the Kodiak AC. In the
15 interest of time, I'm going to skip some of the
16 things we've covered. I think they've been covered
17 in earlier testimony, and you have our AC minutes,
18 though I will answer any -- happily answer any
19 questions you have.
20 One thing on Proposal 94, lengthening
21 mountain goats -- I apologize for the typo. In our
22 minutes it should be RG471 through RG479, not DG.
23 Proposal 95, lengthening the goat
24 season, Mr. Bunch talked a lot about this one
25 yesterday. I would like to point out that

Page 25

1 lengthening the season just those 11 days might
2 actually provide more opportunity and more
3 harvests. And as you know, we're trying to kill
4 mountain goats.
5 Most of the winter hunting pressure has
6 been the last two weeks of the current season in
7 March due to longer days and better weather, and so
8 we think an additional 11 days in that time period
9 will facilitate that.
10 Proposal 97, regarding muzzleloaders for
11 goats, again, Mr. Bunch talked on that yesterday.
12 I would like to point out that the recommendation
13 to keep the hunt separate was for safety reasons.
14 Proposal 98, lengthening the fall bear
15 hunting season, changes in season dates we were
16 opposed. Changing the season dates earlier will
17 have a detrimental effect on the bear management
18 program, as harvests will increase exponentially,
19 especially sow harvest, as they are still active at
20 this proposed time.
21 And I'd like to note that any increase
22 in the number of females harvested will result in a
23 decrease in the number of tags issued.
24 Proposal 99, obviously an important one,
25 reallocated up to 90 -- or at least 90 percent of

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1 the bear drawing permits to residents.
2 This proposal undermines the highly
3 successful management program which provides
4 balance between economic stability and opportunity
5 with maximum biological sustainability.
6 As the proposer mentioned about the
7 Constitution mandates that wildlife will be
8 utilized for maximum benefit of the people, we've
9 pointed out in our minutes that we believe the
10 courts have made it clear that the common use
11 clause for the maximum benefits of people makes no
12 distinction between use for personal use and for
13 professional purposes, and that for all rights,
14 that nonresidents and guides are similar equal,
15 thus this proposal seeks to challenge the guide
16 resident opportunity.
17 And also the common use clause
18 interpretation asserts that unless conservation
19 demands, there's no precedence to be given to
20 either Alaskan residents or Alaskan guides. At the
21 time of our meeting, 97 percent of the guides
22 registered in Unit 8 were Alaskan residents.
23 So, in fact, an argument could be made
24 that conservation may demand that guide opportunity
25 takes precedence when lower sow and higher mature

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1 boar harvest rates relate to conservation.
2 In referencing your Board of Game
3 nonresident allocation policy, I'd like to
4 reiterate that not even looking at the last ten
5 years, but actually for the last 40 years the
6 current allocation policy is 60-40 -- which is
7 actually 66-34 -- has been back along with -- since
8 the beginning of hunting on Kodiak post-Russian
9 era, guides and nonresident hunters have been
10 extremely important in all of today's management.
11 As Mr. Munsey pointed out yesterday, guides are
12 some of the best stewards of the resource.
13 Obviously changing the 66-34 allocation
14 has a major economic impact on Kodiak and the rest
15 of the state and most likely will eradicate the
16 longstanding guide tradition of Kodiak.
17 We've pointed out that the guided hunts
18 on Kodiak generate at a low minimum over \$4 million
19 to the local economy. It doesn't begin to touch
20 the additional expenditures of these nonresidents.
21 The money generated from tag sales, we
22 pointed out, alone is over \$1 million. As a
23 comparison, if you were to transfer these permits
24 to the residents, this economic loss of over
25 \$950,000 to the State of Alaska would be -- have to

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1 be made up by increased tag fees for the residents
2 of Alaska.
3 All this, the resident draw success
4 would only increase slightly, sacrificing both
5 biological and economic stability. Kodiak would
6 end up with only 15 spring permits and three fall
7 nonresident permits. This would put most of our
8 guide businesses out of it.
9 Biologically, I'd like to reiterate that
10 nonresident guided hunters have an extremely high
11 percentage of adult boar harvest at over
12 73 percent. And consistent adult boar harvests is
13 an essential factor for the management decisions
14 and the sustainability of the population.
15 Finally, an assessment from the
16 department estimates an increase in the female
17 harvest would actually result in a decrease in the
18 number of drawing permits available overall.
19 Proposal 100, this is our AC proposal.
20 I would like you to know that the Kodiak AC is
21 unanimously opposed to taking 2DK permits from the
22 nonresident allocation statewide.
23 To the committee's knowledge, 2DK is an
24 Alaska Pacific opportunity not found in any other
25 state. And as you heard from Mr. Stacy yesterday,

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1 Alaska is different.
2 This committee unanimously believes 2DK
3 hunting is a privilege to the residents of Alaska
4 and, therefore, should be considered for resident
5 allocation.
6 The Kodiak AC originally submitted this
7 proposal to try and bring some uniformity to the
8 2DK allocations in Alaska.
9 It highlights -- some of the highlights
10 of the proposal, the key recommendations would be
11 up to four permits available in the spring and up
12 to two permits available in the fall. This is fall
13 in the historical participation rates of 2DK
14 hunters and the traditional two-third, one-third
15 allocation of brown bear permits to Kodiak.
16 The permits will continue to be issued
17 for specific hunt areas, and the permit issuance
18 will be in accordance with the brown bear
19 management plan to provide balanced harvest.
20 2DK hunts are increasing in popularity
21 each year. If permits are taken from the
22 nonresident allocation, it will have an effect on
23 the economic and biological stability of Kodiak.
24 Again, we are opposed to taking the 2DK permits
25 from the nonresident allocation.

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1 Proposal 102 deals with eliminating the
2 nonresident opportunity on the Kodiak road system.
3 The committee does not support this proposal, as it
4 impacts the city of Kodiak negatively.
5 The current regulation is in place to
6 keep bear populations at a reasonable level around
7 the city of Kodiak. It's to maintain a lower bear
8 density within the high human-use areas of Kodiak
9 and to avoid negative bear-human encounters per the
10 Kodiak brown bear management plan.
11 Proposal 103, transferring
12 under-subscribed nonresident brown bear permits, we
13 are opposed 0-13. The current under-subscribed
14 nonresident tag policy promotes easily managed
15 biological sustainability and economic stimulus for
16 Kodiak.
17 Managers take into account the unused
18 permits for resident and nonresidents when
19 establishing annual numbers. Using the
20 under-subscribed permits would result in a decrease
21 in the number of permits issued.
22 Under-subscribed nonresident permit
23 benefits the resident hunter's experience in the
24 field. Using under-subscribed nonresident permits
25 takes away the guide's ability to practice sound

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1 conservation, as required by regulation.
2 We would also like to note the proposal
3 fails to differentiate between under-subscribed and
4 not used. Due to the nuances of the federal
5 land-use policy, the permits referred to as not
6 applied for are utilized but not necessarily drawn.
7 On average only eight permits go unused,
8 which has been beneficial to maintaining the
9 current harvest rate and target levels.
10 Proposal 104, using under-subscribed
11 residents permits, again, when establishing permit
12 numbers, the current policy takes into account the
13 number of permits not used and the harvests and
14 success of those who draw and use the permit.
15 Reissuing the high number of permits
16 drawn but not used would result in a higher
17 participation and harvest, significantly reducing
18 the number of permits available.
19 The proposal seeks to increase resident
20 chances of drawing a permit, however, the end
21 result would be a decrease in opportunity.
22 Historical data has shown residents
23 harvest a higher number of female bears, which is
24 counterproductive to sustainable yield. This
25 proposal could create unintended biological

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1 concerns.
2 Permits based on opportunity not harvest
3 every four years would potentially pressure hunters
4 to shoot any bear, including sows, if they know
5 they're waiting at least four years to even apply
6 to draw again.
7 And, finally, due to the high volume of
8 residents who do not draw or do not use drawn
9 permits, this proposal would create a large volume
10 of work for the small Fish and Game department in
11 Kodiak.
12 Proposal 109, dealing with trapping on
13 the Kodiak road system, I'd just like to reiterate
14 that this is only for the Kodiak road system, not
15 island-wide, and that there was no local
16 opposition.
17 Finally, Proposal No. 130, again, the
18 Kodiak committee is unanimously opposed to taking
19 2DK permits from a nonresident allocation. Some of
20 the implications of 2DK regulations, a resident
21 accompanying a 2DK hunter may not be qualified,
22 safe, or knowledgeable enough to direct a hunt.
23 Additionally, a 2DK hunter is not
24 guided, as nonresidents are required to be, when
25 pursuing a guide-required species such as a brown

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1 bear, sheep, and mountain goat. So this was one
2 was also opposed unanimously.
3 This concludes our minutes. And I would
4 like to extend a big thank you from the Kodiak
5 Advisory Committee for all of your time serving
6 Alaska. Thank you.
7 **CHAIRMAN SPRAKER:** Paul, thank you. Very well
8 done. And I want to make a note that your AC
9 comments were probably some of the best I've ever
10 read. Whoever drafted your comments did a
11 first-class job. And if you did that, thanks to
12 you.
13 **PAUL CHERVANEK:** Well, I will say we have a
14 very hard-working, diverse committee. And I will
15 be happy to pass that along back to them, because
16 as I'm sure you all know, sometimes it's a
17 thankless job. So thank you for acknowledging
18 that.
19 **CHAIRMAN SPRAKER:** Good. Good summary on your
20 AC comments.
21 Questions? And you also have a personal
22 testimony, but we'll cover the AC questions first.
23 Nate.
24 **VICE-CHAIR TURNER:** Yeah. Thank you.
25 I don't have a question because you guys

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1 do your job very well. I'm always impressed at the
2 quality of the notes and the depth of thought and
3 discussion you guys put into these issues, which is
4 obviously reflective how important they are to you.
5 So I also want to thank all of you guys and gals.
6 **CHAIRMAN SPRAKER:** Larry.
7 **MR. VAN DAELE:** Yeah. Thank you,
8 Mr. Chairman.
9 And thank you, Paul. Proposal 97, with
10 the muzzleloaders and the goats, that proposal
11 suggests have the muzzleloader season at the very
12 end. And we heard testimony the other day that
13 that's when the goats would be most vulnerable, and
14 you're using the most effective primitive weapon,
15 and it may actually overshoot your target.
16 Do you have any thoughts on that through
17 the advisory committee?
18 **PAUL CHERVANEK:** Yes. The committee discussed
19 this quite at length. Some of the things brought
20 up, of course, this hunt has been opening. There
21 has been some of the target harvest level left.
22 Obviously, the archery-only primitive weapon hunt
23 was put in to make sure this hunt goes slowly and
24 not overharvest.
25 And I don't have the exact numbers the

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1 department would -- I think there are still a
2 couple or a few goats left after the archery hunt.
3 And so in an effort to give a little bit more
4 opportunity and potentially harvest these goats, a
5 lot of people did not think it would even open for
6 that, that it's going to be taken up by the
7 archery.
8 But, again, we wanted to keep them
9 separate basically for safety reasons, the number
10 of archery hunters crawling around in whites in and
11 amongst the goats.
12 But there is concern just because modern
13 muzzleloaders -- in fact, we had to sort of stop
14 the discussion. It got into a muzzleloader debate,
15 but how effective -- whether they are indeed a
16 primitive weapon. I'm not sure if I answered your
17 question.
18 **MR. VAN DAELE:** Yes, you did. Thank you, sir.
19 Thank you, Mr. Chairman.
20 **CHAIRMAN SPRAKER:** Any other questions? Okay.
21 Paul, do you want to do your personal testimony?
22
23 PUBLIC TESTIMONY BY PAUL CHERVANEK
24
25 **PAUL CHERVANEK:** Yeah. Mr. Chairman,

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1 and members of the board, for the record, my name
2 is Paul Chervanek. I am now testifying for myself.
3 And I'm a 39-year resident of Kodiak,
4 and I've been very fortunate to spend a lot of
5 times interacting with brown bears, including a lot
6 with the department, the U.S. Fish and Wildlife
7 Service, Native corporations, managers, and
8 biologists.
9 I follow all of the Kodiak AC votes.
10 And I want to reiterate that I am opposed to all
11 the proposals adjusting -- changing season dates or
12 adjusting allocations, as all these proposals will
13 result in a change in current harvest, current rate
14 of harvest of bears on Kodiak.
15 What I don't want to get lost in the
16 discussion is what I think is one of the most
17 important questions: What is good for Kodiak
18 bears?
19 The current management system, as you
20 heard, is working beautifully. The bear management
21 on Kodiak Island is one of the major success
22 stories in wildlife conservation. Current
23 populations are at all-time high, with a large
24 percentage of the harvest being adult boars.
25 Showing the health of the population,

EXHIBIT 4C

March 19, 2019 BOG Transcript

See Exhibits 4A - 4B, and 4D for additional transcripts.

In The Matter Of:

*Alaska Department of Fish and Game
Board of Game March 2019 Meeting*

*Transcript of Meeting (Excerpt)
March 19, 2019*

*Glacier Stenographic Reporters Inc.
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Original File Board of Game Meeting Excerpt 3-19-2019.txt
Min-U-Script® with Word Index

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14 BOARD MEMBERS PRESENT:
15 Ted Spraker, Chair
16 Nate Turner, Vice-Chair
17 Karen Linnell
18 Larry Van Daele
19 Tom Lama
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22 BOARD MEMBERS ABSENT:
23 Stosh Hoffman
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1 PROCEEDINGS
2 [Meeting 03-19-19.MP3]
3 8:37:32 AM
4 (This portion not requested.)
5 8:40:03 AM
6
7 OLD HARBOR SCHOOL PRESENTATION
8
9 **SULLIVAN MAGARDIS:** My name is Sullivan
10 Magardis (phonetic), and we have Old Harbor High
11 School and Middle School. And what we did this
12 year is a year-long study on the Kodiak brown bear.
13 And each student has their own area that they did
14 their own research for. With the help and
15 partnership of ADF&G, we got a lot of useful
16 information.
17 **UNIDENTIFIED VOICE:** Thank you guys for having
18 us. The reason that we're standing before you is
19 two-part. Mainly we're -- like Larry said, we're
20 residents of Old Harbor on Kodiak Island, and the
21 Kodiak brown bear is really important to us for a
22 number of different reasons.
23 As a teacher -- the second reason this
24 is really important is, I wanted to give my
25 students a real authentic experience for public

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1 speaking because I value it very much as a teacher
2 and for them to showcase what they've learned and
3 worked so hard on this year. There's a number of
4 individuals and organizations who made this
5 financially possible, and we thank them in our
6 video.
7 But I would like to especially thank
8 Nate and Fish and Game for working with us and
9 helping us to make this possible. And I'm very
10 proud of my students, and thank you guys again.
11 Sullivan talked about how each student
12 has -- they became an expert in an area of the
13 bear. And they will answer -- they'll do a short
14 presentation about their specific area, but they've
15 done a lot more research than they're going to be
16 able to explain to everybody here.
17 So we encourage questions that you may
18 have and to save them towards the end. And we will
19 direct them -- actually, Seth and Angel are going
20 to direct them to the appropriate student,
21 depending on their area of expertise, and I think
22 Sayla is going to reinforce that as well.
23 You know, this is a big deal for them.
24 They've done a lot of research, and so it might not
25 all come out, but, please, at the end ask any

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1 questions that you have, and thank you again.
2 We'll start with Sullivan. Sullivan
3 will speak about his area.
4 **SULLIVAN MAGARDIS:** My area of study is
5 taxonomy or the classification of living organisms.
6 Following the last ice age, 10- to 12,000 years
7 ago, the Kodiak brown bear became isolated on
8 Kodiak Island.
9 Because of their isolation, new traits
10 began to evolve, and which made them a subspecies.
11 The scientific name of the Kodiak brown bear is
12 *Ursus arctos middendorffi*. The *Ursus* is its genus
13 name, which means "bear" in Latin. *Arctos* is its
14 species name, which means "bear" in Greek. The
15 *middendorffi* was added on in honor of a scientist
16 from the 1800s.
17 The thing I found interesting is that
18 there is a debate about whether the Kodiak brown
19 bear should be a subspecies.
20 Another thing I found interesting is
21 that they ran tests on Kodiak brown bears, and it
22 showed that they have low genetic diversity, which
23 shows that they came from a small group of
24 relatives. Thank you.
25 Brendan.

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1 **BRENDAN MAGARDIS:** Hello. My name is Brendan
2 Magardis (phonetic). I'm a senior at Old Harbor
3 High School. My area of research was the movement
4 of bears, and I worked with personally with Nate to
5 study them. I will talk more about this at the end
6 of the presentation.
7 For now I'm going to show you guys a
8 video about all of the projects and activities we
9 did throughout the semester.
10 (Video played.)
11 **MICAH BURCHER:** Hello, everyone. My name is
12 Micah Burcher (phonetic), and I'm a senior at Old
13 Harbor School. My area of study is the Kodiak
14 brown bear's diet.
15 The thing I found most important about
16 the Kodiak brown bear is it will eat anything it
17 can find. If it sees it as food, it's going to try
18 and eat it.
19 During summer months is when the Kodiak
20 brown bear gains all its fat. It eats and gains
21 anywhere from 40 to 90 pounds per day, and gains
22 anywhere from 20,000 to 35,000 calories per day.
23 During the fall the salmon start to die
24 off, so there isn't very much food for the bears to
25 eat, so they're looking for anything they can find.

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1 When winter comes around, some bears
2 don't go into hibernation, so those bears are
3 looking for small animals such as squirrels,
4 rabbits, clams, and birds.
5 Thank you. I'll pass it to the next
6 person.
7 **SAYLA BURNS:** Good morning. My name is Sayla
8 Burns (phonetic). I'm in sixth grade. My parents
9 are Travis Burns and Lena Anderson-Burns. My
10 great-grandpa, Vernon, worked for Fish and Game as
11 the assistant manager for the Kodiak Refuge.
12 My area of research is the traditional
13 knowledge of the Kodiak brown bear. And we've
14 learned an extensive -- we've done an extensive
15 amount of research, and we encourage you to ask
16 questions at the end.
17 An important piece of information I've
18 learned is the difference between hunting now
19 versus in the past. In the past they hunted the
20 bear for all sorts of reasons, such as for food,
21 clothes, and tools, and they also had many rules
22 and rituals before going out on a hunt. Now most
23 people just hunt the bear for their hide and skull.
24 Thank you.
25 **ANGEL CHRISTIANSEN:** Hello. My name is Angel

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1 Christiansen. I'm a sophomore from Old Harbor. My
2 area of research that I chose was the life cycle.
3 And throughout this year I've learned
4 about -- a lot about the Kodiak brown bear and why
5 it's important. A piece of information that I
6 found out was that they can live to be 20 to 25
7 years of age. Their mating season starts in May
8 and ends in late June.
9 The -- a piece of information that I
10 wanted to look more into is why the boar kills the
11 cubs. And it's because they want the sow to go
12 back into heat so that their genes get passed on to
13 the next set of cubs.
14 And the most surprising piece of
15 information I learned was a suspension development
16 of the embryo. After the bears are done mating,
17 the fertilized egg does not immediately develop
18 into an embryo. The process only starts when the
19 sow goes into hibernation, and that all depends if
20 the sow has enough body fat to go into hibernation.
21 Thank you.
22 **SETH TANAHAN:** Hello, everyone. My name is
23 Seth Tanahan (phonetic). I'm from Old Harbor, and
24 I'm in eighth grade. My area of study is bear
25 safety. Sydney Pasterkoff (phonetic) did a lot of

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1 this work while I was in Kodiak Middle School and
2 she was at Old Harbor School.
3 Some important bear facts are: You
4 should never run from a bear, and you should never
5 surprise a bear. If you run away from a bear, the
6 bear is most likely going to attack you thinking
7 that you are food.
8 If you surprise a bear, the best thing
9 that you can do is make yourself look big or go to
10 the ground, cover up your head, and wait until
11 you're no longer a threat to the bear.
12 You should always be more bear aware
13 whenever you're near streams or rivers, thick
14 brush, or when you can barely see. You should
15 never walk alone.
16 But if you do end up walking alone on
17 your walk, you should make yourself more noticeable
18 and you should be more loud. If you encounter a
19 bear on your walk, you should let it know you're
20 there, make yourself look big, and walk away
21 slowly, but you should never let the bear out of
22 your sights.
23 If you're out fishing and you've got a
24 fish on the line, and a bear is trying to get it,
25 you should cut the line, get the fish you already

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1 got and drive away. Thank you.
2 Charlie.
3 **CHARLIE CHRISTIANSEN:** Hello. I'm Charlie
4 Christiansen. I am doing the biology and
5 physiology part of the bear study.
6 I am going to talk about the Kodiak
7 brown bear's sense of smell and part of the
8 hibernation -- the factors that go into
9 hibernation.
10 Here we go. This is where the Kodiak
11 brown bear's sinuses would be. The sinuses are
12 air-filled cavities within the skull that have a
13 thin layer of tissue that secretes mucus. There is
14 small holes in the sinuses which -- there's small
15 holes in -- there are small structures known as --
16 hair-like structures called cilia in the sinuses
17 that sweep the mucus into small holes in the
18 sinuses -- into the nostrils. That is how new
19 mucus is produced. It is unknown why most mammals
20 have these. But for Kodiak brown bears, it's
21 theorized that it's to get a better skull size
22 without sacrificing most skull weight.
23 This is where the turbinates would be.
24 The turbinates moisten, heat, and clean any air you
25 breathe in. There are sensory organs located at

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1 the back of the turbinates. The turbinates are
2 made of flesh, spongy bone and -- yeah, generally
3 speaking, the more turbinates an animal has, the
4 better its sense of smell.
5 This is where the olfactory bulb would
6 be. The olfactory bulb is what process smells
7 that -- humans have this as well.
8 Now I'm going to talk about the Kodiak
9 brown bear's hibernation. When the Kodiak brown
10 bear hibernates, it doesn't get gallstones. This
11 is all because of one organ which it has, which is
12 its gallbladder.
13 The gallbladder produces a certain type
14 of acid. I forgot the name of it right now, but I
15 will get back to you later if you want to ask about
16 the name of it. And it dissolves gallstones. And
17 this acid can also be used on humans. I know of no
18 side effects so far. And, yeah, that's what
19 prevents Kodiak brown bears from getting gallstones
20 during hibernation.
21 Another thing about Kodiak brown bears
22 is that they don't have urine when they wake up.
23 This is because recycle their urine and break
24 down -- they break down their urine, and break down
25 their fat to create protein, which then they use to

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1 help keep their muscles alive, which means they
2 only lose fat during hibernation.
3 This also prevents them from getting
4 uremia, also known as urine poisoning, which
5 prevents them from dying during sleep as well.
6 This is also what makes them look saggy when they
7 get out of hibernation. Thank you. I pass it on
8 to the next person.
9 **BRENDAN MAGARDIS:** Hello. Brendan
10 again. My area of research for our bear project
11 was to work personally with Nate to monitor the
12 movement of five sows on Sitkalidak Island.
13 Nate tagged these bears in the summer of
14 2018, and we worked personally together to analyze
15 the data so that I could complete my research.
16 The first thing I did was to design a
17 research question. I hoped to determine whether
18 any of the bears on Sitkalidak Island traveled
19 extreme distances or they stayed in relatively
20 small areas.
21 I also hoped to determine factors that
22 affected their movements. In order to conduct this
23 research, I had to learn how to use a program
24 called ArcGIS. I entered data points from five
25 collared bears and tracked their movement over

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1 Sitkalidak Island.
2 I also entered geographic features such
3 as land cover and the location of waterways.
4 What I found was that four of the bears
5 stayed in relatively small geographic areas. Each
6 bear was represented by a cluster of data points on
7 Sitkalidak Island. These clusters were all in
8 close proximity to known salmon streams. Neither
9 the age of the bear nor the presence of cubs seemed
10 to have an effect on the bears' movements.
11 The single bear that covered the most
12 was the oldest of the five sows. This bear did
13 have cubs present. Some of her movements overlap
14 those of another sow that had a bear present.
15 Because male brown bears exhibit infanticide and
16 will kill cubs, it is possible that the older sow
17 moved out of the area to keep her cubs safe.
18 I believe that available food sources,
19 as well as competition are the strongest influences
20 on the bears' movement.
21 This project was very beneficial to me,
22 as I hope to go into a natural science field in
23 college. This project helped me to better
24 understand the research process and also provided
25 me with the opportunity to learn the basics of

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1 ArcGIS software, which is a widely used tool in the
2 science field. Thank you. I will be giving it off
3 to Seth and Angel to deal with questions and
4 comments. Thank you.
5 **SETH TANAHAN:** Are there any questions?
6 **CHAIRMAN SPRAKER:** Well, I'm sure there's
7 going to be some questions. But, first off, I am
8 duly impressed. You guys really did an excellent
9 job. Every one of you, really first-class job.
10 I see a whole row of good scientists
11 standing before this Board of Game this morning.
12 So I hope you continue in that field and really
13 work in the field of science. It's very rewarding,
14 and it's a field -- I think you really get yourself
15 set up for it with this project that you're working
16 on. So good luck on that.
17 So, board members, questions this
18 morning to the group?
19 Nate.
20 **VICE-CHAIR TURNER:** I also wanted to -- I
21 think my microphone may not be working right. But
22 I really wanted to follow up and compliment you.
23 I'm very impressed with -- there we go. That's
24 better. Yeah, really impressive. You can tell
25 that you guys are really interested in the topic

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1 too, which came through in your presentation.
2 I'm not sure which of you might be
3 studying this, but there's a common belief about
4 bears that they have bad eyesight. Is that true?
5 I'll let you guys decide who should answer that.
6 Please.
7 **UNIDENTIFIED VOICE:** Brown bears do not have
8 bad eyesight. They have about the same eyesight as
9 us.
10 **VICE-CHAIR TURNER:** Well, we put that to bed
11 finally. Now we've solved it. Thank you.
12 **CHAIRMAN SPRAKER:** Tom.
13 **MR. LAMAL:** Thank you. Very impressive. I
14 taught school for several years and had the
15 Department of Fish and Game come in, and I piloted
16 an Alaska studies program. And my students years
17 ago were interested in Fish and Game issues, as you
18 are, but I don't think they're as knowledgeable as
19 you are here. A pretty impressive group here. And
20 thank you very much for presenting.
21 And I'd also like to compliment your
22 instructor for putting this all together. He did a
23 really nice job.
24 **CHAIRMAN SPRAKER:** Karen.
25 **MS. LINNELL:** Thank you, Mr. Chair. I, too,

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1 like the rest of the board, I'm impressed with the
2 breadth of knowledge that you young folks have.
3 And I'm encouraged by your interest in natural
4 sciences. Knowing and understanding what's around
5 us so vitally important to ensure that we have
6 sustainable resources, and I appreciate that.
7 I learned some things from you folks,
8 especially about the biology and how the
9 hibernation process works. Pretty impressive. And
10 the life cycle, up to 25 years old.
11 Do you know what the oldest bear might
12 have been that was captured?
13 **UNIDENTIFIED VOICE:** The oldest bear that I
14 can recall was 32 years old.
15 **MS. LINNELL:** Wow. Thank you.
16 **UNIDENTIFIED VOICE:** But that was in
17 captivity.
18 **CHAIRMAN SPRAKER:** Other questions?
19 Larry.
20 **MR. VAN DAELE:** Yeah. Thank you, Mr. Chair.
21 You guys nailed it. You did fantastic.
22 Thank you so much. So the question for you --
23 which is not an easy one and anybody can answer.
24 All of you can answer -- why are bears important to
25 people on Kodiak?

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1 **UNIDENTIFIED VOICE:** Because they have deep
2 ancestral roots, and they are deeply involved with
3 our culture and multiple cultures in Alaska.
4 **MR. VAN DAELE:** Anyone else have any thoughts
5 on that? Okay. Thank you. Thanks.
6 **CHAIRMAN SPRAKER:** Other questions?
7 Jerry.
8 **MR. BURNETTE:** Yeah. First off, I want to
9 thank you guys for coming up here. You know, the
10 hardest thing for most people is to stand and
11 present in front of a group. And you should be
12 real proud of yourself for being able to do that.
13 But I have a question. Over the last
14 hundred years or so, there's been a whole bunch of
15 different animals that have been introduced to
16 Kodiak, you know, caribou, goats, deer, et cetera.
17 How have the bears adapted to changes in the other
18 animals in the food supply?
19 **UNIDENTIFIED VOICE:** Well, it really depends
20 on if it's a male or a female. Because if it's a
21 female, then she's always trying to look for food
22 for her cubs and trying to teach them her ways of
23 hunting. But I haven't gone too much into other
24 animals and how they hunt them. So I would say
25 they really took advantage of all these animals

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1 that were introduced to the island.
2 **UNIDENTIFIED VOICE:** I know one thing that I
3 was interested in, that same question when Larry
4 and Harry Dodge were out. I asked them
5 specifically, you know, about if they've seen bears
6 chasing deer. And Harry talked about seeing bears
7 chase goats more often than deer, which I found
8 surprising.
9 **CHAIRMAN SPRAKER:** Any other questions by
10 board members?
11 Nate.
12 **VICE-CHAIR TURNER:** I just wanted to share
13 with you one of the things that I enjoyed seeing in
14 your presentation was some people that were dear
15 friends of mine as well.
16 I had the opportunity to work with
17 Wesley Christiansen, who I believe is probably
18 related to some of you. Harry Dodge and Rob Holt,
19 who came from Kodiak -- or from Old Harbor as well.
20 All three of them are brown bear guides, and I had
21 the privilege to work with them. So it was neat to
22 see Harry sitting in your -- working with you guys
23 too. So pretty exciting.
24 **CHAIRMAN SPRAKER:** Karen.
25 **MS. LINNELL:** Thank you. So the company that

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1 I work for, we recently participated in a bear DNA
2 sampling to distinguish between bears and trying to
3 see how many bears are in our area. I know that
4 the biologists here with the department know
5 approximately how many bears.
6 But do you folks look at or know much
7 about the familial cluster and what are their
8 families like? Do they separate right away? What
9 can you tell me about that?
10 **UNIDENTIFIED VOICE:** After -- the boar doesn't
11 stay with the sow and the cubs. The cubs stay with
12 the mom for about a year and a half, maybe two, but
13 they usually get basically kicked out of the family
14 after a year.
15 **MS. LINNELL:** Thank you.
16 **CHAIRMAN SPRAKER:** Well, I have a question.
17 You know, I'm really impressed by your
18 presentation. So my question is, where do you go
19 from here? Is that going to continue the next
20 year? Is this a one-year program? You talked
21 about some radiotelemetry work following bears.
22 Those collars are generally good for, you know,
23 several years if they don't take them off. And
24 where are you going from here?
25 **UNIDENTIFIED VOICE:** This summer it is going

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1 to continue a little bit.
2 **CHAIRMAN SPRAKER:** Good.
3 **UNIDENTIFIED VOICE:** As far as this project
4 goes this summer, there was a bear killed in the
5 village. And Nate came down. And as part of the
6 project, we buried the bear. We're going to then
7 dig it back up and reconstruct it and put the bones
8 for display. As far as formal education, I think
9 that will be the end of this. But kind of the
10 model that we took I think will continue.
11 **CHAIRMAN SPRAKER:** Good. I hope you do.
12 Yes, sir, go ahead.
13 **UNIDENTIFIED VOICE:** I do not think I'm going
14 to continue researching bear, but I know I'm going
15 to continue the family business of fish filleting
16 and stuff. My dad is the current harbormaster of
17 Old Harbor, and his name is Alan Christiansen.
18 Thank you.
19 **CHAIRMAN SPRAKER:** There you go. Maybe you'll
20 be the harbormaster soon. I can see that in your
21 future.
22 And now I know why bears look saggy in
23 the summertime. I've never known that. So that
24 was a good point.
25 Board members, any final questions?

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1 Comments?
2 Karen.
3 **MS. LINNELL:** Thank you. I'm encouraged with
4 your interest in -- one of you spoke to the
5 interest in GIS mapping and biology. There's a lot
6 of -- a lot of work in that field.
7 And in the future, if you're looking for
8 somewhere to go, look for me. That's what we're
9 doing. And we're trying to expand on the bear
10 information that we're gathering, so -- and I'm in
11 the Copper River, not quite on the coast.
12 But, yeah, the natural -- I'm
13 interest -- I'm glad to see your folks' interest in
14 the natural sciences and just thoroughly,
15 thoroughly impressed with all that you've learned.
16 And thank you for creating such an opportunity for
17 these young people to learn. I appreciate it.
18 **CHAIRMAN SPRAKER:** Good job.
19 **UNIDENTIFIED SPEAKER:** And thank you very
20 much. The partnership with Fish and Game was very
21 important and vital, so we thank you guys as well.
22 **CHAIRMAN SPRAKER:** Okay. All right. Well,
23 thank you very much. We'll see you again. You get
24 a standing ovation from the Board of Game. I don't
25 think I've ever seen a standing ovation from the

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1 Board of Game. That's a first. Good job.
2 9:07:07 AM.
3 (This portion not requested.)
4 9:44:11 AM
5 **BOARD DELIBERATIONS**
6
7 **VICE-CHAIR TURNER:** Mr. Chairman, I move to
8 adopt Proposal 98, to lengthen the fall hunting
9 season for brown bear in Unit 8.
10 **MR. LAMAL:** Second.
11 **CHAIRMAN SPRAKER:** Okay. It's been moved and
12 seconded. We have the Proposal 98 before us.
13 **NATE SVOBODA:** Thank you, Chairman Spraker.
14 Proposal 98 proposes to lengthen the fall hunting
15 season for brown bear in Unit 8 by changing the
16 start date from October 25th to October 10th. This
17 was proposed by a member of the public.
18 This proposal would lengthen the fall
19 hunting season for brown bear in Unit 8 by 15 days
20 by changing the start date from October 25th to
21 October 10th.
22 The department is neutral on this
23 proposal, and the Kodiak AC opposes it.
24 So on Kodiak, our management strategy is
25 to maintain an annual harvest of at least

Page 23

1 60 percent male bears. We have two seasons on the
2 island. The first starts April 1st and runs
3 through May 15th, and the fall season starts
4 October 25th and runs through November 30th. We
5 have both a registration hunt on the Kodiak road
6 system, as well as a drawing hunt on the remainder
7 of the island. And we issue about 500 drawing
8 permits for Kodiak in the fall. There's about 180,
9 and then in the spring there's 320.
10 And I did want to point out on this
11 slide there is a correction there, that
12 approximately 750 registration permits, that's
13 actually the total for the five years. So I
14 apologize for that.
15 Annually, we issue about 88 -- 80 to 90
16 registration permits in the spring and about 160 in
17 the fall. So just to provide clarity on that right
18 there.
19 Through this potential increased
20 harvest, if this proposal were to pass, as it would
21 start the season 15 days earlier, providing more
22 daylight hunting hours for hunters, hunters may
23 also be less impacted by weather as conditions
24 often deteriorate in late October and into
25 November.

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1 We're also concerned that there might be
2 an increased harvest of pregnant females and/or
3 females with young, as these age classes often
4 don't den until mid to late October.
5 The average den entry date for pregnant
6 females fails is about October 15th, with females
7 with young heading into the dens around
8 October 17th. And we've found that about
9 82 percent of our fall female harvest occurs in the
10 window between October 25th and November 6th. And
11 the increase in female harvest may result in the
12 need to reduce the number of permits available for
13 some hunt areas.
14 And that concludes the testimony on this
15 proposal, but I'm happy to answer any questions.
16 **CHAIRMAN SPRAKER:** Okay. Thank you, Nate.
17 Board members, comments on 98? We had
18 quite a bit of public testimony on this as well.
19 Jerry, did you have a comment?
20 **MR. BURNETTE:** So I have a question. So I
21 have a question. You say the department's neutral
22 on this, but you also that your management strategy
23 is to maintain a 60 percent male harvest, adult
24 male harvest.
25 Wouldn't this proposal make it almost

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1 impossible to do that while hunting the same number
2 of bears and keeping the population objectives
3 where they are?
4 **NATE SVOBODA:** I'm sorry. Can you repeat
5 that? I guess I'm not -- I'm unclear on the
6 question.
7 **MR. BURNETTE:** Well, from your testimony here,
8 it shows that you're likely to have an increased
9 harvest of females as a result of this change,
10 which means that you're either going to have to
11 reduce the total take to meet your management
12 strategy, or you're going to have to do something
13 somewhere else.
14 And so my question is, how can you be
15 neutral on this without -- in that case? Because
16 it makes it almost impossible to meet your strategy
17 and your harvest objectives.
18 **NATE SVOBODA:** Thank you, Member Burnette.
19 Through the chair, I think I'm going to defer this
20 one to Ryan, if that's okay.
21 **CHAIRMAN SPRAKER:** Ryan.
22 **MR. SCOTT:** Thank you, Mr. Chairman. Through
23 the chair, Member Burnette, you identified exactly
24 what would likely have to happen. Something else
25 would have to mitigate -- if this proposal was

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1 adopted, mitigate that increased concern about
2 female harvest in particular, whether it's reducing
3 numbers of permits, however that might go.
4 Oftentimes when we approach these
5 proposals, we look at them from a fairly high level
6 in that not specific to what the wording is in a
7 proposal, but if it were to adopt it, how would we
8 mitigate that? And that results essentially into
9 our neutral approach to this.
10 Thank you, Mr. Chairman.
11 **CHAIRMAN SPRAKER:** Tom.
12 **MR. LAMAL:** Member Burnette's question
13 answered what I was going to ask. It was the
14 denning issue and more females being harvested.
15 Thank you.
16 **CHAIRMAN SPRAKER:** Open females certainly
17 would be more vulnerable if you had an open -- an
18 early season like that.
19 Larry.
20 **MR. VAN DAELE:** Yeah. Thank you,
21 Mr. Chairman. I'm going to oppose this proposal.
22 For one thing, the weather has been getting warmer
23 in Kodiak, like the rest of Alaska.
24 And one of the concerns here was that
25 freeze-up was happening during this short time

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1 period, so I don't think that's a concern.
2 As we heard in public testimony, salmon
3 spawning is concentrating bears during this time
4 frame. It's also a potential for user conflicts
5 with fishermen during this time frame.
6 As the department has pointed out, the
7 season dates are set now to protect the pregnant
8 the females that wouldn't be protected by our "you
9 can't shoot sows with cubs regulation." So you
10 would definitely have an increase in the number of
11 sows taken and the efficiency of the hunters.
12 And, quite frankly, a lot of the seasons
13 we set are set to make hunters inefficient so that
14 there would be more opportunity for hunters and a
15 little better chance for the critters to make it
16 through. So for all those reasons, I think this is
17 a proposal I'll be opposing.
18 **CHAIRMAN SPRAKER:** Okay. Any other comments
19 on 98?
20 Karen, what are you thinking?
21 **MS. LINNELL:** I'm thinking that I'm going to
22 be opposing this as well. This could have a
23 trickle effect, and as stated in AC14, a ripple
24 effect of the amount of sows taken, changing the
25 dynamic of the entire hunt structure for the entire

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1 island. I can't see supporting this at this time.
2 **CHAIRMAN SPRAKER:** Nate, how long has this
3 season been in place, like 35 years or something
4 like that?
5 **NATE SVOBODA:** Chairman Spraker, yes, I
6 believe at least that long, although I haven't been
7 here that long. Larry might be able to provide
8 additional input on that, but I think your
9 statement is pretty accurate.
10 **UNIDENTIFIED VOICE:** He just noted that
11 Larry's a lot older than you are.
12 **CHAIRMAN SPRAKER:** Any other comments on this
13 one, 98?
14 Well, I'll weigh on it as well, just to
15 put a little more in the record. You know, I'm
16 concerned about changing this date to an earlier
17 date. Bred females, as the department just
18 indicated, generally go in about mid-October. That
19 would make those more vulnerable to hunting and
20 could change the at least 60 percent male objective
21 that they're shooting for.
22 There would be more competition, as
23 Larry pointed out, with fishermen, deer hunters and
24 so forth, so -- and a lot better weather, I think
25 success would go up if you started on the 10th of

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1 October. So for those reasons I'm not going to
2 support this either.
3 Any further comments? Are you ready for
4 the question?
5 **VICE-CHAIR TURNER:** Mr. Chair, I call for the
6 question.
7 **CHAIRMAN SPRAKER:** The question has been
8 called on 98.
9 Tom.
10 **MR. LAMAL:** The board has heard no concerns
11 from the public regarding cost to private persons
12 if this regulation is adopted.
13 **CHAIRMAN SPRAKER:** Kristy, would you poll the
14 board, please.
15 **MS. TIBBLES:** Yes, Mr. Chairman.
16 Final action on Proposal 98.
17 Mr. Turner?
18 **VICE-CHAIR TURNER:** No.
19 **MS. TIBBLES:** Mr. Lamal?
20 **MR. LAMAL:** No.
21 **MS. TIBBLES:** Mr. Burnette?
22 **MR. BURNETTE:** No.
23 **MS. TIBBLES:** Mr. Van Daele?
24 **MR. VAN DAELE:** No.
25 **MS. TIBBLES:** Ms. Linnell?

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1 **MS. LINNELL:** No.
2 **MS. TIBBLES:** Chairman Spraker?
3 **CHAIRMAN SPRAKER:** No.
4 **MS. TIBBLES:** Proposal fails 0-6.
5 **CHAIRMAN SPRAKER:** Let me do a time check
6 here. Board members, we have been going about an
7 hour and a half. Do you guys want to take a short
8 recess? Okay. We'll step down for a short break.
9 (Recess.)
10 **CHAIRMAN SPRAKER:** Ladies and gentlemen,
11 welcome back to the board process here in
12 Anchorage. We're going to pick up where we left
13 off.
14 But just before we do, I want to make
15 one clarification on Proposal 95. We changed the
16 reporting a little bit on that one that you can
17 report either in person and by phone. And I want
18 to kind of expand that a little bit.
19 In today's technology a lot of people
20 are using email and texting and so forth. So I
21 think that we should move into the new world of
22 technology.
23 And if a person can send the department
24 an email or a text and get a confirmation on that
25 back from the department, that that would be

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1 acceptable under this. And you'll have to work
2 with department of law to get the wording exactly
3 right, but it seems like in this day and age we
4 should make things as easy as possible. And you'll
5 get the data quicker and so forth, so that works
6 for everybody.
7 We're going to call the meeting back at
8 10:05 a.m., and we are at Proposal 99.
9 So Mr. Turner.
10 **VICE-CHAIR TURNER:** Mr. Chairman, I move to
11 adopt Proposal 99 to allocate at least 90 percent
12 of the Unit 8 brown bear drawing permits to
13 residents.
14 **MR. LAMAL:** Second.
15 **CHAIRMAN SPRAKER:** Okay. It's been moved and
16 seconded. We have 99 before us.
17 Department comments.
18 **NATE SVOBODA:** Thank you, Chairman Spraker.
19 Proposal 99 is to allocate at least
20 90 percent of the Unit 8 brown bear drawing permits
21 to residents, with the remaining drawing permits
22 available to residents and nonresidents. This was
23 proposed by a member of the public.
24 This proposal would allocate at least
25 90 percent of the Unit 8 brown bear drawing permits

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1 to residents, with the remaining drawing permits
2 available to residents and nonresidents.
3 The department's neutral on this
4 proposal, and the Kodiak AC opposes it.
5 Currently, the regulations state that a
6 minimum of 60 percent of the permits for Kodiak
7 brown bears go to Alaska residents and no more than
8 40 percent to nonresidents.
9 Here we'll provide some information on
10 our five-year averages, with some information on
11 participation, success rates for both spring and
12 fall hunts combined.
13 We have about 90 percent of the
14 nonresidents who are drawn participate in drawing
15 hunts, while about 56 percent of the residents
16 participate in drawing hunts. About 62 percent --
17 excuse me. With regard to success rate, about
18 62 percent of nonresidents are successful, and
19 about 38 percent of residents are successful.
20 Our annual female harvest, nonresidents
21 shoot about 16 females, residents shoot
22 approximately 26 females. About 17 percent of the
23 nonresident harvest and about 36 percent of the
24 resident harvest are female bears.
25 On average, nonresident harvest is 2.2

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1 years older than resident harvest, meaning the
2 bears are 2.2 years older. And over the last five
3 years nonresidents harvested 80 males, resident
4 harvested 129 females.
5 And here are some harvest scenarios
6 based on a 90-10 resident/nonresident allocation
7 that hopefully will provide some more information
8 for you.
9 So if the participation and success
10 rates for both nonresident and residents remain
11 similar to five-year averages, we'll see an over --
12 and if those things remain the same, and we do the
13 90-10 split, the overall harvest will decrease from
14 165 bears to 126 bears; however, the female harvest
15 will remain unchanged at about approximately 42
16 females a year. So the overall harvest will
17 decrease, but the number of females will stay the
18 same based on the increased rate of female harvest
19 from residents.
20 And you can see by this graphic here
21 that the historical harvest numbers and the
22 five-year averages of female and male and then the
23 overall harvest.
24 And so to move down that to that next
25 portion of the graphic there, I'll try to explain

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1 this to you a little bit. I know it might be a
2 little bit confusing.
3 But, again, the second column down or
4 second row down that says 90-10, that's what the
5 projected harvest would look like for one year.
6 Keep in mind, this is all just one year in advance.
7 That's what the harvest would look like if the
8 current participation and success rates remain the
9 same, the same -- similar to five-year averages.
10 So if we did the 90-10 split, we would
11 harvest about 41 females and about 85 males, and
12 the harvest would be lower at about 126 bears per
13 year.
14 And then if you go down one row where it
15 says 90-10 with 10 percent resident participation
16 rate, basically what that's saying is if we did
17 this 90-10 split, and, as I mentioned, everything
18 else stays the same with regard to participation
19 and success rates for both residents and
20 nonresidents, you can see that the -- if we did
21 have a increase in -- a 10 percent increase in
22 resident participation rate, you can see how the
23 harvest would kind of play out. We'd have a little
24 bit of an increase in female harvest. The overall
25 harvest would go up a little bit, et cetera.

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1 And then it kind of just works its way
2 down, 90-10 with a 20 percent increase in resident
3 participation rate, how that harvest scenario would
4 play out.
5 And then the last row there is a 90-10
6 split with the 10 percent increase in resident
7 participation rate and a 10 percent increase in
8 resident success rate.
9 And then I also put in there one
10 scenario if the 90-10 split passed, and there was a
11 10 percent reduction in resident participation, how
12 that harvest scenario would play out.
13 And I know it's a little bit -- maybe a
14 little bit confusing, but I did just want to try to
15 provide a little bit of some projected harvest
16 scenarios. And, you know, there's a little bit of
17 wiggle room in these. These are based on five-year
18 averages, and so none of this, you know, is
19 obviously 100 percent, but -- so some
20 considerations for you to think about.
21 If participation and success rates
22 remain unchanged, we'll likely have a reduced -- a
23 reduction in overall harvest, but the same number
24 of females will be harvested.
25 If we have a reduced overall harvest,

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1 there is a potential -- there is the potential that
2 we'll be able to increase the number of permits.
3 If there is an increase in resident
4 participation rate, there's a possibility we'll
5 have an increased female harvest based on
6 historical numbers.
7 Similarly, if we have an increase in
8 resident success rate, there's also a likelihood
9 that we'll have an increased female harvest based
10 on historical harvest information.
11 And if we do have an increased female
12 harvest, depending on how dramatic that is, we
13 may -- it may require us to reduce the number of
14 permits so we don't exceed our 60 percent male
15 harvest, 40 percent female harvest target
16 objective.
17 And another thing to consider if this is
18 adopted, since we do have such a long-term data set
19 for participation rates, success rates, et cetera,
20 as you likely know, we account for those all things
21 when we determine the harvest quota and the number
22 of permits we issue.
23 So if this proposal is adopted, it might
24 result in us having to have an initial reduction in
25 the number of permits while these new hunter and

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1 harvest use patterns become established. You know,
2 we base our number of permits and everything on
3 long-term averages. What are the success rates?
4 How many permits are issued to certain user groups?
5 What's their success rate? What's their hunter
6 effort, et cetera?
7 And once we begin to monkey with some of
8 those numbers, you know, just to be conservative,
9 we might have to reduce the number of permits until
10 those new harvest use patterns become established.
11 And so hopefully that provides you a
12 little bit of information there on what this
13 scenario might do to the harvest. But with that,
14 I'd be happy to answer any questions that you might
15 have. Thank you.
16 **CHAIRMAN SPRAKER:** Okay. Thank you, Nate.
17 That's a very good -- some interesting modeling on
18 what you're projecting could happen there. You
19 know, it's one thing that we all know, and if we
20 don't know it, we've certainly heard it, that to
21 successfully manage brown bears, you have to manage
22 the adult female harvest. That is the key to being
23 successful on managing brown bear populations.
24 So, board members, comments on this one?
25 Tom.

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1 **MR. LAMAL:** Thank you. Through the chair, I
2 have a question, Nate, on slide 31. I'm just --
3 this is a question here on the third column down
4 where it says 90-10, and then with a 10 percent
5 resident participation increase, would that
6 basically equate to 80-20 instead of 90-10? Is
7 that -- I'm trying to figure that one out, and then
8 the next down would maybe be the same or --
9 **NATE SVOBODA:** Sure. Thank you, Member Lamal.
10 Through the chair, not exactly. The 90-10 would
11 be -- is referring to the split in number of
12 permits. So if up to 90 -- or no less than 90
13 percent were issued to residents and no more than
14 10 percent were issued to residents -- or, excuse
15 me, nonresidents, that would be -- that's regarding
16 the permit allocation.
17 The 10 percent would be if those 90 --
18 if the resident participation rate -- not
19 necessarily regardless of the permits, if the
20 participation rate -- if 10 percent more residents
21 participated in hunting, this is kind of what the
22 harvest scenario would look like. So hopefully
23 that answers your question. Sorry for the
24 confusion.
25 **MR. LAMAL:** No, it does. Basically, what it

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1 would -- it's still -- what that's saying it's
2 still 10 percent nonresident, and then you would
3 just say that another 10 percent of residents would
4 become interested and participate; is that correct?
5 **NATE SVOBODA:** Correct.
6 **MR. LAMAL:** Thank you.
7 **CHAIRMAN SPRAKER:** Jerry, before I go to you,
8 I notice there's a department of law comment on 99.
9 Cheryl, do you want to address that for
10 the board?
11 **MS. BROOKING:** Just a brief comment,
12 Mr. Chairman and members of the board. There was a
13 suggestion in the proposal that the current
14 allocation may be unconstitutional. And I just
15 wanted to point out that the board does have
16 allocation authority, and it's not
17 unconstitutional. You can do what you feel is
18 reasonable and appropriate.
19 **CHAIRMAN SPRAKER:** Okay. Thank you.
20 Jerry.
21 **MR. BURNETTE:** Yeah. To the -- Mr. Chair, to
22 the department, if we were to make a change such as
23 this, what additional tools would the department
24 need to manage brown bears here? Would we -- you
25 know, if you want to keep the ratio of females to

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1 males, do you need additional training requirements
2 for hunters? Do we need to require residents to be
3 guided? What do we need to do if we were to do
4 this in order to be successful and maintain the
5 management plan that's been successful to this
6 point?
7 **NATE SVOBODA:** Thank you, Member Burnette.
8 Through the chair, the big thing I think that we
9 would do from the department's side would be -- you
10 know, we'd have to adjust the number of permits, I
11 think, to hopefully not exceed our female harvest;
12 however, you know, we would probably more than
13 likely undertake some pretty aggressive educational
14 campaigns, particularly for residents, to help
15 educate them on trying to differentiate between
16 male and female bears to hopefully bring down that
17 female harvest. So these are some of the tools
18 that we would probably employ if this proposal were
19 to pass. Thank you.
20 **CHAIRMAN SPRAKER:** Other comments on this
21 proposal?
22 Larry.
23 **MR. VAN DAELE:** Yeah. Thank you,
24 Mr. Chairman.
25 This is one of the most controversial

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1 proposals we've got, and it's -- with the comments
2 we've got, it's kind of split for and against. So
3 I just kind of wanted to read some of my notes into
4 the record here.
5 During the almost 40 years that I've
6 been involved with Kodiak bear management, I've
7 watched the evolution of this program, and I've
8 seen positive results from close coordination of
9 state and federal biologists, local residents,
10 native landowners, guides, both resident and
11 nonresident hunters, and this board.
12 The result is a successful and balanced
13 program with a robust bear population that has more
14 large bears harvested than ever and respect for the
15 bears by people who share the archipelago with
16 them.
17 Based on my experience in modeling, this
18 proposal would seriously disrupt the current
19 system, and it could take years, if not decades to
20 again find an appropriate balance.
21 Along with the biological impacts noted
22 by the department, there will undoubtedly be severe
23 negative economic impacts on individuals,
24 communities, the department, and the state.
25 The supporters of this proposal have

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1 stated that our current system is illegal and
2 unconstitutional. Our legal counsel disagrees with
3 that conclusion.
4 One of our constitutional mandates is to
5 provide for the utilization, development,
6 conservation of all natural resources belonging to
7 the state for the maximum benefit of the people.
8 The commissioners' statutory mandate is
9 to manage game resources of the state in the
10 interest of the economy and general well-being of
11 the state.
12 We currently offer Alaska residents
13 two-thirds of the Kodiak bear drawing permits. And
14 a couple years ago this board doubled the number of
15 times they could apply for those permits. Resident
16 hunters have unlimited bear hunting opportunities
17 on the northeast end of Kodiak Island in both
18 spring and fall seasons.
19 All of this can be done at a price that
20 is a fraction of the cost to a nonresident hunter
21 and can be accomplished without a guide. We even
22 extend that non-guided benefit to their nonresident
23 relatives.
24 We've heard opposition to this proposal
25 from several members of the public, the local

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1 advisory committee, as well as written comments
2 from the local Native corporation, and the Kodiak
3 National Wildlife Refuge manager.
4 I think the existing Kodiak bear hunting
5 system provides adequate opportunity for residents.
6 It's good for the bear population, and it provides
7 the maximum benefit for the people. It needs no
8 change at this time, so I'll be opposing this
9 proposal.
10 Thank you, Mr. Chair.
11 **CHAIRMAN SPRAKER:** Any other comments?
12 Tom.
13 **MR. LAMAL:** Well, it is -- it's pretty split
14 on this. It's split between commercial and
15 residents. It's kind of a -- unfortunately, it's
16 kind of a guide versus a resident.
17 And I totally understand. We've kind of
18 gotten to a situation here where -- it's really too
19 bad, where people have invested a lot of money in
20 lodges and resources, and then you've got people
21 that live in the state, where they live here
22 because they want to hunt and when -- they feel
23 that maybe they're not being considered fairly
24 because they're not getting maybe an allocation,
25 which we're allowed, as a board, to allocate as we

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1 see fit.
2 And it's bothersome to have to make
3 decisions where people's livelihoods are at stake,
4 but also you have the other people in the state,
5 the resident that lives here and feels that they're
6 not getting just coverage on the percentage that
7 we've been giving.
8 We elect people in Juneau to manage our
9 resources for whatever it might be: timber, oil,
10 gas, coal, anyway, for the best benefit to all of
11 us in the end.
12 And I don't know if there's any resource
13 that anybody would feel comfortable giving one user
14 group 40 percent control of that.
15 So I'll just end with that, but it's --
16 I feel bad about this whole thing. It shouldn't be
17 where it is to begin with, to make people come up
18 and worry about losing -- not being able to secure
19 their livelihood. Thank you.
20 **CHAIRMAN SPRAKER:** Any other comments?
21 Nate.
22 **VICE-CHAIR TURNER:** Yeah. Thank you,
23 Mr. Chair. I'm not in support of the proposal.
24 You know, I've read through a lot of comments, all
25 the comments.

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1 But really what really stood out to me
2 was the appreciation that's shown by the people of
3 Kodiak overall for the way it is right now, the way
4 the system is managed.
5 And we heard a lot of testimony about
6 the benefits that spin off from guided hunts to
7 the -- you know, to the local economies, to
8 employment, to -- it's a mixed community that is
9 very appreciative of one another. It's something
10 really special actually, something I'm proud of to
11 see.
12 And, you know, the -- on the surface,
13 the author of the proposal, you know, he wants to
14 change from 60-40 to 90-10, which is a 30 percent
15 increase in permits available to resident hunters,
16 but it's a 75 percent reduction in nonresident
17 opportunity.
18 And I heard the statement that, "Well,
19 this will double the drawing opportunity for
20 Alaskan residents."
21 But as I -- as I also went along with
22 that statement was that it sounds good until you
23 realize that currently it's one-half of 1 percent
24 draw odds because it's a very coveted hunt. But it
25 goes to less than 1 percent if this happened. And

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1 you've wreaked great havoc upon not only an island
2 but the people throughout Alaska that all
3 appreciate -- the rest of Alaska who've testified
4 how much they appreciate the structure the way it
5 is for a very minimal gain, very, very minimal
6 gain. And so I'm not going to be supporting it.
7 **CHAIRMAN SPRAKER:** Any other final comments on
8 this one?
9 Well, I'll just make a brief comment on
10 it for myself as far as intent. I'm not going to
11 support it.
12 As Member Turner pointed out, this isn't
13 just a guide issue, this is a, you know, Kodiak
14 economy issue. And there's a lot of the people
15 that have, you know, hotels, restaurants and so
16 forth that derive, you know, part of their income
17 from this.
18 And I'm really kind of surprised that we
19 didn't hear from the Native corporations on this
20 issue, because I know that the nonresidents pay a
21 lot of money for trespass access fees and so forth
22 to Native corporations. I'm kind of surprised they
23 didn't step up and voice an opinion on this one as
24 well.
25 So, anyway, the other thing is, I'm --

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1 I've always been one that I like to keep things the
2 same. If it's been in place for a long time -- and
3 this has been in place now for like 35 years or
4 some long time like the season has been -- you
5 know, I think this is a good system.
6 And as I said when I started, the key to
7 a good management of brown bears is that adult
8 female harvest. The department has got a handle on
9 that. The modeling -- although modeling, you're
10 usually suspect of modeling. I'm always suspect of
11 modeling.
12 But I think it makes good sense that if
13 you change the dynamics of this hunt, typically,
14 you know, residents take a few more females. So if
15 you add more residents, they're going to take more
16 females, that, in turn, induces the total --
17 reduces the total number of permits, and the system
18 kind of goes sideways. So I'm for leaving it just
19 the way it is, and I'm -- again, I'm not going to
20 support this proposal.
21 Any further comments on 99? Ready for
22 the question?
23 Oh, Karen.
24 **MS. LINNELL:** Mr. Chair, we did hear from Old
25 Harbor Native Corporation, and they're in

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1 opposition to this as well. They speak to the
2 economy of Kodiak. And so we did hear from some of
3 the --
4 **CHAIRMAN SPRAKER:** Thank you. I had forgotten
5 about Old Harbor. Good.
6 Nate, did you have a final comment?
7 **VICE-CHAIR TURNER:** Yeah, I did. I could add
8 to my comment that there's one step further that we
9 had presented right here in front of us at the
10 moment were the data that was presented. What
11 makes these hunts so desirable is your ability to
12 harvest a really big, old boar bear.
13 And by changing the structure as it's
14 proposed to do, the allocation structure, we had it
15 presented it to us that the -- you know, it could
16 actually reduce opportunity for permits.
17 There's potential that even the makeup
18 of the bears on the island could change if there
19 was -- you know, the increase of sows -- there
20 wouldn't be an increase of sow harvest necessarily,
21 but your opportunity to draw permits would be
22 reduced. It may actually offer no additional
23 benefit to resident hunters at all with less
24 permits available. So I think that would be a loss
25 for resident hunters.

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1 **CHAIRMAN SPRAKER:** Jerry.
2 **MR. BURNETTE:** Yeah. If I could, you know,
3 this one -- you know, this pits Alaskans against
4 Alaskans in some cases, and it's, of course, not
5 something that we want to do.
6 But there's been discussion that the
7 resident take of females is higher than the
8 nonresident take of females. It doesn't have to
9 stay that way. There are tools that could be used.
10 There's training, there's things.
11 Before I'm willing to make any changes
12 to the allocation here, I think we'd need to look
13 at those types of things. We could use tools to
14 get the residents up so that they could not be
15 changing the allocation.
16 Because, you know, there -- it's -- the
17 bears belong to everybody, and, you know, I'd like
18 to see everyone have the equal opportunity here.
19 **CHAIRMAN SPRAKER:** Okay. A couple final
20 comments? We need to move.
21 Tom.
22 **MR. LAMAL:** Okay. Thank you. Through the
23 chair, and since we're talking on allocation, and,
24 like I said, that is -- it's an unfortunate area
25 that we've kind of gotten to with this, having to

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1 make these decisions.
2 But maybe to avoid future situations
3 where we get to this point where people have been
4 given the opportunity to have -- develop something,
5 and then we decide maybe that it's -- the
6 allocation is not where it should be as far as the
7 residents is concerned, one of my concerns down the
8 road -- and this has to do with the board -- is
9 putting -- I mean, we have -- this is a
10 must-be-guided species. But we -- the board has
11 put some animals that are not must-be-guided on
12 must-be-guided. So we're creating more of these
13 situations, and I don't think that's a good idea.
14 I'm just making a comment on allocation
15 and how the board does allocate. And so I think
16 something's been created here that's difficult to
17 deal with at best.
18 And I feel for -- when I first came to
19 Alaska, I wanted to be a guide, and, you know,
20 things change. And I could very easily be one of
21 those guys sitting out in the chairs. It's just
22 all timing. I went a different direction. I ended
23 up commercial fishing. But I do feel for their
24 situation and -- but I also feel for the resident
25 too. So thank you.

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1 **CHAIRMAN SPRAKER:** Karen.
2 **MS. LINNELL:** Just one more comment. We heard
3 from some public -- through public testimony that
4 if you know which hunt to put in for, your odds
5 greatly improve. And so it's learning those
6 nuances to this permit system and knowing which one
7 to put in your name for. You can go from a
8 1 percent chance to a much greater chance of
9 drawing a permit.
10 And so I think because this hunt is
11 broken up into many draws and things, that there is
12 opportunity for resident hunters if they pick the
13 right one to submit for.
14 It's like the Delta Bison. It's a
15 highly coveted thing, but if you look at the other
16 bison herds, you might have a better chance of
17 getting drawn. And so it's much like that. So --
18 **CHAIRMAN SPRAKER:** Yeah, good point. And the
19 road system is open.
20 Okay. I think we're there. A lot has
21 been put on the record.
22 Ready for the question?
23 **VICE-CHAIR TURNER:** Mr. Chair, I call for the
24 question.
25 **CHAIRMAN SPRAKER:** Okay. The question has

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1 been called on 99.
2 Tom.
3 **MR. LAMAL:** The board has heard no concerns
4 from the public regarding cost to private persons
5 if this regulation is adopted.
6 **CHAIRMAN SPRAKER:** Kristy, would you poll the
7 board, please.
8 **MS. TIBBLES:** Yes, Mr. Chairman.
9 Final action on Proposal 99.
10 Mr. Turner?
11 **VICE-CHAIR TURNER:** No.
12 **MS. TIBBLES:** Mr. Lamal?
13 **MR. LAMAL:** Yes.
14 **MS. TIBBLES:** Mr. Burnette?
15 **MR. BURNETTE:** No.
16 **MS. TIBBLES:** Mr. Van Daele?
17 **MR. VAN DAELE:** No.
18 **MS. TIBBLES:** Ms. Linnell?
19 **MS. LINNELL:** No.
20 **MS. TIBBLES:** Chairman Spraker?
21 **CHAIRMAN SPRAKER:** No.
22 **MS. TIBBLES:** Proposal fails by vote of one
23 yag to five nays. One member absent.
24 **CHAIRMAN SPRAKER:** Now we're going to skip to
25 proposal 130 for people following our list. But

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1 it's on our roadmap listed as 130 is next.
2 So Mr. Turner.
3 **VICE-CHAIR TURNER:** Mr. Chairman, I move to
4 adopt proposal 130 in drawing hunts for the
5 separate allocation for residents and nonresidents.
6 All nonresident permits will be issued from the
7 nonresident allocation.
8 **CHAIRMAN SPRAKER:** Tom.
9 **MR. LAMAL:** Second. Sorry.
10 **CHAIRMAN SPRAKER:** Okay. It's been moved and
11 seconded. We have 130 before us.
12 Department.
13 **NATE SVOBODA:** Thank you, Chairman Spraker.
14 Proposal 130 proposes to place all nonresidents in
15 the nonresident pool of applications for drawing
16 tags with a separate allocation to nonresidents and
17 residents. This was proposed by a member of the
18 public.
19 And if this proposal were adopted, this
20 proposal would place all nonresidents in the
21 nonresident pool of application for drawing tags in
22 hunts with separate allocation to nonresidents and
23 residents.
24 The department is neutral on this
25 proposal, and the Kodiak AC opposes it.

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1 So on Kodiak in Unit 8 there are 500
2 brown bear drawing permits issued annually, 320 in
3 the spring and 180 in the fall.
4 Of the 320 spring permits, 105 are
5 issued to nonresidents, and of the 180 fall
6 permits, about 64 are issued to nonresidents.
7 Currently for each season, both the
8 spring and the fall, a maximum of four permits may
9 be issued to nonresident hunters accompanied by a
10 second degree of kindred relative, and not more
11 than one permit per hunt area may be issued per
12 calendar year.
13 If adopted, Kodiak brown bear permits
14 for nonresident second degree of kindred would no
15 longer come from the resident drawing pool, but
16 instead would come from the nonresident pool.
17 This proposal, if adopted, would
18 increase the number of nonresident applicants
19 competing for nonresident permits and decrease the
20 number of applicants competing for resident
21 permits.
22 It may make it more difficult for Kodiak
23 bear guides in exclusive guide use areas to plan
24 for a specific number of guided bear hunts. In the
25 previous five-year drawing permits there's been 27

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1 second degree of kindred hunters who harvested 11
2 bears, and they have roughly a 38 percent mean
3 success rate.
4 And that's all the testimony we have for
5 this proposal, but I'd be happy to answer any
6 questions.
7 **CHAIRMAN SPRAKER:** Okay. Thank you, Nate.
8 Board members, comments on this one?
9 And keep in mind, we have Proposal 100 that kind of
10 deals with the same thing.
11 And just for the record, Kodiak is the
12 only place in the state where we have 2DK coming
13 out of a resident draw pool, correct?
14 **NATE SVOBODA:** Correct, Chairman Spraker.
15 Thank you.
16 **CHAIRMAN SPRAKER:** Okay. That's only Kodiak.
17 Comments on this one?
18 Larry.
19 **MR. VAN DAELE:** Yeah. Thank you, Mr. Chair.
20 As we heard in our Petersburg meeting
21 from public testimony, there's a long history of
22 what the 2DK regulation was -- or statute was put
23 in place for.
24 And the question is, are 2DK hunters
25 residents or nonresidents? Well, the obvious

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1 answer is they're still nonresidents. But it was
2 put in as a special provision to help residents
3 take their relatives out, so it's kind of still a
4 bit of a gray area.
5 The history for the Kodiak area, as we
6 heard from public testimony this week, was to take
7 it out of the resident pool to allow there to be a
8 party hunt so that resident hunters could go out
9 with their nonresident relatives and each of them
10 have the opportunity to hunt a bear.
11 So it's kind of a convoluted history
12 that we're dealing with, as I understand it,
13 Mr. Svoboda. You might clarify me if I'm wrong,
14 but I think that's how it all got started. In
15 either case -- well, I'll just leave it at that.
16 That's kind of the history for right now.
17 **CHAIRMAN SPRAKER:** Any other comments on this
18 one?
19 Nate.
20 **VICE-CHAIR TURNER:** I have a question for
21 Nate. It's more of an
22 administration-of-permit-type things. I can't wait
23 until you're not sitting there. I'm so tired of
24 being confused which Nate is being referred to.
25 **CHAIRMAN SPRAKER:** Like you're talking to

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1 yourself or something.
2 **VICE-CHAIR TURNER:** Now I feel like I'm
3 talking to myself.
4 If I understand it correctly, as I've
5 thought through this, this would essentially end
6 the party hunt opportunity for residents; is that
7 correct?
8 **NATE SVOBODA:** Thank you, Member Turner.
9 Yeah, that's, I think, essentially kind of how that
10 would work based on how the drawing system would
11 work and the way the applicants are currently --
12 the applicant structure is currently set up. It
13 would make it difficult, if not impossible, to
14 continue with the party hunts unless we got really
15 creative. And I haven't been able to think of a
16 way that we could do that yet.
17 **VICE-CHAIR TURNER:** Yeah. Thank you. That in
18 itself is a big concern that I have. That's one of
19 the -- it's the whole purpose of the 2DK thing is
20 that family members can have shared experiences
21 with their nonresident relatives. And that
22 basically ends it for these hunt structures. I
23 can't support something like that.
24 And from my view as an individual board
25 member, I do believe 2DK hunts are truly in the

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1 resident interest. Everybody wants to hunt with
2 their family members sooner or later in life.
3 And it's really -- as member Van Daele
4 noted, it's a bit of a gray area, because
5 technically these are nonresident people we're
6 talking about.
7 But as was pointed out, and even in my
8 research, you know, the original guide laws in
9 Alaska, everybody must -- all nonresidents
10 originally were required to be guided for all
11 species, I think all big game species in the
12 earliest formation of the game laws.
13 And I don't know the full history of it,
14 but I know that went away. And when the
15 guide-required law came back, it was -- the debate
16 in the Legislature that led to the recognition that
17 it was in the resident's interest to be able to
18 take nonresident relatives on a personal hunt
19 rather than a guided -- to be required to be guided
20 in that situation. And so there was a compromise
21 made.
22 So as this proposal is written, I
23 couldn't support it.
24 **CHAIRMAN SPRAKER:** Nate, what's the percentage
25 of 2DK party hunts, just a rough estimate? Is that

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1 fairly high or low or what?
2 **NATE SVOBODA:** Thank you, Chairman Spraker.
3 Give me one second. I think I have that here.
4 Over 20 percent of the 2DK applicants apply as
5 party tags. It's a little bit difficult to put a
6 number on that, but it's over 20 percent for sure.
7 **CHAIRMAN SPRAKER:** Okay. And I could do the
8 math if I had my little calculator here. But of
9 these, say, four tags in the spring, four tags in
10 the fall, what percentage of the tags go to 2DK?
11 So you issue like 180 or 160 in the spring and you
12 issue four to 2DK --
13 **NATE SVOBODA:** Yeah. There's about six
14 permits -- I'm sorry, Chairman Spraker. I didn't
15 mean to cut you off there. Yeah, there's about six
16 permits a year on average that are allocated to 2DK
17 hunters. Eight are allowed, but we average about
18 six. I'm not sure if that answers your question.
19 **CHAIRMAN SPRAKER:** Yeah. I can do the math
20 from there.
21 Okay. Tom, did you have a comment?
22 **MR. LAMAL:** Yes. I think that the resident
23 would support not feeling that they were losing
24 this. So I personally feel that the resident's a
25 resident and a nonresident's a nonresident. So

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1 thank you.
2 **CHAIRMAN SPRAKER:** Okay. 1.2 percent.
3 Okay. Any other comments on 130? And,
4 again, we're going to address this again in 100,
5 so --
6 Karen.
7 **MS. LINNELL:** Just the thought of the
8 separating it out, and the fact that the
9 nonresident may draw, but their relative, who
10 they're going to hunt with may not draw at the same
11 time, so he'll basically be escorting their
12 relative and, thus, reducing some of the relative
13 or the resident's opportunity is the way I'm
14 thinking. If they draw together, they're hunting
15 together. So that's kind of what I'm thinking.
16 And it's a low percentage, 1 1/2 percent.
17 **CHAIRMAN SPRAKER:** Yeah.
18 **MS. LINNELL:** So --
19 **CHAIRMAN SPRAKER:** Okay. Any other comments
20 on 130?
21 Okay. The question has been called on
22 130.
23 Kristy, would you poll the board,
24 please.
25 **MS. TIBBLES:** Yes, Mr. Chairman. Oh, cost

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1 statement, Mr. Chairman.
2 **CHAIRMAN SPRAKER:** Cost statement, Tom.
3 **MR. LAMAL:** The board has heard no concerns
4 from the public regarding cost to private persons
5 if this regulation is adopted.
6 **CHAIRMAN SPRAKER:** Kristy, now would you poll
7 the board?
8 **MS. TIBBLES:** Yes, Mr. Chairman.
9 Final action on proposal 130.
10 Mr. Lamal?
11 **MR. LAMAL:** Yes.
12 **MS. TIBBLES:** Mr. Burnette?
13 **MR. BURNETTE:** No.
14 **MS. TIBBLES:** Mr. Van Daele?
15 **MR. VAN DAELE:** No.
16 **MS. TIBBLES:** Ms. Linnell?
17 **MS. LINNELL:** No.
18 **MS. TIBBLES:** Chairman Spraker?
19 **CHAIRMAN SPRAKER:** No.
20 **MS. TIBBLES:** And Mr. Turner?
21 **VICE-CHAIR TURNER:** No.
22 **MS. TIBBLES:** The proposal fails by vote of
23 one yag to five nays.
24 **CHAIRMAN SPRAKER:** And 100.
25 **VICE-CHAIR TURNER:** Mr. Chairman, I move to

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1 adopt Proposal 100, to create a separate drawing
2 for second degree of kindred brown bear permits in
3 Unit 8.
4 Tom.
5 **MR. LAMAL:** Second.
6 **CHAIRMAN SPRAKER:** Okay. It's been moved and
7 seconded. We have proposal 100 before us.
8 Department comments.
9 **NATE SVOBODA:** Thank you, Chairman Spraker.
10 Proposal 100 proposes to create a separate drawing
11 for second degree of kindred brown bear hunts and
12 reduce the number of second degree of kindred
13 permits from four per season to up to four in the
14 spring and up to two in the fall. This was
15 proposed by the Kodiak Advisory Committee.
16 This proposal, if adopted, would create
17 a separate drawing for second degree of kindred
18 brown bear permits in Unit 8 and would reduce the
19 number of second degree of kindred permits from
20 four person a season to up to the four in the
21 spring and up to the two in the fall for a total of
22 six.
23 The department is neutral on this
24 proposal, and the Kodiak AC supports this proposal
25 with an amendment, which can be found in Advisory

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1 Comments 14.
2 Excuse me. Currently, up to eight
3 second degree of kindred drawing permits can be
4 issued annually. They're currently taken out of
5 the resident hunt allocation, which is unique to
6 Kodiak Island.
7 In total, over the past five years or
8 ten seasons, 28 second degree of kindred hunters
9 participated in Kodiak brown bear hunts. Second
10 degree of kindred hunters took 12 bears over the
11 last five years with about a 40 percent success
12 rate.
13 And to provide clarity on the previous
14 proposal, we had 27 2DK hunters. And just to
15 provide clarification, this 27 includes the
16 registration hunt. The previous one dealt only
17 with the drawing hunt. So I just wanted to clarify
18 that.
19 And that is all of the testimony for
20 this proposal, but I'd be happy to answer any
21 questions. Thank you.
22 **CHAIRMAN SPRAKER:** Okay. Board members,
23 there's also an RC that we received this morning,
24 RC50 that was submitted to the board, plus public
25 comments on this one. And, of course, we heard

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1 quite a bit from the public on this one.
2 Board members, where are we going?
3 Nate, you stated on the last proposal
4 that at least 20 percent or somewhere around 20
5 percent of the 2DK folks are on a party hunt?
6 **NATE SVOBODA:** Yes, Chairman Spraker, that's
7 correct. Thank you.
8 **CHAIRMAN SPRAKER:** That's -- that seems like a
9 pretty big issue to me. I wish we had people to
10 testify to that. We didn't hear any testimony from
11 anybody that was taking a relative hunting that
12 was, you know, supporting this. So I wish we'd
13 have heard some testimony, but I don't think we
14 did.
15 Larry.
16 **MR. VAN DAELE:** Thank you, Mr. Chairman. My
17 biggest concern with this particular proposal is
18 that by creating a separate second degree of
19 kindred drawing hunt, you're going to have a lot of
20 people that want to game the system, because this
21 may be an easier way to get into a Kodiak bear
22 hunt.
23 And currently there are no requirements
24 for a resident to even know where Kodiak is or know
25 how to use a gun to be a guide for one of their

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1 nonresident relatives. So theoretically if someone
2 wanted to game their system, they could put in as a
3 nonresident and have their relative who doesn't
4 know how to guide to take them out there. It's
5 kind of a loophole that I don't want to create for
6 a situation like this.

7 **CHAIRMAN SPRAKER:** You know, Nate the question
8 of a separate draw hunt has come up many times. We
9 need to get something on the record for that,
10 because that would be the simplest solution to add
11 six tags to the 500 tags you issue right now.

12 And although the odds of drawing a 2DK
13 out of this pool would be really good, I mean, I
14 certainly understand that, but that would be the
15 simplest fix is just to add an extra six tags and
16 have a separate draw rather than take them out of
17 the resident pool or the nonresident pool. Can you
18 respond to that?

19 **NATE SVOBODA:** Sure. Thank you, Chairman
20 Spraker. And, yeah, we've considered that. We've
21 thought a lot about that. Currently the -- our
22 most recent data is we just can't, in good
23 conscience, responsibly add six additional permits
24 to the draw.

25 Our most recent survey data -- and I

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1 believe we might have submitted this as an RC as
2 well. But our most recent survey data from both
3 2018 and 2017 suggest in those areas -- or in a
4 couple of areas that we surveyed on Kodiak that the
5 population has actually declined.

6 We don't know if that's -- it's a pretty
7 significant decline too when you look at our survey
8 data. I don't know if that's truly what's going on
9 with the population on the ground. I mean, there's
10 some reasons for that, largely related to resource
11 distribution at different times of year, and we've
12 had some interesting things going on with berry
13 production and salmon runs, which may have
14 contributed to those numbers.

15 But right now if we stick with the
16 survey data and the biology that we have, we just
17 don't feel real comfortable with adding even a
18 small number of permits to the drawing.

19 **CHAIRMAN SPRAKER:** You know, at six tags and a
20 40 percent success, you're talking about two bears,
21 maybe three bears a year total. I guess I should
22 have just commended you on such a successful
23 program that you can manage by individual animals
24 or one or two animals. But, anyway, I think that's
25 the simplest way to do this, but I want to hear

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1 from other board members on where this one's going
2 to go.

3 Nate and then Karen.

4 **VICE-CHAIR TURNER:** Yeah. Thank you. The
5 chairman was leading into question, but I don't
6 think he got to it there before. This also would
7 disrupt the party hunt opportunity, if I'm not
8 mistaken; is that correct?

9 **NATE SVOBODA:** That's correct.

10 **VICE-CHAIR TURNER:** Yeah. Thank you. I guess
11 I can put some more thoughts on the record. We
12 have a couple areas in the state that this issue
13 shows up in. They're always highly coveted draw
14 permit opportunities.

15 And I do believe that the board should
16 find a solution that addresses the concerns that
17 proponents keep bringing forward when they bring
18 this topic up and also recognizing what our goals
19 are in the allocation structures that we have set
20 up already.

21 And, frankly, I think the board missed
22 an opportunity. We had a proposal in front of us
23 years ago -- or a few years -- a couple years ago
24 that would have allowed for residents to share
25 their drawing tags with nonresident relatives.

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1 And, frankly, I think that was -- that's a more
2 appropriate way to address it. And I'd hope to see
3 a proposal like that again come back to the board
4 one day.

5 But I'm not going to support this
6 proposal.

7 **CHAIRMAN SPRAKER:** Karen.

8 **MS. LINNELL:** Thank you. Member Van Daele
9 brought up an interesting point that -- for
10 consideration in the fact that there's no
11 requirement for the resident to have any experience
12 in hunting at all, just to possess a hunting
13 license.

14 And the -- with this -- with this hunt,
15 you know, the species, the safety, everything, it
16 just, to me, could end up being more of an issue
17 than where we have nonresidents shopping for
18 relatives and participating in it because the
19 likelihood that they might be drawn is greater, and
20 that concerns me.

21 **CHAIRMAN SPRAKER:** Any other comments?
22 Tom.

23 **MR. LAMAL:** Well, if those tags are removed,
24 maybe they could be put into the resident pool and
25 so that they would -- you wouldn't be changing

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1 anything except putting -- adding some more
2 opportunity for the resident would be a possibility
3 on that. That would have to be an amendment, I
4 guess.
5 **CHAIRMAN SPRAKER:** Tom, are you suggesting
6 they -- that the department would add six more tags
7 to the resident side, and then they would still be
8 six or eight, whatever, 2DK permits available, but
9 you would administer tags to the resident to
10 compensate for that? But the department is saying
11 that they're being cautious about adding any more.
12 Are you anticipating lowering the number of tags
13 for this next year or so?
14 **NATE SVOBODA:** Thank you, Chairman Spraker.
15 We're considering a lot. One of the things that
16 plays into things here are the number -- the large
17 number of DLPs that we've been seeing. You know,
18 if we harvest -- if we shoot for a 6 percent
19 harvest objective over the overall population, if
20 we all agree that there's 3,500 bears on the
21 island, that leaves 210 bears to be harvested every
22 year. We're currently harvesting around 170 to 190
23 bears.
24 However, the DLPs that we've been
25 experiencing, the uptick in DLPs that we've been

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1 seeing the last couple years has sometimes exceeded
2 20 or 30 animals, which puts us over our 6 percent
3 harvest of the overall population. And so we've
4 been real cautious.
5 We've been taking some real aggressive
6 efforts, educational efforts with regard to trying
7 to reduce the number of DLPs, so educating hunters,
8 educating people in town about proper waste
9 management, et cetera.
10 We're hoping we can reduce that --
11 reduce the number of DLPs that have been occurring.
12 But, quite honestly, it's put us right at or above
13 on certain years that 6 percent harvest limit.
14 But just so you know, we do have two
15 research projects underway that I mentioned
16 earlier, one being out on Sitkalidak Island and
17 another being on Afognak Island, where one of the
18 objectives -- and it wasn't one of the original
19 objectives, but just due to some kind of changes in
20 the way the research has moved forward, we're going
21 to -- we should be able to get a pretty good
22 population estimate for both of those areas.
23 And my hope is that we'll find out, and
24 I think we will in Sitkalidak in particular, that
25 we do have a really robust population. So we might

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1 be able to raise permits a year from now or two
2 years from now; however, right now based on our
3 current information or current data, we just don't
4 feel comfortable doing that right now.
5 You know, and as you know, and I think a
6 lot of people know, we do -- there is some wiggle
7 room or some flexibility in the amount of harvest.
8 You know, we don't harvest to an individual bear or
9 even a couple bears. You know, we allow
10 flexibility in that in the harvest, so -- because
11 we realize that on some years we have lower
12 harvests because of weather patterns or resource
13 availability or what have you, and then some years
14 we exceed our harvest. But, in general, we hope
15 that all levels out and we don't exceed our
16 6 percent harvest.
17 But right now we just don't feel
18 comfortable -- because some of these years, like as
19 I mentioned, with the DLPs we've exceeded our
20 6 percent harvest. We've even gotten close to 7 or
21 8 percent of the overall harvest. And we don't --
22 we're real hesitant to do that. We haven't
23 strongly considered reducing the number of permits
24 because these things have tendency to asymptote out
25 and level off, but that's something that we're

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1 keeping a close eye on. Thank you.
2 **CHAIRMAN SPRAKER:** Okay. Well, I'm still of
3 the mind that the simplest way to do this is -- you
4 know, the proposal as called for, create a separate
5 drawing for second degree of kindred brown bear
6 permits in Unit 8 as follows and so forth.
7 Separate draw, sounds like that's going
8 to be difficult, plus it's going to be confusing to
9 have a three-draw system there. But adding six
10 more permits to the resident tags, I really don't
11 see that as any sort of scientific barrier to do
12 that. You know, when you're issuing that many
13 tags, you're talking about one or two more permits,
14 I think I'm not going to support this proposal
15 because it looks at -- you know, it looks for a new
16 type of draw.
17 But I would strongly recommend that you
18 just put six more tags in the resident side. You
19 know, that's going to make a lot of people happy
20 that are concerned about these coming out of the
21 resident pool, and you can accommodate for that by
22 adding them to it. So I don't know.
23 Other board members, it seems like a
24 simple fix to me, but where are we? Any more
25 comments on this one?

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1 **VICE-CHAIR TURNER:** Question.
2 **CHAIRMAN SPRAKER:** The question has been
3 called on Proposal 100.
4 Tom.
5 **MR. LAMAL:** The board has heard no concerns
6 from the public regarding cost to private persons
7 if this regulation is adopted.
8 **CHAIRMAN SPRAKER:** Okay. Kristy, would you
9 poll the board, please.
10 **MS. TIBBLES:** Yes, Mr. Chairman.
11 Final action on Proposal 100.
12 Mr. Lamal?
13 **MR. LAMAL:** Yes.
14 **MS. TIBBLES:** Mr. Burnette?
15 **MR. BURNETTE:** No.
16 **MS. TIBBLES:** Mr. Van Daele?
17 **MR. VAN DAELE:** No.
18 **MS. TIBBLES:** Ms. Linnell?
19 **MS. LINNELL:** No.
20 **MS. TIBBLES:** Chairman Spraker?
21 **CHAIRMAN SPRAKER:** No.
22 **MS. TIBBLES:** Mr. Turner?
23 **VICE-CHAIR TURNER:** No.
24 **MS. TIBBLES:** The proposal fails by a vote of
25 one yay to five nays.

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1 **CHAIRMAN SPRAKER:** Okay. You know, we had a
2 interesting conversation with the department about
3 the draw hunt on Kodiak. This may be a place to
4 bring this up. It's an RC that we received this
5 morning, RC55. It sounds like someone's alarm just
6 went off.
7 In RC55 -- I just want to talk about
8 this for just a second, and then if there's some
9 interest, we'll go ahead and make a motion to deal
10 with this one, because it's kind of in line.
11 This is amended language for Proposal
12 100, which we've just voted down, but we can still
13 make this motion and bring this up. Special
14 provisions for brown bear drawing permit, and it's
15 92.061.
16 Anyway, it says: "The following
17 provisions apply to a guided nonresident drawing
18 under this Section 8. An applicant for a guided
19 nonresident drawing permit may apply for only one
20 such permit per season instead of application
21 period."
22 As most you probably are aware,
23 nonresidents have two draw periods; there's one for
24 the fall and one for the spring, whereas residents
25 just have one application period.

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1 And if you put in in November, December
2 and you're drawn, you don't hunt that spring.
3 You're drawn for the following spring, whereas if
4 you're drawn for a fall hunt, you hunt that fall.
5 On nonresidents, they put in the fall
6 hunt, they hunt that fall. They put in for the
7 spring hunt, they hunt that spring. That's the way
8 I understand it. I hope that's close.
9 So, Natalie, would you like to come
10 forward, and maybe you can explain this just a
11 little bit. And then if there's interest, we'll go
12 ahead and make the motion, and we'll see where we
13 go from here. Just kind of explain your concern.
14 **MS. WEBER:** Thank you, Mr. Chair. Good
15 morning. For the record, Natalie Weber, Division
16 of Wildlife Conservation.
17 So what Chairman Spraker said is
18 correct. There are currently two application
19 periods for Kodiak brown bear drawing permits, and
20 one of them is for only guided nonresidents.
21 And that does create somewhat of an
22 administrative burden on the department. Most of
23 the applications come in in the November/December
24 application period, which was the one that people
25 generally think of. There are a lot of residents,

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1 for example, that are not aware of the May
2 application period for these hunts. So it does
3 generate a fair amount of questions within the
4 department when this is realized.
5 One of the other things that it causes
6 us to do is to essentially stop all of our
7 programming abilities in the middle of the summer.
8 So for about two months we are not able to make any
9 necessary changes behind the scenes to the
10 (indiscernible), and in the middle of summer that's
11 when a lot of people are purchasing fishing
12 licenses online and those kind of things.
13 And today when we are so concerned with
14 the -- with some uncertainty as far as funding goes
15 and as well as the ability to get additional
16 programming staff in order to make these changes,
17 it causes us to have to halt what we're doing in
18 our tracks.
19 So one of the things that has come up is
20 possibly being able to get rid of that May
21 application period and put all of the applications
22 into the fall November/December application period.
23 And what you have in front of you in
24 RC55 is not a change to what would happen.
25 Nonresidents hunting with a guide would still only

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1 be able to apply for one permit per season, which
2 is what it is now. Unfortunately, right now it's
3 one permit per application period. So they
4 basically do the same thing; however, the
5 regulation, as its currently written, requires the
6 department to have the two applications periods.
7 So that's what you have in front of you
8 is what would be a change to that to remove the May
9 application period.
10 And we do understand that this process
11 has been in place for a very long time, and the
12 department is not interested in monkeying with the
13 way things currently work to that extent. We want
14 to do this in a way that will minimize the impact
15 to everyone who's involved in this, which, as you
16 know, are primarily the guides and the nonresident
17 clients that they represent.
18 So if the board were to decide to do
19 this, we would actually see it come to fruition in
20 the November 2020 application period. And I
21 mention that because we would not be interested in
22 making a change for this May, nor would we be
23 interested in making a change for this fall, which
24 would be when the guides would be putting in their
25 clients for the spring of -- what we look at as the

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1 reg year 2019, which would be spring of 2020 hunts.
2 So we would definitely work very closely
3 with those who would be impacted by this. And I
4 believe our Kodiak office, in particular, has done
5 some outreach on this subject as well. So this is
6 not supposed to be a surprise for anyone. This is
7 just something that we've identified as a way that
8 would help us streamline things along the way.
9 And I think that's all I have for you,
10 Mr. Chair.
11 **CHAIRMAN SPRAKER:** Okay. Very clear.
12 Board members, is there any interest in
13 this? It seems like it's an administrative
14 benefit.
15 Larry.
16 **MR. VAN DAELE:** Yeah. Thank you,
17 Mr. Chairman. I think this is a good idea. It's
18 something that's been discussed for many, many
19 years, and I think it could work. It will
20 inconvenience a few people.
21 But procedurally, how would we do this?
22 Would we amend the proposal or do a board-generated
23 proposal, or how would we go on that?
24 **CHAIRMAN SPRAKER:** It would be a motion just
25 made on the floor, essentially a board-generated

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1 proposal.
2 But, Cheryl, we could make just a motion
3 to adopt this substitute language and vote on it?
4 **MS. BROOKING:** Mr. Chairman, members of the
5 board, it would be better if you could tie it
6 together to a proposal or amend a proposal that's
7 similar to this to make this change to reflect that
8 the proposals have been out for comment. And we do
9 have to follow the APA. This would not be
10 considered then a new proposal but an amendment to
11 an existing proposal.
12 **CHAIRMAN SPRAKER:** Okay. One of the things we
13 could do is recall Proposal 100, reconsider
14 Proposal 100 and attach it to that. Okay. Let's
15 see if we can get this going first.
16 Tom, did you have -- did you want to
17 make that motion or -- okay.
18 **MR. LAMAL:** No. I have a question as far as
19 the -- for legal on this particular one. And in
20 this proposal there's a -- the Alaska resident
21 would have to be willing to pay the same amount as
22 the nonresidents, which is \$1,000. And I'm not
23 sure that -- can you change that for a resident, I
24 mean, to have them pay for a nonresident tag? I
25 was just wondering about the legality of that. I

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1 didn't know if we could change money amounts for
2 tags. So that's in this proposal, just addressing
3 that particular issue in the proposal.
4 **CHAIRMAN SPRAKER:** No. The Legislature sets
5 fees. We have no authority to set fees.
6 **MR. LAMAL:** Okay. And that -- but that is in
7 this proposal, that the resident would pay \$1,000?
8 **CHAIRMAN SPRAKER:** No. No. We're looking at
9 RC55, and we're looking at maybe recalling Proposal
10 100 because we need some vehicle to attach to this.
11 **MR. LAMAL:** Oh. So we're going away from 101
12 then?
13 **CHAIRMAN SPRAKER:** We could use 101 as well,
14 but 101 --
15 Cheryl, your advice. 101 is a little
16 bit different, but that is the next one on our
17 list.
18 **MS. BROOKING:** Mr. Chairman, both of those
19 deal with Kodiak brown bears, so I think that
20 either one of those would be sufficient. You could
21 either reconsider 100 or amend 101 to address RC55.
22 **CHAIRMAN SPRAKER:** Okay. Let's do it that
23 way. Let's go ahead and proceed -- let's put 101
24 on the floor.
25 **VICE-CHAIR TURNER:** Mr. Chairman, I move to

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1 adopt Proposal 101 to create a resident tag for
2 Kodiak brown bear from the nonresident permit
3 allocation.
4 **MR. LAMAL:** Second.
5 **CHAIRMAN SPRAKER:** Okay. It's been moved and
6 seconded. We have Proposal 101 before us.
7 Department comments.
8 **NATE SVOBODA:** Thank you, Chairman Spraker.
9 Proposal 101 is to create a resident tag for Kodiak
10 brown bear from the nonresident permit allocation
11 to be placed in drawing and require residents to
12 pay a nonresident locking-tag fee if selected for
13 the hunt. This was proposed by a member of the
14 public.
15 And, if adopted, this proposal would
16 create a resident tag for Kodiak brown bear from
17 the nonresident permit allocation. It would create
18 a pool of special Kodiak bear permits currently
19 with the nonresident guided allocation that are
20 also available to residents. No additional permits
21 would be added.
22 Residents placed in drawing would pay
23 the nonresident locking-tag fee, which is currently
24 \$1,000.
25 The department is neutral on this

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1 proposal, and the Kodiak AC opposes it.
2 And because resident and nonresident tag
3 fees are set in Alaska Statute, the Board of Game
4 does not have authority to modify locking-tag fees.
5 And this is -- concludes our testimony
6 on this, but I'd be happy to answer any questions.
7 Thank you.
8 **CHAIRMAN SPRAKER:** Okay. Thank you, Nate.
9 Board members, this would be the place,
10 Mr. Turner, to put in some substitute language --
11 **VICE-CHAIR TURNER:** Yes.
12 **CHAIRMAN SPRAKER:** -- on 101.
13 **VICE-CHAIR TURNER:** Mr. Chairman, based on the
14 information we have in front of us and from legal
15 as well, the board doesn't have the authority to do
16 what the proposal requests, so I would -- I would
17 move that we incorporate RC55 with replacement
18 language for this proposal.
19 And in RC55, the language that I'm
20 specifically referring would be a change to
21 5 AAC 92.061, special provisions for brown bear
22 drawing permit.
23 Under Section 4, the following
24 provisions apply to a guided nonresident drawing
25 under this section. And, A, an applicant for a

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1 guided nonresident drawing permit may apply for
2 only one such permit per season. And there's a
3 replacement of language there. It originally said
4 "application period." Now it will say "season."
5 **MS. LINNELL:** I'll second.
6 **CHAIRMAN SPRAKER:** And that's been moved and
7 seconded. We have an amendment to Proposal 101 to
8 replace this proposal with substitute language in
9 RC55. Any objection to the amendment?
10 Okay. Hearing none, we have that
11 amended proposal before us. And as the department
12 outlined, this is a burdensome thing to have two
13 draws. It would simplify their program. Everybody
14 will draw at the same time.
15 All the other conditions will stay the
16 same. The alternate list or whatever is, you know,
17 set aside will all stay the same, but there's going
18 to be one draw period instead of two.
19 Any further comments on this one?
20 Nate.
21 **VICE-CHAIR TURNER:** Yeah. Thank you,
22 Mr. Chair. I'm going to support this. I think
23 it's very good, to the benefit of the
24 administration of these hunts and also for the
25 department's ability to accomplish other tasks that

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1 have been hindered by the extra drawing period. So
2 it's very much a streamlining of the process. And
3 I don't know that -- I can't see where anyone will
4 be harmed by such a change.
5 **CHAIRMAN SPRAKER:** Might save a few bucks.
6 Okay. Any other questions. Cheryl?
7 **MS. BROOKING:** Mr. Chairman, members of the
8 board, this says "per season." And we have four
9 seasons in the year. We've got two seasons for the
10 Kodiak brown bear. We have -- if the intent is to
11 do it once a year, are we looking at once per
12 regulatory year? Once per calendar year? Just to
13 get some clarification on how this might work.
14 **CHAIRMAN SPRAKER:** Natalie.
15 **MS. WEBER:** Thank you, Mr. Chair. So the
16 intent with this was to apply to each Kodiak
17 season. So a spring hunting season and a fall
18 hunting season, not the four seasons of the year or
19 anything like that.
20 So with this -- if the board were to
21 accept the language as written, it's the intent of
22 the department to make it so applicants for the
23 guided nonresident drawing permit may apply for
24 only one fall hunt and only one spring hunt, which
25 is currently how the system operates.

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1 **CHAIRMAN SPRAKER:** Are we good? Okay. Okay.
2 Pretty straightforward.
3 Ready for the question on this one.
4 **VICE-CHAIR TURNER:** Mr. Chairman, I call for
5 the question on Proposal 101 as amended.
6 **MR. LAMAL:** The board has heard no concerns
7 from the public regarding cost of private persons
8 if this regulation is adopted.
9 **CHAIRMAN SPRAKER:** Okay. Kristy, would you
10 poll the board on the amended proposal.
11 **MS. TIBBLES:** Yes, Mr. Chairman.
12 Final action on Proposal 101 as amended
13 with the substitute language found in RC55.
14 Mr. Burnette?
15 **MR. BURNETTE:** Yes.
16 **MS. TIBBLES:** Mr. Van Daele?
17 **MR. VAN DAELE:** Yes.
18 **MS. TIBBLES:** Ms. Linnell?
19 **MS. LINNELL:** Yes.
20 **MS. TIBBLES:** Chairman Spraker?
21 **CHAIRMAN SPRAKER:** Yes.
22 **MS. TIBBLES:** Mr. Turner?
23 **VICE-CHAIR TURNER:** Yes.
24 **MS. TIBBLES:** And Mr. Lamal?
25 **MR. LAMAL:** Yes.

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1 **MS. TIBBLES:** The proposal carries as amended
2 6-0.
3 **CHAIRMAN SPRAKER:** Okay. 102.
4 **VICE-CHAIR TURNER:** Mr. Chairman, I move to
5 adopt Proposal 102, to eliminate nonresident
6 opportunity for the RB230 and RB260 registration
7 permit brown bear hunts in Kodiak -- or in Unit 8.
8 **MR. LAMAL:** Second.
9 **CHAIRMAN SPRAKER:** Okay. It's been moved and
10 seconded. We have 102 before us.
11 Department.
12 **NATE SVOBODA:** Thank you, Chairman Spraker.
13 Proposal 102 proposes to eliminate the nonresident
14 hunting opportunity for the Kodiak brown bear
15 registration hunts, RB230 and RB260. This was
16 proposed by a member of the public.
17 And, if adopted, this proposal would
18 eliminate the nonresident hunting opportunity for
19 the Kodiak brown bear registration hunts RB230 and
20 RB260. If adopted, only Alaska residents could
21 participate in the existing Kodiak brown bear
22 registration hunts.
23 The department is neutral on this
24 proposal, and the Kodiak AC opposes it.
25 So the Kodiak road system has -- the

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1 Kodiak road system hunting season runs from
2 April 1st to May 15th in the spring, and the fall
3 season runs from October 25th through
4 November 30th, and it is a registration permit
5 hunt.
6 And it was designed originally to reduce
7 human-bear conflict on the road system. And it's
8 open -- currently open to both residents and
9 nonresidents with a guide or hunting with a second
10 degree of kindred.
11 In the map that you see up on the screen
12 right here is where -- the area we're talking about
13 is what we call the Kodiak road system, and that's
14 the area in red.
15 Currently, registration permits are
16 unlimited on the road system, but hunters still are
17 limited to one bear every four years.
18 On average, over the last five years
19 nonresidents were issued 28 registration permits
20 annually, and residents were issued 209
21 registration permits annually.
22 However, I think it's important to note
23 on the number of registration permits for
24 residents, that many of our Kodiak residents do
25 pick up permits over the counter kind of just in

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1 case. You know, some of them don't have any
2 initial intent to actually go out hunting. But if
3 they do -- the opportunity presents itself, a lot
4 of people do pick up tags just for that reason. I
5 think it's important to keep in mind.
6 So about 98 percent of the nonresidents
7 that obtain registration permits do go out and
8 actually hunt, while about 54 percent of the
9 residents that obtain registration permits actually
10 participate in the hunt.
11 Nonresidents harvested ten and residents
12 harvested about ten bears a year. That's about
13 what we average.
14 Nonresident success rate is about
15 36 percent, and resident success rate is right
16 around 8 or 9 percent on the Kodiak road system.
17 In the last five years a total of 12
18 hunters hunting with second degree of kindred
19 obtained registration permits, one of which was
20 successful.
21 And that's the extent of our testimony
22 for this proposal, but I'm happy to answer any
23 questions.
24 **CHAIRMAN SPRAKER:** Nate, maybe you could go
25 into the -- kind of the strategy of allowing an

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1 open hunt in this area as far as, you know, trying
2 to reduce the number of bears that live in town and
3 so forth. We've heard comments about that.
4 **NATE SVOBODA:** Thank you, Chairman Spraker.
5 And, yeah, that is indeed the goal of the
6 registration hunts on the road system.
7 As I mentioned earlier, we have -- for a
8 variety of reasons there's been an increase in
9 bears coming into the Kodiak road system. You
10 know, it has to deal with largely proper waste
11 management. That's a big thing. There's also a
12 big influx of people raising livestock and chickens
13 and other types of poultry, and so we regularly see
14 bears come into the road system.
15 So this is one of the ways to reduce
16 human-bear conflict while providing opportunities
17 for hunters. And this is the way we try to
18 mitigate that human conflict while providing
19 hunting opportunities for both residents and
20 nonresidents.
21 **CHAIRMAN SPRAKER:** Okay. Jerry.
22 **MR. BURNETTE:** Yes. Through the chair, Nate,
23 if this were adopted, and we had only residents
24 allowed to hunt, your feeling on -- are there
25 residents out hunting and they're unsuccessful

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1 because of nonresidents getting the bears first?
2 Is it some -- is there some reason why it would
3 increase resident take, or would we leave some of
4 these bears out there?
5 **NATE SVOBODA:** Thank you, Member Burnette.
6 Through the chair, to my knowledge, I haven't heard
7 of a lot of conflict between user groups, those
8 being residents versus nonresidents. I haven't
9 heard much about that, so I don't know if that is
10 necessarily an issue.
11 As I mentioned, you know, a lot of
12 residents that we see just pick up permits just in
13 case. There's not a lot of people -- the majority
14 of the residents that obtain permits don't
15 necessarily have an intent to go out and hunt. One
16 thing that -- I'll just leave it at that. Thank
17 you.
18 **MR. BURNETTE:** If I could just follow up on
19 that. In this hunt do you know what the number of
20 trophy bears is? How does that compare to other
21 hunts on the island?
22 **NATE SVOBODA:** Thank you for the question.
23 Through the chair, there are a number of trophy
24 bears that do show up on the road system. I would
25 say that maybe isn't as frequent in some of our

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1 more high-density areas in other areas of the
2 island.
3 But as I think was made clear in public
4 testimony, you know, we've had one of the biggest
5 bears in the last 30 years harvested on the road
6 system. So we do have quite a few trophy bears
7 that do come on the road system. So that's
8 certainly not unheard of. Just I don't have those
9 numbers off the top of my head on how many trophy
10 bears are harvested on the road system, but it
11 certainly does occur from time to time. Thank you.
12 **CHAIRMAN SPRAKER:** Tom.
13 **MR. LAMAL:** This is for the department through
14 the chair. So I'm looking at this, and most of the
15 resident hunters I'm guessing are a lot of people
16 that live close by in Kodiak; is that correct?
17 **NATE SVOBODA:** Member Lamal, through the
18 chair, yeah, that is correct, sir.
19 **MR. LAMAL:** Thank you.
20 **CHAIRMAN SPRAKER:** Any other comments on this
21 one?
22 Larry.
23 **MR. VAN DAELE:** Well, I guess since I've been
24 designated the local elder on Kodiak bear stuff, a
25 little bit of history. Back in the '60s Fish and

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1 Game had an active bear control effort in this
2 area. They actually had a gun mounted on a Super
3 Cub that went after bears, and biologists were out
4 there killing bears and snaring bears any way they
5 could around the livestock and humans.
6 And this got into Outdoor Life magazine.
7 It got to be a real big deal, the Kodiak bear wars.
8 The hunters lobbied to have them to help with the
9 system, not have Fish and Game do it. So that's
10 why we had this pretty wide open registration hunt
11 for twice a year on Kodiak road system.
12 As I understand it, Mr. Svoboda, you
13 don't have a guideline harvest level. It's -- you
14 have never closed this down by emergency order
15 because you want to harvest as many bears as is
16 practical at a time when they are good, not just
17 kill them off just to kill them.
18 And by doing this, you've actively
19 reduced the number of bears, and you've altered
20 bear behavior around the livestock and around the
21 town of Kodiak. I don't know of any direct
22 conflicts between guides and resident hunters.
23 I know do know there are also a lot of
24 hunters that come from off island and take
25 advantage of this, because the local car rental

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1 place gets pretty frustrated when their Ford Focus
2 has a bloody trunk from a guy that went bear
3 hunting on the road system. His tarp wasn't quite
4 big enough.
5 So I think the system right now has
6 evolved to the point that it's a good management
7 tool, and it's also a good opportunity. And by
8 taking the guides out of this, we would be less
9 efficient in taking these bears.
10 And as one of the members of the public
11 testified, it's a unique opportunity for folks that
12 are wounded warriors, who can't get out in some of
13 the more remote places or people who are being
14 deployed at a moment's notice and can't wait for a
15 drawing or for a place in other parts of the
16 Kodiak. So I'll be voting in opposition of this.
17 **CHAIRMAN SPRAKER:** Karen.
18 **MS. LINNELL:** Thank you. Is there anything
19 that precludes other -- from Alaska residents from
20 elsewhere to getting this permit?
21 **NATE SVOBODA:** Thank you, Member Linnell.
22 Through the chair, no, there's not. It's open to
23 all Alaska residents.
24 **MS. LINNELL:** Okay. And just to get to the --
25 this also doesn't preclude the 2DK participants

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1 either? They're eligible to come and get this
2 permit as well?
3 **NATE SVOBODA:** That is correct. Thank you.
4 **MS. LINNELL:** Thank you.
5 **CHAIRMAN SPRAKER:** Unlimited registration
6 hunt.
7 Ready for the question on 102?
8 **VICE-CHAIR TURNER:** Mr. Chair, I call for
9 the -- oh, there is a comment here.
10 **CHAIRMAN SPRAKER:** No. You're good. Okay.
11 **VICE-CHAIR TURNER:** Mr. Chairman, I call for a
12 question.
13 **CHAIRMAN SPRAKER:** Okay. The question has
14 been called.
15 Tom.
16 **MR. LAMAL:** The board has heard no concerns
17 from the public regarding cost to private persons
18 if this regulation is adopted.
19 **CHAIRMAN SPRAKER:** Kristy, would you poll the
20 board, please.
21 **MS. TIBBLES:** Yes, Mr. Chairman.
22 Final action on proposal 102.
23 Mr. Van Daele?
24 **MR. VAN DAELE:** No.
25 **MS. TIBBLES:** Ms. Linnell?

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1 **MS. LINNELL:** No.
2 **MS. TIBBLES:** Chairman Spraker?
3 **CHAIRMAN SPRAKER:** No.
4 **MS. TIBBLES:** Mr. Turner?
5 **VICE-CHAIR TURNER:** No.
6 **MS. TIBBLES:** Mr. Lamal?
7 **MR. LAMAL:** Yes.
8 **MS. TIBBLES:** Mr. Burnette?
9 **MR. BURNETTE:** No.
10 **MS. TIBBLES:** The proposal fails by vote of
11 one yay to five nays.
12 **CHAIRMAN SPRAKER:** Okay. 103.
13 **VICE-CHAIR TURNER:** Mr. Chairman, I move to
14 adopt Proposal 103, to transfer under-subscribed
15 nonresident Kodiak brown bear drawing permits to
16 the resident drawing permit allocation.
17 **CHAIRMAN SPRAKER:** Tom.
18 **MR. LAMAL:** Second.
19 **CHAIRMAN SPRAKER:** Okay. It's been moved and
20 seconded. We have Proposal 103 before us.
21 Department comments.
22 **NATE SVOBODA:** Thank you, Chairman Spraker.
23 Proposal 103 proposes to transfer under-subscribed
24 nonresident Kodiak brown bear hunting permits to
25 the resident drawing permit allocation. This was

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1 proposed by a member of the public.
2 And this proposal, if adopted, would
3 transfer under-subscribed nonresident Kodiak brown
4 bear permits to the resident drawing permit
5 allocation.
6 If no applications are received by the
7 application deadline, permits would be transferred
8 to the resident pool of permits.
9 The department is neutral on this
10 proposal, and the Kodiak AC opposes it.
11 So Unit 8 has 31 brown bear drawing hunt
12 areas open to residents and nonresidents hunting
13 with a guide or second degree of kindred.
14 Residents can apply for up to six hunts
15 and may apply for the same hunt more than once.
16 Guided nonresidents may apply once for fall and
17 once for a spring hunt.
18 If an area receives fewer applicants
19 than the available permits, the hunt is considered
20 under-subscribed. Under-subscribed hunts on Kodiak
21 are issued on a first-come-first-serve basis over
22 the counter in Kodiak starting on a predetermined
23 date.
24 Under-subscribed hunts are uncommon. In
25 the past ten years or 20 seasons, there's been 10

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1 hunts that were under-subscribed and permits made
2 available over the counter.
3 Exclusive guide use areas are federal
4 areas on the Kodiak National Wildlife Refuge in
5 which only certain guides can take nonresident bear
6 hunters. Several of these bear hunt areas either
7 partially or entirely are comprised of exclusive
8 guide use areas.
9 Because some hunt areas are entirely
10 exclusive guide use areas, and there's only a
11 single guide that can take hunters there, some
12 guides choose not to submit hunt applications for
13 their clients.
14 Unfortunately, this leads to confusion
15 when hunters are seeking information in the hunt
16 supplement about their odds of being drawn.
17 Exclusive guide use areas in which
18 guides do not submit their client applications
19 appear to be under-subscribed. They appear to
20 either have very few or no applications; however,
21 these permits are usually allocated to clients of
22 guides with exclusive guiding privileges, and
23 typically no permits are available.
24 And this concludes our comments for this
25 proposal, but I'd be happy to answer any questions.

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1 **CHAIRMAN SPRAKER:** Okay. Thank you, Nate.
2 Larry.
3 **MR. VAN DAELE:** Thank you, Mr. Chairman. I'd
4 like to note that the author of this proposal in
5 PC79, page 5 of 6 offers an amendment. As I recall
6 in his testimony, he said when they originally
7 proposed this they had not understood the system as
8 Mr. Svoboda just described it.
9 So now in their amendment they would
10 just like to have it so that all nonresidents must
11 apply to get a permit but leave out the part about
12 the under-subscribed and so forth. I just, for the
13 record, wanted to note that PC79, page 5 of 6.
14 **CHAIRMAN SPRAKER:** Okay. Nate, on this one I
15 kind of dug into this one a little deeper, and I
16 asked a few guides why they do this.
17 And they were really straightforward
18 about it. They said, "I don't feel like there's,
19 you know, three really big 28-inch bears in my
20 area. I think there's probably two, so I'm going
21 to leave one tag on the table."
22 You know, that's, you know, realizing
23 the price that nonresidents pay for these hunts,
24 that's quite a, you know, conservation donation. I
25 don't know how exactly to phrase that other than

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1 they're leaving a lot of money on the table, but
2 they felt like they just didn't have enough really
3 big quality bears in the area that they're seeing,
4 and they were leaving one on the table.
5 So is that something that you hear
6 about?
7 **NATE SVOBODA:** Yep. Thank you, Chairman
8 Spraker. Yeah, that's a good point. And, first of
9 all, I want to point out that I really appreciate
10 the guide's willingness to take that sort of
11 sacrifice, if you will, with a conservation mind.
12 So we do appreciate that.
13 And I do hear that from the guides, from
14 a few of the guides. And that's something that
15 we're kind of working out amongst ourselves. You
16 know, we've talked about this recently,
17 particularly when this proposal came up.
18 And so we're trying to work together to
19 find kind of some common ground. And, you know,
20 I'm not going to claim to know more about the bear
21 population in these areas where guides guide. I
22 mean, these guys live out there day in and day out.
23 You know, they know a lot about the area, so I
24 really value their input. So this is something
25 that we want to work together on.

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1 And if there's really strong feelings in
2 particular areas where they don't feel that in
3 their area that they can sustain a certain number
4 of harvests, then that's a discussion that we want
5 to have with them.
6 And if that leads us to reduce the
7 number of permits to be conservation-minded in
8 these areas, that's certainly something that we
9 would consider. But, yeah, we do hear that more
10 recently when some of these proposals come out, and
11 that's something I look forward to working with the
12 guides and the other folks that hunt these areas
13 on. Thank you.
14 **CHAIRMAN SPRAKER:** Yeah. The way I read this,
15 if we pass this proposal, you would lose that
16 conservation element, because any guide, you know,
17 running a business, rather than letting a permit
18 rest, he's going to find a hunter even if it's at a
19 lower price for that, and he's going to kill three
20 bears instead of two bears in the area, which --
21 you know, which we lose that conservation element.
22 So, anyway, just kind of my
23 understanding of where this proposal -- unattended
24 consequences of this proposal.
25 So any other comments on 103? Okay.

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1 I'll put something on it just to build the record a
2 little bit. I'm not going to support this. I
3 think there is a conservation element that's used
4 on this.
5 If this was just a straight deal where
6 they just didn't have clients, couldn't find
7 clients and permits were wasted, I'd be more in
8 favor of this one.
9 But from the information I've received
10 in talking to the individuals that are affected by
11 this, that's not the case. They can find clients.
12 They don't do it because they're trying to not
13 harvest too many bears in their area. And I
14 believe what they're telling me. So I'm not going
15 to support this one.
16 Any other comments on --
17 Larry.
18 **MR. VAN DAELE:** Yeah. Thank you,
19 Mr. Chairman. I also will not be supporting this.
20 I believe that even if it were amended to have the
21 guides in these exclusive guide areas of the refuge
22 have to put into the draw would be -- frankly, it
23 would just be a bureaucratic exercise, and it's not
24 necessary. Maybe the department would get a few
25 more bucks out of it, but I don't think we need to

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1 make the system more complex than it already is.
2 **CHAIRMAN SPRAKER:** Ready for the question on
3 103.
4 **VICE-CHAIR TURNER:** Mr. Chair, I call for the
5 question.
6 **CHAIRMAN SPRAKER:** Okay. The question has
7 been called.
8 Tom.
9 **MR. LAMAL:** The board has heard no concern
10 from the public regarding cost to private persons
11 if this regulation is adopted.
12 **CHAIRMAN SPRAKER:** Kristy, would you poll the
13 board, please.
14 **MS. TIBBLES:** Yes, Mr. Chairman.
15 Final action on Proposal 103.
16 Ms. Linnell?
17 **MS. LINNELL:** No.
18 **MS. TIBBLES:** Chairman Spraker?
19 **CHAIRMAN SPRAKER:** No.
20 **MS. TIBBLES:** Mr. Turner?
21 **VICE-CHAIR TURNER:** No.
22 **MS. TIBBLES:** Mr. Lamal?
23 **MR. LAMAL:** No.
24 **MS. TIBBLES:** Mr. Burnette?
25 **MR. BURNETTE:** No.

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1 **MS. TIBBLES:** Mr. Van Daele?
2 **MR. VAN DAELE:** No.
3 **MS. TIBBLES:** The proposal fails 0-6.
4 **CHAIRMAN SPRAKER:** 104.
5 **VICE-CHAIR TURNER:** Mr. Chairman, I move to
6 adopt Proposal 104 to allow residents to return
7 Kodiak brown bear drawing permits in advance of the
8 hunting season to be reissued to residents.
9 **MR. LAMAL:** Second.
10 **CHAIRMAN SPRAKER:** Okay. It's been moved and
11 seconded. We have 104.
12 Nate.
13 **NATE SVOBODA:** Thank you, Chairman Spraker.
14 This Proposal, 104, would create an alternate list
15 to allow resident hunters to return Kodiak brown
16 bear drawing permits before the season to be
17 reissued to other residents. This was proposed by
18 a member of the public.
19 And this proposal, if adopted, would
20 create an alternate list to allow residents to
21 return to Kodiak brown bear drawing permits in
22 advance of the season to be reissued to residents
23 as follows: One tag every four years based on
24 opportunity, not harvest, create an alternate list
25 to encourage every tag being hunted.

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1 This proposal would increase the number
2 of hunters participating in hunts and would
3 presumably increase harvests, as hunter effort
4 would increase.
5 The department is neutral on this
6 proposal, and the Kodiak AC opposes it.
7 So the Kodiak permitting system has been
8 in place for many years and provides
9 well-established hunter harvest metrics that are
10 used to establish harvest and management objectives
11 and permit quotas.
12 Currently, a minimum of 60 percent of
13 Kodiak brown bear drawing permits must be issued to
14 Alaska residents. 500 drawing permits are issued
15 annually, with 320 in the spring and 180 in the
16 fall.
17 Of the 320 spring permits, about 215 are
18 issued to residents. And out of 180 fall permits,
19 about 116 are issued to residents.
20 So looking at some hunter and harvest
21 metrics that have maintained a consistent pattern,
22 you can see here we're looking at our five-year
23 averages. I'll read off a couple of these rates
24 that we have. And keep in mind this is both
25 combined spring and fall hunts.

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1 So resident -- nonresidents have about a
2 90 percent participation rate, and residents have
3 about a 56 percent participation rate. Again,
4 nonresidents have been a 62 percent success rate,
5 while residents have about a 38 percent success
6 rate.
7 Approximately 17 percent of nonresident
8 harvests and 36 percent of resident harvests are
9 female brown bears. On average nonresidents
10 harvest bears that are 2.2 years older than
11 residents.
12 And our management objective on Kodiak
13 is to maintain a stable brown bear population and
14 sustain an annual harvest composed of at least
15 60 percent males, and we do not want to exceed
16 6 percent harvest of the estimated population.
17 This is proven to be successful, as
18 Kodiak continues to provide sustainable hunting
19 opportunities while producing some of the largest
20 bears in the world.
21 And the next couple slides here I'm
22 going to provide a couple matrices that provide
23 projected harvest numbers based on the changes in
24 resident drawing participation and success rates.
25 So similar to a couple proposals, these

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1 projections assume all other parameters, such as
2 nonresident participation and success rate, are
3 going to remain the same to -- going to remain
4 similar to the five-year averages.
5 And I also wanted to point out that the
6 numbers represented in red indicate when our
7 harvest objectives are exceeded, which would
8 require an overall reduction in the number of
9 permits.
10 So starting with this first matrices
11 here, I'd like to just explain it a little bit.
12 Again, so looking at the columns, the increase in
13 success rate, these are the number of bears that
14 would be harvested.
15 If we had, for instance, a 0 percent
16 increase in success rate, we're talking resident
17 success rate, a 0 percent increase in success rate,
18 a 10 percent increase in participation rate, we
19 would harvest about 179 bears.
20 If, for instance, there was a 10 percent
21 increase in success rate, resident success rate and
22 a 20 percent increase in resident participation
23 rate, we would harvest 217 bears, which would
24 exceed our harvest goal of 210 bears, which is
25 6 percent of the population. So I hope that makes

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1 sense.
2 I'll speak to the next couple matrices
3 and then answer any questions you might have.
4 The next matrices is the percent of the
5 bear population at 3,500 bears. And, again, we try
6 to target a 6 percent overall harvest of the
7 population, which again, is 210 bears.
8 And you can see here in the matrices
9 that if we had, for instance, an increase in
10 resident participation rate of 10 percent and an
11 increase in resident success of 10 percent, we
12 would harvest about 5.7 percent of the population.
13 And you can see how that carries on as success
14 rates and participation rates increase.
15 Similarly, in the total female harvest,
16 you can see the total female harvest based on the
17 similar scenarios. For instance, if we have a
18 10 percent increase in resident success rate and a
19 10 percent increase in participation rate, we'll
20 shoot about 55 females, which is 13 more than our
21 previous five-year mean.
22 And, again, the last -- the last
23 matrices there deals with the potential reduction
24 in permits. So, for example, if we had a
25 10 percent increase in resident success rate and a

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1 20 percent increase in resident participation rate,
2 we would have to reduce the number of permits by 23
3 to account for those.
4 And keep in mind, you know, these are
5 based on five-year averages and assuming all those
6 harvest metrics would stay the same. But what I
7 was hoping to do here is to provide you a little
8 bit of insight on what this proposal would do if
9 adopted.
10 And, again, our management objective is
11 an annual harvest of at least 60 percent males and
12 no more than 6 percent harvest of the estimated
13 population.
14 So participation -- excuse me. Sorry.
15 Participation rates and success rates are accounted
16 for when determining the number of permits to
17 issue. So we do account for both of those factors
18 when we're trying to determine the number of
19 permits to issue.
20 So, if adopted, this proposal may
21 require Fish and Game to reduce the number of brown
22 bear permits to prevent overharvest until new
23 harvest and hunter use patterns are established.
24 And this concludes our testimony for
25 this proposal, but I'd be more than happy to answer

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1 any questions you might have. Thank you.
2 **CHAIRMAN SPRAKER:** Okay. Thank you, Nate.
3 Larry.
4 **MR. VAN DAELE:** Thank you, Mr. Chairman.
5 Nate, your department comments say in the cost
6 analysis that this proposal is not expected to
7 result in any additional costs to the department.
8 I would think that if you have to build
9 an alternate list, and John has to call everybody
10 on that alternate list until he gets somebody who
11 wants it and continue on down the line, that would
12 be a bit of a cost to the department in complexity.
13 Is that a misunderstanding on my part?
14 **NATE SVOBODA:** Thank you, Member Van Daele.
15 Through the chair, I'm going to defer that to Ryan
16 please, if I may. Thank you.
17 **CHAIRMAN SPRAKER:** Ryan, the can just got
18 kicked your direction.
19 **MR. SCOTT:** Perfect. Thank you, Mr. Chairman.
20 Through the chair, Member Van Daele, you're right,
21 it would result in limited cost, but it would
22 not -- we don't anticipate that it would be a
23 substantial one. There are other considerations
24 and questions if the board adopts this proposal and
25 moves that direction. But as far as costs go, it

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1 would be minimal.
2 **MR. VAN DAELE:** Thank you, sir.
3 **CHAIRMAN SPRAKER:** Nate and then Karen.
4 **VICE-CHAIR TURNER:** Yeah. Thank you.
5 Your formulas -- I don't remember what
6 slide it was on showing a potential 10 percent
7 increase in harvest. What slide was that, 57?
8 You know, there's obviously a chance
9 that the participation rate could be more than -- I
10 mean, you have 57 percent of the permits being
11 utilized now. You know, you can't easily quantify
12 why those other permits aren't being utilized. I
13 would suspect that you would have quite a bit more
14 participation. But there is a factor there.
15 Part of the proposal says three months
16 in advance. That might be a burden for people to
17 realize that they're not going to use it in time to
18 make it available for others, and especially when
19 there's no immediate benefit to themselves.
20 So -- but the gist of my comment, I
21 guess, is really, as the department noted, it would
22 lead to an increase in the sow harvest.
23 And Jerry mentioned earlier that, you
24 know, maybe an educational component could help
25 address that address in the future. I don't know

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1 that it would, because, in my experience, you know,
2 resident hunters are very accomplished. They're
3 very skilled hunters in some regards, probably
4 better than many other hunters from around the
5 world because of the type of adventures and
6 experiences we have here in Alaska.
7 But what it takes to differentiate
8 between a boar and a sow in the field is really
9 about exposure. It takes time and experience to
10 get that. And that's why nonresidents have a lower
11 harvest rate of sows, because the guide is sitting
12 in those same valleys year after year and
13 eventually figures it out and gets better at it.
14 And the nature of always, you know,
15 wanting forward harvest, a resident hunter just
16 doesn't have that same opportunity to gain that
17 experience quickly. So I don't even see a way to
18 address the sow harvest myself. And to your point,
19 the only thing you really can do is reduce
20 opportunity for everybody. That's really
21 problematic.
22 So I'm not seeing much support within
23 myself for this proposal.
24 **CHAIRMAN SPRAKER:** Okay. Karen.
25 **MS. LINNELL:** Thank you. I'm always impressed

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1 by the amount of thought that goes into the way
2 that permits are issued and the amount that get
3 issued. If we're going -- if this were to happen,
4 you would end up essentially reducing the number of
5 permits and just rolling out, you know, and going
6 through that waiting list.
7 The amount of folks that either receive
8 the permit and decide not to participate or
9 something happens and things -- a lot of times, you
10 know, life happens. And the department, I feel,
11 has been taking all that into consideration.
12 I too sometimes have issues with the
13 amount of permits issued and things, and then I
14 think, "Well, they look at the amount of
15 participation and participation level over time."
16 And so I appreciate the thought and
17 the -- and your methodologies here. Again, you
18 know, just a slight change in that could change the
19 amount of permits issued to residents.
20 And I know the thought here with the
21 proposer is to increase residents' ability to
22 obtain permits, but I think we might end up in --
23 with the reverse and less permits being issued. So
24 that's my thought.
25 **CHAIRMAN SPRAKER:** Well, I'm going to weigh in

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1 on this one just a little bit. You know, I'm
2 looking at your chart on 54 where you have
3 participation for residents at 56 percent and then
4 going down to your little modeling process here --
5 well, you could just go on 57.
6 I don't think that you're going to have
7 44 percent of the residents turn their tags back
8 in. In fact, I think that number would probably be
9 fairly low. I wouldn't be surprised that it's at
10 least 10 percent. It may be 20 percent of the
11 44 percent that don't hunt. So with just a slight
12 increase, you're already into harvesting too many
13 females.
14 So, you know, this is the old adage, if
15 something's not broken, don't try to fix it. This
16 has been in place for a long time. And like Karen
17 was saying, you issue a lot of permits for
18 different hunts across the state because you've
19 developed over a time a success rate. And you know
20 if you need to harvest 28 bulls in 20A, you issue
21 hunter tags because you're going to get about a
22 25 percent harvest rate. You know that. And
23 that's what you do in Kodiak.
24 So I'm not going to support this
25 proposal. Again, I think the system works. It's

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1 been in place for 35 years. Let's just leave it
2 alone.
3 So any more questions? Comments? Ready
4 for the question on 104?
5 **VICE-CHAIR TURNER:** Mr. Chair, I have one more
6 comment to add to it. Larry, did you have a
7 comment? No.
8 You know, the uncertainty from year to
9 year to on how many people did return permits,
10 there could be quite a -- a lot of variables for
11 that too, and that would really be destructive to
12 be the manager's ability to predict the harvest
13 too. So that's really problematic.
14 Mr. Chair, I call for a question.
15 **CHAIRMAN SPRAKER:** Okay. Question has been
16 called on 104.
17 Tom.
18 **MR. LAMAL:** The board has heard no concerns
19 from the public regarding cost to private persons
20 if this regulation is adopted.
21 **CHAIRMAN SPRAKER:** Kristy, would you poll the
22 board, please.
23 **MS. TIBBLES:** Yes, Mr. Chairman.
24 Final action on Proposal 104.
25 Mr. Turner?

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1 **VICE-CHAIR TURNER:** No.
2 **MS. TIBBLES:** Mr. Lamal?
3 **MR. LAMAL:** No.
4 **MS. TIBBLES:** Mr. Burnette?
5 **MR. BURNETTE:** No.
6 **MS. TIBBLES:** Mr. Van Daele?
7 **MR. VAN DAELE:** No.
8 **MS. TIBBLES:** Mr. Linnell?
9 **MS. LINNELL:** No.
10 **MS. TIBBLES:** Chairman Spraker?
11 **CHAIRMAN SPRAKER:** No.
12 **MS. TIBBLES:** The proposal fails 0-6.
13 **VICE-CHAIR TURNER:** Mr. Chairman, I move to
14 adopt Proposal 105 to adjust the boundaries of the
15 Kodiak brown bear drawing hunt areas for Kiliuda
16 Bay and Ugak Bay.
17 **MR. LAMAL:** Second.
18 **CHAIRMAN SPRAKER:** Okay. It's been moved and
19 seconded. We have 105 before us.
20 Department.
21 **NATE SVOBODA:** Thank you, Chairman Spraker.
22 Proposal 105 proposes to adjust the
23 boundaries of the Kodiak brown bear drawing hunt
24 area for Kiliuda Bay and Ugak Bay. This was
25 proposed by a member of the public.

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1 This proposal, if adopted, would adjust
2 the boundaries of the Kodiak brown bear drawing
3 hunt areas for Kiliuda Bay and Ugak Bay.
4 The department is neutral on this
5 proposal, and the Kodiak AC opposes it.
6 So Kodiak Island includes 31 brown bear
7 drawing hunt areas. 21 are partially or entirely
8 classified as exclusive guide use areas.
9 Exclusive guide use areas are areas in
10 which a single guide is granted exclusive access to
11 guide on federal land for usually between eight to
12 ten years. Alaska guides can register to guide in
13 three guide use areas statewide.
14 On Kodiak, guide use areas align with
15 our brown bear hunt areas. Excuse me. And this
16 proposal moves the northern boundary of hunt area
17 DB04 south aligning with state -- with the
18 state/federal property boundary. This reduces the
19 size of hunt area DB104 by approximately one-third
20 and expands hunt area DB102 by approximately
21 one-third.
22 And here's just a graphic, a diagram of
23 what exactly this proposal would do. Excuse me.
24 Hunt area DB102 is the area shaded in pink, and
25 hunt area DB104 is currently the -- or is the hunt

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1 area shaded in purple.
2 The proposal would move the hunt
3 boundary to that new area to the south, which is
4 identified there by that line. I think another
5 important thing just to point out in this map here
6 is the, I guess, hatched area. It might be kind of
7 hard to see, but that's all Kodiak National
8 Wildlife Refuge property.
9 So it would -- the new hunt area, if
10 this proposal were adopted, would make DB04
11 entirely federal land, and DB102 would be expanded
12 by about a third.
13 So hunt area DB104 is the Kiliuda Bay
14 hunt area. It's comprised of both state and
15 federal land. One guide has exclusive guiding
16 privileges on the federal lands within this area,
17 and there's four additional guides registered to
18 hunt in the entire hunt area.
19 This area has eight permits in the
20 spring, five go to residents, three to
21 nonresidents; and seven permits in the fall, four
22 of which go to residents and three to nonresidents.
23 In the adjacent hunt area, DB102, is
24 what we refer to as the Ugak Bay hunt area. And
25 this is comprised primarily of state land, and

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1 there is no exclusive guide use area in that hunt
2 area.
3 There are five guides that are
4 registered to hunt in DB102, and there's seven
5 permits available in the spring, four for
6 residents, three for nonresidents; and nine permits
7 available for the fall, five for residents, and
8 four for nonresidents.
9 So this proposal would change -- this
10 proposal would result in land ownership of hunt
11 area DB104 being entirely federal land rather than
12 the current mix of state and federal land.
13 We would also need to -- if adopted, we
14 would need to adjust the harvest quotas and permits
15 for each of these areas.
16 And the guide use areas would remain the
17 same. Those are set, as you know, through the Big
18 Game Commercial Services Board.
19 This would result in a single guide
20 having exclusive guiding privileges in the new hunt
21 area, DB04, which isn't uncommon on Kodiak. I'll
22 just point that out.
23 And that's the extent of our testimony
24 for this proposal, but I'd be happy to answer any
25 questions you might have.

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1 **CHAIRMAN SPRAKER:** Okay. Thank you. Comments
2 on this one?
3 Jerry.
4 **MR. BURNETTE:** Yes. To the department, is
5 there any biological reasons for managing the
6 current boundaries of this as a specific subunit
7 boundary?
8 **NATE SVOBODA:** Member Burnette, through the
9 chair, no, there's not. Thank you.
10 **CHAIRMAN SPRAKER:** Karen.
11 **MS. LINNELL:** Do you have a map of all the
12 different guide use areas that you can share with
13 us?
14 **NATE SVOBODA:** Thank you member, Linnell.
15 Through the chair, we do have one, and I can make
16 that available. I can -- we can submit that as an
17 RC. I apologize for not having that available
18 right now.
19 **CHAIRMAN SPRAKER:** Nate, I have just a
20 question on this one. How's the system working
21 there now? Is it -- as far as overcrowding of
22 guides and so forth, is it working now?
23 **NATE SVOBODA:** Thank you, Member Spraker -- or
24 Chairman Spraker. Yeah, to the best our knowledge.
25 We don't really receive complaints from either

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1 residents or nonresident hunters down there in that
2 area. I think it's working fairly well.
3 **CHAIRMAN SPRAKER:** This would also take action
4 by the Big Game Commercial Services Board to change
5 this guide use area. Could that work in Title 12,
6 and we're in 5 and 16, so --
7 **NATE SVOBODA:** That's correct. And thanks for
8 the bringing that up. I meant to mention that, and
9 it escaped me. Thank you.
10 **CHAIRMAN SPRAKER:** But as far as you know, the
11 current system is working?
12 **NATE SVOBODA:** To best of my knowledge, that
13 is correct.
14 **CHAIRMAN SPRAKER:** Other comments?
15 Nate.
16 **VICE-CHAIR TURNER:** Yeah. I just wanted to
17 help Karen with that and maybe save you some work.
18 The author states right in the proposal that the
19 Kodiak bear hunt drawing areas currently match the
20 state guide use area. So we would be shifting it.
21 Larry I'm sure could speak more to that.
22 **CHAIRMAN SPRAKER:** Larry.
23 **MR. VAN DAELE:** Yeah. Thank you,
24 Mr. Chairman.
25 I would also like to note that the

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1 Kodiak Advisory Committee is opposed to this. And
2 one of their main concerns would be the ripple
3 effect of what would happen, because, as Nate
4 mentioned earlier, there's 21 exclusive guide areas
5 that have mixed land use. And if you did this for
6 this one particular guide use area, the other ones
7 would probably want to match it. And then you
8 start mixing in the folks that have Native
9 corporation lands mixed with other lands, it could
10 be a lot of unforeseen consequences.

11 But in response to the question of how's
12 the system working now? This is actually kind of a
13 unique area in that if this particular guide does
14 not get a client drawn for his area, you have an
15 exclusive resident hunting area down in that
16 southern part. And a lot of residents like that.
17 They don't have to compete with a guide down in
18 that southern part of Kiliuda Bay. So it's a --
19 it's kind of a unique system right now the way it's
20 working.

21 **CHAIRMAN SPRAKER:** Any further comments on
22 105?

23 **MS. TIBBLES:** Can I make a clarification?

24 **CHAIRMAN SPRAKER:** Go ahead.

25 **MS. TIBBLES:** Mr. Chairman, I just wanted to

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1 let members of the board know there were some maps
2 submitted with the proposal, and we have those
3 posted online. They're also in your RC1 workbook,
4 the pages at the very end. And then on the website
5 they're posted as Proposal 105, additional
6 information. And it looks like there's maps of
7 current boundaries and proposed boundaries, if that
8 helps, Mr. Chair.

9 **CHAIRMAN SPRAKER:** Okay. Without looking at
10 those, is there any difference from what the
11 department has shown us here? They're the same?

12 **MS. TIBBLES:** I don't know. I just remembered
13 that they were there.

14 **CHAIRMAN SPRAKER:** It's the same boundary.
15 Okay. Same information.

16 Any other comments on this one?

17 **VICE-CHAIR TURNER:** Question.

18 **CHAIRMAN SPRAKER:** The question's been called
19 on 105.

20 Tom.

21 **MR. LAMAL:** The board has heard no concerns
22 from the public regarding cost of private persons
23 if this regulation is adopted.

24 **CHAIRMAN SPRAKER:** Kristy, would you poll the
25 board, please.

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1 **MS. TIBBLES:** Yes, Mr. Chairman.
2 Final action on Proposal 105.
3 Mr. Van Daele?

4 **MR. VAN DAELE:** No.

5 **MS. TIBBLES:** Ms. Linnell?

6 **MS. LINNELL:** No.

7 **MS. TIBBLES:** Chairman Spraker?

8 **CHAIRMAN SPRAKER:** No.

9 **MS. TIBBLES:** Mr. Turner?

10 **VICE-CHAIR TURNER:** No.

11 **MS. TIBBLES:** Mr. Lamal?

12 **MR. LAMAL:** No.

13 **MS. TIBBLES:** Mr. Burnette?

14 **MR. BURNETTE:** No.

15 **MS. TIBBLES:** Proposal fails 0-6.

16 **CHAIRMAN SPRAKER:** Board members, let's do one
17 more, then we'll step down for lunch.

18 **VICE-CHAIR TURNER:** Mr. Chairman, I move to
19 adopt Proposal 106, to provide educational material
20 to encourage Kodiak brown bear hunters to harvest
21 boars and penalize hunters for taking sows.

22 **CHAIRMAN SPRAKER:** Tom. Tom.

23 **MR. LAMAL:** Second.

24 **CHAIRMAN SPRAKER:** Okay. It's been moved and
25 seconded. We have 106 before us.

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1 Department.

2 **NATE SVOBODA:** Thank you, Chairman Spraker.
3 Proposal 106 proposes to -- would require the
4 department to provide additional educational
5 material to Kodiak brown bear hunters and penalize
6 hunters for shooting females. This was proposed by
7 a member of the public.

8 And, if adopted, this proposal would
9 require the department to provide additional
10 educational material to Kodiak bear hunters
11 regarding brown bear gender identification.

12 This proposal would also penalize
13 hunters who harvest a female brown bear by
14 preventing them from drawing another Kodiak brown
15 bear tag for eight years. If a guided hunter
16 shoots a female, the guide would lose a future
17 permit in his or her area.

18 The department is neutral on this
19 proposal, and the Kodiak AC opposes it.

20 Kodiak bear hunts are closely managed,
21 and hunters are required to pick up a permit at the
22 Fish and Game office in Kodiak. When they do so,
23 hunters attend a hunter orientation at Fish and
24 Game prior to receiving their permit.

25 And the presentation covers a variety of

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1 topics, including current hunting regulations,
2 reporting requirements, expectations of the hunt,
3 et cetera.
4 We also provide hunters with our Fish
5 and Game publication titled "Brown bears,
6 identifying males and females in the field." So
7 every hunter that comes into our office to get
8 their permit gets one of those booklets.
9 In addition, two to three months prior
10 to the hunt, hunters are sent a letter providing
11 information on obtaining permits, reporting
12 harvest, safety, et cetera. The letter also
13 encouraging hunters to visit the Fish and Game
14 website to learn how to distinguish between male
15 and female bears.
16 So our Kodiak -- as I mentioned, our
17 Kodiak management objectives are to sustain an
18 annual harvest composed of no more than 40 percent
19 females. It appears our efforts have been
20 successful, as our average annual female harvest
21 rarely exceeds 40 percent of the overall harvest.
22 In the past ten years our mean female
23 harvest for registration and drawing hunts combined
24 comprised about 27 percent of the overall harvest.
25 Hunters are currently allowed one bear

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1 every four years. Hunters cannot draw the same
2 permit per hunt area two years in a row. Neither
3 the department nor the Board of Game have authority
4 to reduce the guide permits.
5 And that concludes our testimony for
6 this proposal, but I'd be happy to answer any
7 questions. Thank you.
8 **CHAIRMAN SPRAKER:** Nate, I have a question.
9 It says, "Neither the department or the Board of
10 Game have the authority to reduce guide permits."
11 Maybe you can clarify exactly what that means.
12 **NATE SVOBODA:** Thank you, Chairman Spraker. I
13 think what that particular bullet point is
14 referring to is the portion of the proposal that
15 says "for guided hunts, a separate penalty would
16 have to be established, such as loss of a future
17 tag allocation."
18 And my understanding is, we wouldn't
19 have authority to do that unless we took some
20 additional steps.
21 Is that correct?
22 **CHAIRMAN SPRAKER:** Larry, wasn't that Joe Want
23 rule, that you lost a tag if you shot a female?
24 **MR. VAN DAELE:** Yeah, in the southwest part of
25 the island. So that is -- we do have the authority

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1 to do that, and we've used it in the past.
2 **CHAIRMAN SPRAKER:** Yeah, I think so.
3 **NATE SVOBODA:** I apologize for that confusion.
4 I was aware that we did that in the past, but I
5 think maybe what we were getting to here is we'd
6 have to add an additional regulation or something
7 along that. So my apologies for the confusion.
8 **CHAIRMAN SPRAKER:** Ryan.
9 **MR. SCOTT:** We're good.
10 **CHAIRMAN SPRAKER:** Okay. Well, this one seems
11 to be pretty straightforward. There's a lot of
12 components to this one. I think the department
13 certainly provides a lot of information. You know,
14 they try to get people to look at that video and
15 take a closer look and so forth. So I'm not sure
16 that they can add more to that.
17 Other comments on 106?
18 Tom.
19 **MR. LAMAL:** Through the chair, this is to
20 Ryan. If this was adopted, this would add cost,
21 this particular one it appears to me; is that
22 correct?
23 **MR. SCOTT:** Through the chair, Member Lamal,
24 that is correct. I think also the definition of
25 "other education materials," we'd need some help

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1 with that.
2 And I'll take the opportunity to point
3 out that in each region across the state we have
4 education and outreach specialists imbedded within
5 the regions, and they -- they're very fluid on what
6 they can work on and when they can work on
7 different projects. We identify management
8 research-type questions, and we apply the time and
9 resources to those.
10 And we also -- we encourage not only the
11 Board of Game advisory committees, as well as
12 members of the public, if somebody identifies a
13 need for us, we're more than happy to work with
14 them and to move forward on that. But we take
15 outreach and education very seriously, brown bears
16 being one of the primary ones actually, addressing
17 some of the questions that have been asked in the
18 proposal.
19 Thank you, Mr. Chairman.
20 **CHAIRMAN SPRAKER:** Okay. Thank you. Any
21 further comments on 106?
22 Karen.
23 **MS. LINNELL:** Thank you, Mr. Chair. In
24 listening the proposals and the amount of data
25 collected in regards to the take, there -- there's

1 been some factoring in for the take of sows, and so
 2 that's being monitored.
 3 And just biologically looking at that
 4 and the growth of the population over several
 5 decades and it being sustainable, you know, this
 6 has been factored into how the permits are done to
 7 reduce -- again, with some of the education
 8 outreach, there's -- they've got websites. They
 9 give out the handouts. I think that, you know, a
 10 lot of this is kind of addressed, and I'm not going
 11 to be in favor of this proposal.
 12 **CHAIRMAN SPRAKER:** Ready for the question on
 13 106?
 14 **VICE-CHAIR TURNER:** Mr. Chair, I call the
 15 question.
 16 **CHAIRMAN SPRAKER:** The question has been
 17 called.
 18 Tom.
 19 **MR. LAMAL:** The comments given to the board
 20 indicate there may be an increase cost to private
 21 persons if this regulation is adopted.
 22 **CHAIRMAN SPRAKER:** Kristy, would you poll the
 23 board, please.
 24 **MS. TIBBLES:** Yes, Mr. Chairman.
 25 Final action on Proposal 106.

1 Ms. Linnell?
 2 **MS. LINNELL:** No.
 3 **MS. TIBBLES:** Chairman Spraker?
 4 **CHAIRMAN SPRAKER:** No.
 5 **MS. TIBBLES:** Mr. Turner?
 6 **VICE-CHAIR TURNER:** No.
 7 **MS. TIBBLES:** Mr. Lamal?
 8 **MR. LAMAL:** No.
 9 **MS. TIBBLES:** Mr. Burnette?
 10 **MR. BURNETTE:** No.
 11 **MS. TIBBLES:** Mr. Van Daele?
 12 **MR. VAN DAELE:** No.
 13 **MS. TIBBLES:** Proposal fails 0-6.
 14 **CHAIRMAN SPRAKER:** Okay. We only have three
 15 before we're finished up with Kodiak. I hate to do
 16 this to you guys, but we're going to take a lunch
 17 break.
 18 12:06:05 PM
 19 (This portion not requested.)
 20 6:26:39 PM
 21 END OF REQUESTED PORTION
 22
 23
 24
 25

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 2
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 4 STATE OF ALASKA } ss.
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EXHIBIT 4D
March 18, 2019 BOG Transcript
See Exhibits 4A - 4C for additional transcripts.

In The Matter Of:

*Alaska Department of Fish and Game
Board of Game March 2019 Meeting*

*Transcript of Meeting (Excerpt)
March 18, 2019*

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STATE OF ALASKA
ALASKA DEPARTMENT OF FISH AND GAME

BOARD OF GAME

TRANSCRIPT OF MARCH 2019 MEETING

(Excerpt)

MARCH 18, 2019

Sheraton Anchorage Hotel

Anchorage, Alaska

BOARD MEMBERS PRESENT:

- Ted Spraker, Chair**
- Nate Turner, Vice-Chair**
- Stosh Hoffman**
- Karen Linnell**
- Larry Van Daele**
- Tom Lamal**
- Jerry Burnette**

I N D E X

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Kodi ak Area Overvi ew	3

1 P R O C E E D I N G S

2 [Meeting 03-18-19.MP3]

3 8:30:57 AM

4 (This portion not requested.)

5 5:07:15 PM

6 CHAIRMAN SPRAKER: I guess we're ready for the
7 Kodiak overview.

8 Nate, go ahead. And you introduced
9 yourself --

10 NATE SVOBODA: Yep.

11 CHAIRMAN SPRAKER: -- and John and everybody
12 else?

13 Or maybe, Cindy, do that.

14 MS. WARDLOW: Thank you, Mr. Chair. At the
15 table now we have Nate Svoboda, area biologist for
16 Kodiak, and John Crye, wildlife biologist on
17 Kodiak. They'll be doing our area overview for
18 Unit 8.

19

20 KODIAK AREA OVERVIEW PRESENTATION

21

22 NATE SVOBODA: Great. Thank you, Cindy.

23 And thank you, Chairman Spraker and
24 members of the board.

25 Again, for the record, my name is Nate

1 Svoboda. I'm the area wildlife biologist for the
2 Kodiak Archipelago. Thank you. Again, to my right
3 is my colleague, John Crye, the other area
4 biologist for Kodiak -- or wildlife biologist for
5 Kodiak. And our program technician on Kodiak is
6 Katrina Wandersee.

7 Kodiak Island is 5,000 square miles.
8 The archipelago is about 5,000 square miles. It's
9 made up of Afognak Island, Raspberry Island, of
10 course, Kodiak Island, Sitkalidak, the Barren
11 Islands, and then all the way to down Trinity
12 Islands, and then as far south as Chirikof Island.

13 The archipelago consists of about 13,000
14 residents, and Kodiak Island is made up of six
15 villages that are scattered throughout the island.

16 The island is largely mountainous with
17 high alpine terrain in the north and center of the
18 island.

19 Am I too close? Sorry.

20 And on the southern portions it's a
21 tundra, more of a tundra habitat.

22 Land ownership is primarily Kodiak
23 National Wildlife Refuge, which is about 52 percent
24 of the island. The State of Alaska owns roughly
25 about 20 percent of the island, followed by --

1 excuse me -- Native corporations, and then about
2 13 percent is comprised of public land and other --
3 other lands -- private land. I'm sorry.

4 We have a number of species on the
5 island. These are some of our large game: Sitka
6 black-tailed deer. Although we don't have really a
7 robust population estimate, we do have a number of
8 deer on the island, and I'll get into that a little
9 bit more later.

10 We also have Roosevelt elk. And the
11 population is somewhere between 1,000 to 1,200 elk
12 currently. We also have a pretty robust mountain
13 goat population with about 3,500 goats on the
14 island.

15 For those who don't know, we also have
16 brown bears, roughly between 3,000 and 3,500 on the
17 island, as well as a small caribou population on
18 the southern end of the island that is somewhere
19 around 300 -- 250 to 350 animals.

20 Getting into Sitka black-tailed deer,
21 historically black-tailed deer were brought to the
22 island during three transplants that occurred from
23 between 1925 and 1934. There were 25 deer that was
24 trapped and captured in Sitka, Prince of Wales, and
25 Petersburg and brought to the island; however,

1 there was some evidence of deer on the island prior
2 to the pre-Katmai eruption.

3 So in the late 1800s, early 1900s there
4 was some documentation of deer on the island;
5 however, it's believed that they were pretty much
6 wiped out when the volcano erupted.

7 They are an important subspecies, and
8 they are the primary mammalian protein for local
9 residents, so they are incredibly important for the
10 residents of the island, as well as many other
11 people who come there to get their deer for the
12 year.

13 Winter severity is the primary factor
14 impacting mortality on the island. We do have some
15 localized impacts from hunters, but, more or less,
16 deer are controlled by winter severity. They also
17 have a positive C&T finding, with the ANS
18 determined to be between 3,600, and 4,100 deer.

19 Currently the population is recovering.
20 We had a pretty harsh winter in 2016 and '17, where
21 we estimate roughly between 30 and 40 percent of
22 the population perished due to the harsh winter.

23 However, on Kodiak they do recover
24 relatively quickly, and we believe the population
25 is currently increasing in most areas of the

1 island.

2 As I mentioned, it does -- the
3 population primarily fluctuates due to winter
4 severity and winter weather. And at this point we
5 don't really have a reliable population estimate.
6 That's something that we're working on.

7 Deer do occupy all major islands of the
8 archipelago. The season runs from August 1st to
9 December 31st. And we do have a bag limit that
10 ranges between one buck to three deer, and that
11 varies depending on where exactly you're hunting,
12 road system, versus not road system, et cetera.
13 There's also a federal season that runs from
14 August 1st to January 31st.

15 Some of the challenges that we have with
16 regard to deer, as I mentioned, is difficulty
17 obtaining a robust population estimate, as well as
18 reliable indices that we can use to monitor annual
19 fluctuations on a year-to-year basis.

20 There is a one deer proposal, and that's
21 Proposal 93. So on -- looking at our ten-year
22 average of harvest, we harvest about 45 -- a little
23 over 4,500 deer a year on the island, and it's
24 primarily a male harvest at about 80 percent male
25 harvest.

1 And you can see -- one of the
2 interesting things, I think, to point out on this
3 graph is you can see how harvest largely fluctuates
4 with weather events. You can see on the bottom
5 under "regulatory year," the little asterisks are
6 what we kind of determine to be harsh winters.

7 And it's pretty clear that harvest
8 fluctuates relative to winter harvest, and that is
9 certainly linked to the number of deer available on
10 the landscape.

11 Hunter effort, looking at the ten-year
12 average, we get a little over about 3,400 hunters
13 per year on the island with roughly around a
14 70 percent overall success rate.

15 Boat is the primary means of transport
16 on the island. As many of you probably know,
17 Kodiak has a very limited road system. The
18 majority of the island is inaccessible by highway
19 vehicle. So we have about 43 percent of hunters
20 use boat, 24 percent of deer hunters use plane, and
21 then the other 15 percent travel using highway
22 vehicles.

23 Moving on to Roosevelt elk. Roosevelt
24 elk, there were eight calves brought to --
25 collected from Hoh Valley, Washington in the late

1 1920s. And they were brought to Kodiak Island
2 proper first in 1928; however, due to grazing
3 concerns, they were moved from Kodiak Island to
4 Afognak Island the following spring, where they
5 continue to exist to this day.

6 They expanded quite rapidly. Five years
7 after they were introduced in 1928, they counted 30
8 or more elk on the island, and by 1948, there were
9 over 200.

10 In 1951 was the first time that they
11 were observed on Raspberry Island, which is an
12 island immediately adjacent to Afognak Island. Elk
13 do have a negative C&T finding.

14 Currently, we believe the population is
15 stable in most areas to slightly increasing in some
16 areas. And there's roughly about 1,000 elk in
17 eight herds, and they occupy both Afognak and
18 Raspberry Island. Seven of those herds exist
19 Afognak, one of which -- and then an additional
20 herd exists on Raspberry Island.

21 It is the northernmost elk population in
22 North America, and it's the only Roosevelt elk
23 population in Alaska.

24 The season runs from September 25th to
25 November 30th, and is there a bag limit of one.

1 There are nine drawing hunts, where we issue --
2 around 370 permits are issued every year. There's
3 also one registration hunt where we issue roughly
4 around 230 permits a year.

5 There's also a federal season, which
6 closely aligns with our state season. It does
7 start ten days earlier and runs from September 15th
8 to November 30th.

9 A couple of the things that we're
10 addressing with regard to elk on the island: We do
11 believe there's greater potential for population
12 growth. Historically, the population has exceeded
13 12-, 15-, 1,600 animals, but there has been some
14 significant logging that takes place on the island
15 since about the 1970s.

16 So we're interested to investigate how
17 this logging may have impacted the population, as
18 well as habitat and resource use. There are no elk
19 proposals this cycle.

20 The population, as I mentioned, is
21 slowly increasing. Our 2018 minimum count was 688
22 animals, and our management objective is around
23 1,000. And we believe that we're approaching, if
24 not reached that objective.

25 We shoot about -- based on our

1 ten-average, we shoot about 61 elk a year on the
2 island with about a 52 percent bull harvest.
3 There's approximately 220 hunters a year that
4 travel to Kodiak or Afognak Island to hunt to elk,
5 and they have about a 26 percent success rate.

6 The island again -- excuse me. Afognak
7 Island does have somewhat of a significant road
8 system, basically logging roads. That's where the
9 27 percent that you see there of transport, it's
10 primarily through boats, which is about 39,
11 40 percent travel is by boat, 32 percent by plane,
12 and then 27 percent by highway vehicle. And those
13 are primarily on the logging roads that are in kind
14 of the central section of the island.

15 We are doing some research on Afognak
16 Island. As I mentioned, there's been extensive
17 commercial logging that's taken place since the
18 1970s. And so there is some concern regarding the
19 potential impact on habitat, resource use, and
20 population.

21 We partnered a few years ago with four
22 Native corporations: Afognak Native Corporation,
23 Ouzinkie, Koniag, and Natives of Kodiak Native
24 Corporation, as well as Rocky Mountain Elk
25 Foundation, Kodiak Brown Bear Trust, and a

1 university.

2 And our goal with that research is to
3 investigate seasonal movements and resource use
4 relative to different forest age stands. As you
5 can imagine with the logging that's taking place on
6 the island, there's really a patchwork of different
7 forest age stands that occur on the island.

8 So we're investigating how this
9 patchwork or mosaic of habitats affects elk
10 resource use and abundance at different times
11 throughout the year.

12 So in -- we started the project kind of
13 on a smaller scale in 2016. And since then we have
14 collared 68 elk and about a 50/50 gender ratio, and
15 we're obtaining hourly locations 24 hours a day.

16 So we've collected pretty close to
17 600,000 locations already on these elk, and the
18 analysis is just beginning now. We're starting to
19 get to a point where we can really get into the
20 data. We are also looking at seasonal diet, so
21 we've collected a number of fecal samples.

22 Moving on to mountain goats. Mountain
23 goats were brought to Kodiak Island in the early
24 1950s. They were collected primarily on the Kenai
25 Peninsula and brought to Kodiak.

1 And they've expanded rapidly. There was
2 four goats observed in 1957, and then 60 years
3 later we've -- we counted 3,254. That was our
4 minimum count in 2017. So they have expanded quite
5 rapidly.

6 And in an effort to curb this population
7 growth in portions of the island, in 2013 the Board
8 of Game did implement -- increase the bag limit in
9 RG480, which is our registration goat hunt on the
10 southern end of the island to two goats.

11 Goats have a negative C&T finding. We
12 believe they are stable in many of the areas closer
13 to the original introduction point; however, they
14 are still believed to be increasing in other areas.
15 And we currently estimate the population between
16 3,00 and 3,500 animals.

17 And they -- we've been saying this for a
18 little bit, but they -- we believe they occur in
19 nearly all suitable habitats throughout the island;
20 however, every time we say that, we find them
21 somewhere else. So stay tuned for that one.

22 The season -- we have a drawing season
23 that runs from August 20th to October 25th, where
24 we issued about 250 permits. There's also a
25 registration hunt that follows those drawing hunts

1 in areas where we don't meet our target harvest.

2 But then there's also a registration
3 hunt that runs from August 20th to March 20th on
4 the southern end of the island -- and I'll show you
5 a map here in a second -- where we do have the
6 two-goat bag limit and we -- and there's about
7 1,500 permits that are issued annually.

8 There are eight hunt areas, and I'll
9 show you a map here in a second. And, again, we
10 believe the population is increasing or expanding
11 in RG480.

12 And there is some concern about --
13 primarily from the Kodiak Refuge. There's been
14 some concern regarding the potential impact of
15 vegetation.

16 And we do have four goat proposals,
17 Proposal 94 to 97. And this is just a -- kind of a
18 series of graphics to just demonstrate how the
19 population has increased. The star in the middle
20 was where they were introduced in 1952.

21 And then as I flip through these, you'll
22 see how the population has expanded. There's in
23 the 1970s. And this is based on our harvest -- or
24 excuse me, our survey data, 1970s, '80s, '90s
25 2000s, 2010s, and then from 2011 to 2018.

1 These are the eight -- or, excuse me,
2 the eight hunt areas that we have on the island.
3 As you can see, the southern half or western half
4 of the island, RG480, that is our two-goat bag
5 limit registration hunt. And the other seven areas
6 are first a drawing hunt, followed up by a
7 registration hunt when necessary.

8 As I mentioned, the population is stable
9 in most areas and perhaps slightly increasing in
10 RG480. Also, as I mentioned, the 2017 minimum
11 count was 3,254 goats. And we have a kid-adult
12 ratio of about 24 kids to 100 adults, and, again,
13 that's based on our five-year average.

14 About 240 goats are harvested per year.
15 And, again, this is on the -- this is based on a
16 ten-year average. However, looking at the graph
17 you can see that in the last five or six years we
18 have had a pretty significant uptick in goat
19 harvest on the island. A lot of that is following
20 the two-goat bag limit change that occurred in
21 2013. We have about a 65 percent billy harvest and
22 about a 42 percent hunter success rate.

23 Moving on to brown bear. Historically,
24 Kodiak bears have been isolated from other bears on
25 the mainland for about 12,000-plus years. They are

1 some of the largest brown bears in the world, so
2 they do attract thousands of visitors worldwide,
3 both hunters, photographers, wildlife viewers, et
4 cetera.

5 They have a negative C&T finding. And
6 the population, we believe, is stable to maybe
7 slightly increasing in some areas at about 3,500
8 bears. They occur on all major islands of the
9 archipelago. And, as many of you know, they are a
10 highly valued trophy hunt.

11 We do have two seasons. We have a
12 spring season that runs from April 1st to May 15th,
13 where we issue approximately 85 registration hunts
14 and -- on the road system and then 320 drawing
15 permits.

16 And in the fall we have -- which runs
17 from October 25th to November 30th, we issue about
18 166 registration permits on average and 180 drawing
19 permits.

20 There are 31 drawing hunt areas in the
21 archipelago, and one registration hunt area, which
22 occurs primarily on the Kodiak road system.

23 There is also a federal season which
24 aligns closely, particularly in the spring, with
25 our state season from April 1st to May 15th, and

1 then a fall season, which runs from December 1st to
2 December 15th. And up to eight -- up to ten
3 permits are issued for the federal season.

4 Some of the issues that we deal with
5 with regards to brown bears, of course, urban and
6 village bears are always a challenge, and that's
7 largely due to proper waste management. We are
8 making some steps in, I believe, the right
9 direction to help curb some of those issues, so
10 we'll see how that goes.

11 One other thing we're also looking at,
12 as many of you know, berries are an important
13 resource for brown bears. So we're working with
14 the refuge to conduct a berry phenology and
15 distribution study, so try to get some information
16 on when do berries become available as a food
17 resource for bears, and then how long do they last,
18 and how are they distributed throughout the island?

19 Getting an updated population estimate
20 is something else that we would like to do in the
21 future. The current population estimate that we
22 have, I think this is pretty accurate, although
23 it's a little bit older. I think it's maybe 20
24 years old. And, if possible, we'd like to get an
25 update on that. And so that's one of the things

1 that we have in the hopper for the future.

2 There are nine bear proposals this
3 cycle, and they start at 98 and go through 106.

4 Based on our ten-year averages, we do
5 harvest about 200 bears a year in sport hunting,
6 sport harvest, and that ranges anywhere from 164 to
7 250. And we've been pretty successful in our male
8 harvest. We've had about a 73 percent male harvest
9 each year.

10 Non-hunting mortality varies pretty
11 significantly, but in the last ten years we average
12 about 27 bears a year that are non-hunting-related
13 mortalities, and that ranges anywhere from 14 bears
14 to 38 bears.

15 As many of you know, Kodiak is known for
16 trophy bear hunting. Our -- for those who don't
17 know, trophy bears are considered bears that have
18 skull width and length that adds up to 28 inches or
19 more. And we've been pretty successful with
20 growing, if you will, trophy bears on Kodiak
21 Island.

22 You can see from this graphic here that
23 our five-year averages of skulls greater than
24 28 inches has continued to increase. Just a little
25 note here that all these are five-year averages.

1 They're not totals.

2 So, for instance, 2011 to 2015, in that
3 time frame we averaged 20 trophy bears a year.
4 That's not an -- that's not cumulative.

5 And then another thing to point out is
6 that last there -- that last part of the graph
7 there's only a three-year, 2016, '17 and '18, so
8 it's not part of the five-year average quite yet.

9 We do have some brown bear research
10 going on the island. My predecessor, Dr. Van
11 Daele, started a project in early 2000 on
12 Sitkalidak Island, and it continues to this day.

13 We're examining annual litter production
14 and cub survival, and we're trying to get some
15 information also on reproductive interval of adult
16 females.

17 As you can imagine, a study like that,
18 it needs to be a long-term study, particularly if
19 you want to look at reproductive interval of
20 females, so that continues to this day.

21 We did expand it recently when we put
22 re-collared animals on the island. So we're now
23 we're also looking at seasonal resource use and
24 movement on the island, and that's something that
25 just started again in 2017. So hopefully soon

1 we'll be able to start providing some of those
2 results.

3 We also have a project on Afognak Island
4 connected to the elk project that I mentioned
5 earlier. We're evaluating habitat use patterns
6 relative to timber harvest and forest successional
7 stage.

8 Another thing that we're hoping to do on
9 Afognak is determine survival rates and
10 productivity, as well as investigate seasonal
11 resource use and movement patterns.

12 And also, as I mentioned, we're working
13 with Kodiak Refuge to develop a method to monitor
14 our annual berry abundance and phenology as a food
15 resource for bears.

16 This is just a short list of the -- some
17 of the public outreach that we do on Kodiak with
18 regard to brown bears.

19 Right now most recently we've been --
20 well, we always work with the local schools, but
21 most recently we've been working with the village
22 of Old Harbor and the students there. They have a
23 place-based learning curriculum, where their -- all
24 their studies throughout the year, regardless of
25 what discipline, whether it's math, science, or

1 history, they all have a common thread of Kodiak
2 brown bears.

3 So they try to implement educational
4 opportunities in all these different subjects about
5 Kodiak bears. So that's been really successful.
6 You guys will hear about that tomorrow when the
7 kids give their presentation. I know they've been
8 working really hard on it the last few months, and
9 they're really excited about it. So that will be a
10 treat, I think, for everybody.

11 We also have been working with the
12 Kodiak High School recently. The picture on the
13 upper right there is of a necropsy that we recently
14 did with all the -- with a large number of
15 students. There was actually about 150 students
16 that showed up to do a necropsy.

17 We also have an active program where
18 we -- the students retrofit non-bear-resistant
19 dumpsters to make them bear-resistant, and then the
20 art students will decorate them with bear safety
21 messages. It's been really successful. The kids
22 love it. We get a lot of support from the Brown
23 Bear Trust and Alaska Waste.

24 We also happen to have a bear safety
25 group that's made up of a variety of groups,

1 including Alaska Waste, the Coast Guard, wildlife
2 troopers, Kodiak Police Department, et cetera.

3 And this is what we -- we work together
4 to handle bear issues, primarily in town. It's a
5 group effort. It's one of the things that we like
6 to do on Kodiak is get everyone involved and work
7 as a community.

8 We do a variety of bear-aware
9 presentations throughout the year, probably
10 anywhere from 25 to 30 at various -- for our
11 various groups. We also issue a number of public
12 service announcements and work closely with the
13 Kodiak Unified Bear Subcommittee on many of these
14 issues.

15 Moving on to furbearers. In 1888 Arctic
16 fox were brought to Chirikof Island from the Semidi
17 Propagating Company.

18 Again -- and then also in 1929 we had a
19 beaver introduction both on Kodiak Island and
20 Raspberry Island.

21 In the 1950s marten were introduced on
22 Afognak Island as well, and red squirrels were also
23 introduced on Kodiak Island. We don't do a whole
24 lot with regard to these furbearers other than
25 tracking harvest.

1 But we do believe that all -- talking
2 from hunters and trappers and transporters and
3 whatnot, we do believe that most of these
4 populations are stable.

5 I won't go through all the season dates
6 just in the effort to save time. But I will say
7 that beaver, red fox, river otter, and marten all
8 do have a positive C&T finding on the island.

9 A couple of the recent issues that we've
10 had with regard to furbearers is we have had
11 localized high harvest of red fox along the road
12 system that's been a concern from some.

13 We also have a mink -- which mink aren't
14 native to Kodiak. We have an increasing mink
15 population on the road system, as well as on Long
16 Island, which is adjacent to Kodiak. And there is
17 one trapping proposal, and that's Proposal 109.

18 Based on our ten-year averages, we
19 harvest about 51 beaver a year. That ranges
20 anywhere from 11 to 93 in the last ten years.
21 Otters range a little bit more significant. We
22 average about 153 otter a year, but that varies
23 significantly based on fur prices, and that is
24 ranging anywhere from 64 otter to 360 otter in any
25 given year. And I don't have the fur prices on

1 here, but it aligns very closely with the fur
2 prices.

3 Lastly, our caribou population. In 1924
4 32 caribou were brought to Alitak on the southern
5 end of the island.

6 In 2011 the Board of Game reclassified
7 them from feral reindeer to caribou, and they do
8 have a negative C&T finding.

9 The population is believed to be stable
10 at 250 to 350 animals, and they primarily occupy
11 southwest Kodiak Island largely, the Ayakulik and
12 Sturgeon River drainages.

13 The season runs from August 1st to
14 January 31st, and there is currently a bag limit of
15 one. They do require a harvest tag. There is no
16 drawing or registration hunt at this time, and the
17 hunters must salvage all the meat.

18 Some of the concerns or issues that have
19 recently arisen with regard to caribou is there has
20 been a recent increased interest in harvest on the
21 island.

22 Some of the guiding operations and
23 lodges on the southern end of the island recently
24 started advertising combo hunts for deer and
25 caribou or fishing and caribou or what have you.

1 And so there's been a pretty significant uptick in
2 harvest over the last couple years. So we're going
3 to watch that real closely, and we might be coming
4 back to the board to take action on that in the
5 future. At this moment there is no caribou
6 proposals.

7 This is the range of where they kind of
8 existed pretty much over time. They pretty much
9 stay focused down in that area. The darker pink or
10 red color there is kind of their core area, their
11 50 percent core area, and then they've expanded out
12 from there a little bit.

13 As you can see here the harvest, the
14 ten-year average, we harvest about 26 caribou a
15 year. But, again, as you can see, the last four or
16 five years we've really had an increase in harvest,
17 the last two years in particular.

18 There's been about a 73 percent bull
19 harvest on the island, but, as I mentioned,
20 harvests increased pretty significantly in the last
21 two to three years or so.

22 With that, I can answer any questions
23 that you might have. Thank you.

24 CHAIRMAN SPRAKER: Okay. Nate, good job. A
25 lot of good information.

1 Board members?

2 Tom.

3 MR. LAMAL: Thank you. That was really
4 interesting. I've never been to Kodiak, hope to go
5 there. I'm really surprised at how many animals
6 have been introduced there. I know the bear has
7 obviously been there forever.

8 But what other animals -- are there any
9 other -- I know the caribou, elk, deer have all
10 been introduced. Are there other animals that
11 are -- haven't been introduced to Kodiak except
12 maybe some small ones?

13 NATE SVOBODA: Yeah. It's probably --
14 honestly, it's probably easier to tell you the
15 animals that haven't been introduced. Little brown
16 bat, tundra vole, red fox, otter, brown bear.
17 There might be one or two more.

18 MR. LAMAL: Okay. Thank you.

19 NATE SVOBODA: Ground squirrel.

20 MR. LAMAL: Yeah. I was surprised when you
21 said you introduced ground squirrels. I try to
22 keep those out of my --

23 NATE SVOBODA: Yeah.

24 CHAIRMAN SPRAKER: Nate, I have a question.
25 On the caribou/reindeer, those are reindeer,

1 correct?

2 NATE SVOBODA: Correct?

3 CHAIRMAN SPRAKER: Okay. And we classify them
4 as caribou, so you can have a harvest ticket and
5 hunt them and so forth, but they're actually
6 reindeer?

7 NATE SVOBODA: Correct.

8 CHAIRMAN SPRAKER: And they're really good to
9 eat.

10 Nate.

11 VICE-CHAIR TURNER: Yeah. Thank you.

12 On the same topic, I noticed you have
13 quite a high cow harvest, and the season is for
14 caribou, not bulls only or anything. I should
15 remember this. I was on the board when we
16 reclassified them. But does the refuge have
17 concerns about them?

18 NATE SVOBODA: That's a good question, Member
19 Turner. Through the chair, we've talked to the
20 refuge about this, and they're -- they -- they've
21 kind of basically just said that's something that
22 they don't want to touch. They're not really
23 pressing to get rid of them. They're not
24 encouraging the population to expand. I think
25 that's largely because they've maintained these

1 pretty consistent numbers. So they've kind of
2 remained indifferent, to be honest with you.

3 VICE-CHAIR TURNER: Good. I'm glad to hear
4 that. Any thoughts on why there's so many cows
5 harvested? I would presume people would want to
6 take a nice bull.

7 NATE SVOBODA: You know, that's a good
8 question and -- sorry, through the chair, I think
9 it's probably largely due to the terrain down
10 there. It's pretty wide open, broad landscape, and
11 it's -- although it's fairly flat, it's not the
12 most easily to transverse. So it might be one of
13 those things where people just take what they can
14 get unless --

15 John, do you have insight on that?

16 VICE-CHAIR TURNER: Okay. And while I have
17 the mic, if the chair doesn't mind, on slide 31 you
18 were talking about your research projects on --
19 I've got to find the slide myself. I'll use yours.
20 Interesting stuff. I'm glad to see you've got some
21 research projects going on. Do you have a timeline
22 that you're working on on those, or are they
23 just -- are you planning long-term or --

24 NATE SVOBODA: Sure. Thank you, Member
25 Turner. Through the chair, the Sitkalidak project,

1 because of the objectives of that project, I'm
2 hoping that that -- you know, that's been going on
3 for about 20 years now. I'm hoping that that
4 continues indefinitely. That's something that we'd
5 like to do indefinitely. The project going on on
6 Afognak Island, that is -- that should kind of wrap
7 up -- around 2022 is what the funding is through.

8 VICE-CHAIR TURNER: Very good. Thank you.

9 CHAIRMAN SPRAKER: Nate, on slide 33, probably
10 Larry Van Daele and I are the only two people know
11 who those folks are in the slide.

12 UNIDENTIFIED VOICE: Wrong.

13 CHAIRMAN SPRAKER: You know?

14 UNIDENTIFIED VOICE: Joe Want.

15 CHAIRMAN SPRAKER: Joe Want and Sterling
16 (i ndi scerni bl e).

17 NATE SVOBODA: That's great. Because I
18 actually didn't know that. I appreciate that.

19 CHAIRMAN SPRAKER: Yeah, they look a little
20 bi t di fferent now.

21 Any other questions?

22 Larry.

23 MR. VAN DAELE: Yeah. Thank you,
24 Mr. Chairman.

25 Back to your bear slide of the trophy --

1 number of trophy bears. Just to point out that the
2 current management system started in 1976, and
3 since that time it appears that the number of
4 trophy bears have been going up.

5 And your last slide, very last slide
6 there, all the way at the end, does that suggest
7 everything in this presentation is bull?

8 (Laughter.)

9 NATE SVOBODA: Thank you, Member Van Daele. I
10 actually put that slide in there because I thought
11 it might generate some questions about -- last time
12 when we testified in front of the board, we had
13 some bison information in there, and so I just kind
14 of put that in there to tempt you a little bit.
15 Thank you.

16 UNIDENTIFIED VOICE: Are they introduced now?

17 CHAIRMAN SPRAKER: Yeah, domestic. How many
18 head of bison do you have? We heard one person has
19 about 350. Is there other herds?

20 NATE SVOBODA: Yeah. Thank you. Yeah, there
21 is. Mr. Bishop, who testified earlier, they have
22 like, as he mentioned, about 300 buffalo on his
23 lease, grazing lease.

24 The other herd was about 200 animals,
25 and that's since dwindled down. They opened up a

1 harvest on them. They were also domestic,
2 privately owned. And they've since been purchased
3 from the Old Harbor Native Corporation and rounded
4 up. And 43 of them have been rounded up and moved
5 to Sitkalidak Island, where they plan to raise them
6 there for a food resource for the village.

7 VICE-CHAIR TURNER: That's Dormer or whatever
8 his name was?

9 NATE SVOBODA: I'm sorry? Oh, yeah,
10 Mr. Dorman. Yeah, I think.

11 VICE-CHAIR TURNER: Dorman?

12 NATE SVOBODA: Yeah.

13 CHAIRMAN SPRAKER: Okay. Any other questions?
14 We're good? Okay. Good job.

15 5:43 PM

16 (This portion not requested.)

17 6:00 PM

18 END OF REQUESTED PORTION

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C E R T I F I C A T E

SUPERIOR COURT)
STATE OF ALASKA) ss.

I, LYNDA BARKER, Registered Diplomate Reporter and certified for transcription services by the United States Courts and the Alaska State Courts, hereby certify:

That the foregoing pages contain a full, true and correct transcript of proceedings in the above-referenced matter, transcribed by me to the best of my knowledge and ability, or at my direction, from the electronic sound recording.

DATED at Juneau, Alaska, this 10th day of July, 2019.

SIGNED AND CERTIFIED TO BY:



LYNDA BARKER, RDR
Notary Public for Alaska
My commission expires:
5/6/2020

EXHIBIT 5
Kodiak AC report



**Kodiak Advisory Committee
January 30, 2019
Kodiak High School Conference Room**

I. Call to Order: 1740 by Paul Chervenak (Chair)

II. Roll Call:

Members Present: 16

Guide	Paul Chervenak	Transporter	Rolan Ruoss
Alternate	Jason Bunch	Alternate	Nate Rose
Large Boat	Tyler Schmeil	Port Lions Alt.	George Weaver (phone)
Small Boat	Oliver Holm	Processor	Randy Swain (phone)
West Set Net	Kip Thomet	Old Harbor	Conrad Peterson
Port Lions	Kevin Adkins (Phone)	South Set Net	Theresa Peterson
Citizen	Mellissa Burns	Ouzinkie	Danny Clarion (phone)
Subsistence	Andrew Finke Conc.		
Citizen	Julie Kavanaugh		

Members Absent: 2

Trawl	Patrick O'Donnell
Small Boat	Ronald Kavanaugh

Quorum on AC: 8

User Groups Present:

Big Game Guides	Concerned Citizen
KNWR	

III. Fish and Game Staff Present:

Tyler Polum	Matt Miller (Phone)
John Crye	Nate Svoboda

IV. Approval of Agenda:

Approved Unanimously

V. Approval of Previous Meeting Minutes:

From 1/4/2019, Approved Unanimously

VI. Old Business: Board of Fish Proposals 169 and 170.

VII. New Business: (Page 4)

1. Board of Game proposals for Southcentral Alaska Proposals 93 – 109.



BOG 99	Allocate at least 90% of the Unit 8 Brown Bear drawing permits to residents.	
<input type="checkbox"/> Support <input type="checkbox"/> Support as Amended <input checked="" type="checkbox"/> Oppose <input type="checkbox"/> No Action	0	14 <ul style="list-style-type: none"> • This proposal undermines a highly successful management program which provides balance between economic stability and opportunity with maximum sustainability. • This proposal is unanimously opposed. • The current Kodiak Bear Management Program is regarded as the most successful program in the world. Changes, if any, should be slight and closely monitored. • Any management change can and will have a trickle effect with multiple and potentially lasting biological consequences. <p>Discussion,</p> <ul style="list-style-type: none"> • As stated by the proposer, "Constitution mandates that wildlife will be utilized for maximum benefit for its people." The Kodiak Brown Bear is a "non-meat animal", thus it is not managed to maximize as a food source. Therefore, priority management is for economic and intrinsic value. "For the maximum benefit of the people" should thus involve a high percentage of nonresident guided hunters which clearly maximizes the economic value of the Kodiak bear. • The common use clause, "for the maximum benefit of its people" makes no distinction between use for personal purposes and use for professional purposes. (Owsichek, 763 P.2d at 497) • The committee understands this proposal seeks to challenge guide and resident opportunity not non-resident and resident opportunity • Guide and non-resident opportunity are one in the same as established in Owsichek vs State. <p><i>(Owsichek, 763 P.2d at 497 note 15 states "while a hunting guide does not actually take the game, a privilege reserved for the client. We view this as an insignificant distinction that does not remove professional hunting guides from protection under the common use clause. The work of a guide is so closely tied to hunting and taking wildlife that there is no meaningful basis for distinguishing between the rights of a guide and the rights of a hunter under the common use clause.")</i></p> <ul style="list-style-type: none"> • Common Use interpretation within the Owsichek vs State case asserts; unless conservation demands, no preference is to be given to either Alaskan residents or Alaskan guides. (Currently 97% of active professional guides registered in Unit 8 are Alaskan residents.)



		<ul style="list-style-type: none">• An argument could be made that conservation may demand that guide opportunity (non-resident permits) take precedent with their lower sow and higher mature boar harvest rates when it relates to conservation. <p>Referencing the Board of Game Non-resident Allocation policy 2017-222-BOG; In a draw hunt, allocation will be based upon the historical data of the past 10 or more years.</p> <ul style="list-style-type: none">• The up to 60-40 allocation policy (which is actually 66-34) has been in place since 1976.• Since 1899 Guides and Non-resident hunters have played the critical role in establishing the Kodiak Brown Bear as the iconic animal it is today. These tremendous efforts include today's conservation measures; ending market hunting, establishing bag and season limits, establishing a full-time game biologist, ending agricultural and ranching pursuits, prohibiting the taking of cubs and sows with cubs, implementing sealing requirements, establishing the Kodiak National Wildlife Refuge and instituting guide requirements. <p>This BOG policy also recognizes that "nonresident hunters provide the majority of direct funding into Alaskan Wildlife Management" and tasks the BOG with "preserving the heritage of hunting."</p> <p>Changing the current 66/34 allocation will have a major economic impact on small businesses throughout Kodiak and State of Alaska and most likely eradicate the long-standing guiding tradition on Kodiak.</p> <p><u>Money generated for small businesses in Kodiak;</u></p> <ul style="list-style-type: none">• 185 non-resident hunts @ \$22,500.00 per hunt equals an additional 4.16 million dollars infused into Alaska's economy.• Additional non-resident expenditures not accounted for include transportation, accommodations, food and drink, equipment, gifts and miscellaneous services.• Other tourism related expenditures incidental to hunting also exist.• Non-resident expenditures are exponentially higher than that of a self-guided resident hunt. Guided hunts have higher per hunt costs such as employees, transportation, fuel, food, equipment, permitting and advertising.
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Money Generated for the State of Alaska through non resident hunts.

- 185 license and tags @1160.00 each equals \$214,600.00.
- Pitman Roberts Fund (PRF) match @ x3 equals \$643,800.00
- Totals of bear license, tag and PRF match equals \$858,400.00
- Approximately 120 deer tags @300.00 equals \$36,000.00
- PRF match @ x3 equals \$108,000.00
- Totals of deer license, tag and PRF equals \$144,000.00
- **Totals for license revenue to the State of Alaska through non-resident participation equals \$1,002,400.00**

Money Generated for the State of Alaska through resident hunts.

- 160 resident license and tags @ \$70.00 each equals \$11,200.00
- PR Match equals \$33,600.00
- **Totals for license revenue to the State of Alaska through resident participation equals \$44,800.00**

A comparison between non-resident and resident money generated to the state without non-resident participation.

- **Economic loss to the State of Alaska equals \$957,600.00.**
- These figures do not take into account additional tourism related expenditures in Alaska as they travel to Kodiak.

Utilizing the proposed "up to 10 percent" allocation for non-resident permits as used in the lower 48 States where 10 permits must be available to allow 1 non-resident permit and with the current number of permits issued; (See Attachments 1 and 2)

- Resident draw success would only increase slightly, sacrificing both biological and economic stability.
- Kodiak would have up to 15 spring and 3 fall non-resident permits annually.
- These numbers would put most Kodiak guides out of business and severely impact an already depressed economy.



			<p>Biological and Conservation concerns;</p> <p>The board of game policy mandates management for sustainable yield per the constitution. The current allocation accomplishes the primary goal of maintaining a stable and healthy bear population.</p> <p>A change in allocation will result in an increase in sow harvest and a decrease in adult boar harvest. Both leading to lower cub production and lower sow-cub survivability. Targeted harvest of adult boars has helped increase the bear population and needs to continue.</p> <ul style="list-style-type: none">• Resident hunters have a higher percentage of sow harvest.• Non-resident guided hunters have a higher percentage of adult boar harvest at 73%. (see Attachment 3)• Consistent adult boar harvest is an essential factor for management decisions and the sustainability of the population.• An assessment from the department estimates an increase in female harvest would likely result in a decrease in the number of drawing permits available overall to the resident hunter.
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**Attachment 1**

Resident draw success when following criteria for allocating non-resident permits where at least 10 permits must be available for a non resident allocation.

FALL PERMITS

Fall	Current			Proposed		
	N.R. Permits	Resident Permits	Total # Permits	Current Res. Draw	Proposed Res. Draw	Proposed N.R. Permits
Kizhuyak	1	3	4	3%	4%	
W. Ugak	4	5	9	6%	11%	
S. Ugak	4	5	9	2%	4%	
Kiluda	3	4	7	3%	5%	
Three Saints	3	4	7	2%	4%	
Kaluganak	2	3	5	2%	4%	
Aliulik	2	3	5	<1%	<1%	
Deadman	2	3	5	<1%	1%	
Dog Salmon	1	2	3	1%	2%	
South Olga	2	3	5	1%	2%	
Red Lake	2	3	5	<1%	<1%	
Frazier Lake	1	2	3	<1%	<1%	
Karluk Lake	2	3	5	1%	1%	
Halibut Bay	2	3	5	1%	2%	
Sturgeon	2	3	5	3%	5%	
N. Karluk	2	3	5	2%	4%	
N. Uyak	2	3	5	2%	3%	
S. Uyak	1	2	3	2%	3%	
Zachar	1	2	3	1%	1%	
S. Spiridon	1	2	3	2%	3%	
Spiridon Lake	2	3	5	2%	3%	
Uganik	2	3	5	2%	4%	
S. Arm Uganik	1	2	3	5%	8%	
Uganik Lake	2	3	5	2%	3%	
Terror	2	3	5	1%	2%	
Kupreanof	2	6	8	2%	3%	
Sharitin	2	7	9	5%	6%	
WildCreek	2	7	9	3%	4%	
E. Afognak	3	7	10	2%	3%	1
C. Afognak	3	7	10	3%	4%	1
SW Afognak	3	7	10	2%	3%	1
Total	64	116	180			3



Attachment 2

Resident draw success when following criteria for allocating non-resident permits where at least 10 permits must be available for a non resident allocation.

SPRING PERMITS

Spring	Current			Proposed		
	N.R Permits	Resident Permits	Total Permits	Current Res. Draw	Proposed Res. Draw	Proposed N.R. Permits
Kizhuyak	1	4	5	6%	8%	
W. Ugak	3	4	7	10%	18%	
S. Ugak	3	5	8	5%	8%	
Kiluda	3	5	8	5%	8%	
Three Saints	3	5	8	9%	14%	
Kaluganak	3	5	8	4%	6%	
Aliulik	4	5	9	1%	2%	
Deadman	4	6	10	3%	4%	1
Dog Salmon	3	5	8	5%	7%	
South Olga	3	5	8	3%	6%	
Red Lake	4	6	10	3%	5%	1
Frazier Lake	3	5	8	2%	3%	
Karluk Lake	3	5	8	2%	3%	
Halibut Bay	3	5	8	9%	13%	
Sturgeon	3	5	8	5%	9%	
N. Karluk	4	6	10	8%	13%	1
N. Uyak	3	5	8	10%	15%	
S. Uyak	4	6	10	9%	14%	1
Zachar	3	5	8	16%	24%	
S.Spiridon	3	5	8	11%	17%	
Spiridon Lake	3	5	8	11%	17%	
Uganik	4	6	10	12%	18%	1
S. Arm Uganik	2	3	5	20%	33%	
Uganik Lake	4	6	10	14%	21%	1
Terror	4	6	10	8%	12%	1
Kupreanof	3	6	9	6%	9%	
Sharitin	4	15	19	17%	20%	1
WildCreek	4	15	19	17%	19%	1
E. Afognak	5	17	22	15%	18%	2
C. Afognak	5	17	22	14%	17%	2
SW Afognak	5	17	22	9%	11%	2
Total	106	215	321			15



Attachment 3

Skull sizes are captured and recorded by ADF&G. Regardless of individual opinion regarding what skull size constitutes an adult boar, the percentage of nonresident harvest remains the same.

Adult Boar Harvest Data 2011-2018									
	Skull Size	Guided	Percent	Skull Size	Guided	Percent	Skull Size	Guided	Percent
	28+"	28+"	Guided	27+"	27+"	Guided	26+"	26+"	Guided
Fall 2018	2	2	100%	6	4	67%	11	7	64%
Spring 2018	13	11	85%	30	19	64%	46	30	65%
Fall 2017	0	0		6	6	100%	8	8	100%
Spring 2017	14	8	57%	29	21	72%	41	30	73%
Fall 2016	9	8	89%	13	10	77%	14	11	79%
Spring 2016	25	16	64%	48	37	77%	67	54	81%
Fall 2015	2	2	100%	8	6	75%	10	7	70%
Spring 2015	17	14	82%	40	32	80%	59	47	80%
Fall 2014	6	3	50%	14	9	64%	23	15	65%
Spring 2014	19	15	79%	40	34	75%	58	48	83%
Fall 2013	3	2	67%	7	5	71%	14	9	64%
Spring 2013	10	8	80%	32	24	75%	53	35	66%
Fall 2012	3	1	34%	13	6	46%	21	14	67%
Spring 2012	13	8	62%	33	21	64%	47	31	66%
Fall 2011	8	4	50%	18	12	67%	23	16	70%
Spring 2011	13	9	69%	27	19	70%	49	37	76%
Total	157	111	71%	364	265	73%	544	399	73%

EXHIBIT 6
Chervenak Affidavit

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA
THIRD JUDICIAL DISTRICT AT ANCHORAGE

ROBERT CASSELL,)	
)	
Plaintiff,)	
)	
)	Case No. 3AN-19-7460CI
v.)	
)	
)	
STATE OF ALASKA, BOARD OF GAME,)	
)	
Defendant.)	
)	

Affidavit of Paul Chervenak in Support of APHA Motion to Intervene

I, Paul A. Chervenak, make this Affidavit in support of the Motion to Intervene filed by the Alaska Professional Hunters Association ("APHA").

1. I am a hunting guide on Kodiak Island. I am a member of APHA. My Master Guide license number is GUIM160. APHA is the State's association of hunting guides. I provide this Affidavit in support of APHA's motion to intervene. As explained in this Affidavit, Plaintiff Cassell's lawsuit seeks to reduce by around 80% the number bear permits (licenses to take a bear) on Kodiak Island available to hunters who are not residents of the State of Alaska ("non-residents"). Because the substantial majority of my income is from guiding bear hunts on the Island for non-residents, Mr. Cassell seeks relief that, if granted, would destroy my business, on which I depend for my livelihood. I therefore seek to participate in this case through my trade association APHA, which is moving to intervene as a defendant.

2. I operate my business Kodiak Outdoor Adventures on Kodiak Island. This is a guided hunt business. I guide brown bear, mountain goat, and deer hunts. I earn the substantial majority of my income from this business (I also engage in some commercial fishing and

construction contracting during hunting off-seasons). I came to the Island in 1980, where I met my wife Angie, who teaches in the local schools. I have operated my guiding business on the Island since 1988. My clients fly to the main airport in Kodiak and from there take float planes to campsites which I use as a base of operations to guide my hunts. The campsites are off the road system on the Island

3. Brown bear is by far the most economically significant species for my business. About 80% of my revenue is from brown bear hunting. Guiding hunts for other species (mountain goat, deer, waterfowl) and a few days a year of guiding fishing and wildlife review accounts for the remaining 20% of my revenue. Because hunters will pay more for a brown bear hunt than other types of hunts, due to the allure of the larger Kodiak bears as compared to the other species which can easily be hunted elsewhere, I can charge far more for brown bear hunts than hunts of other species, and so earn a higher margin on brown bear hunts. After considering what I must pay my assistant guides, vendors, and suppliers, brown bear hunting accounts for about 85% of my income (the money I earn from the business after accounting for my expenses). In summary, I earn most of my livelihood from guiding brown bear hunts.

4. Almost all (well over 90%) of our bear hunting clients are non-residents (persons whose home is somewhere other than Alaska). This is for two reasons. First, Alaska State law requires that non-residents hire a guide to hunt bear, but allows Alaska resident to hunt bear without a guide. Second, Alaska residents have a greater ability than non-residents to navigate the difficult logistics of getting to Kodiak Island to hunt bear, and to find lower cost sleeping / shelter arrangements and transportation. Many resident hunters own their own small planes or boats and so can travel for less to, from, and around the Island. For all these reasons, Alaska residents have much less incentive to hire a guide to help them with these logistics.

5. Having a guide provides a conservation value whether the client is a resident or non-resident. As was shown in the evidence presented to the Board of Game when that Board made the decision to reject Plaintiff Cassell's proposal (the decision that prompted Cassell's lawsuit), guided hunters are substantially more likely than non-guided hunters to take boars (male bears) than sows (female bears). As also shown by the evidence in that proceeding, the key to maintaining a healthy bear population is to limit harvest of sows, who have litters of cubs only once every four or five years. Guides have the expertise at spotting and viewing bears to help both non-resident and resident hunters avoid harvesting sows. Unlike unguided hunters from Anchorage or elsewhere in the State, guides on Kodiak Island have a substantial economic incentive to minimize harvest of sows, as doing so preserves the natural resource (the bears) on which their guiding business depends for long-term success. Further, customers hire guides for the increased safety they provide as guides are specifically trained in safety, and the guides who operate on Federal lands have extensive safety plans as required by our Federal SUPs, which most likely far exceeds state guide licensing requirements.

6. Throughout my career, I have worked hard to maintain the State of Alaska licensure necessary to guide clients and supervise assistant guides who directly guide some of my customers. Shadowing or apprenticing for master guides is the primary method by which prospective guides become master guides. The educational and professional development and licensing opportunity for these prospective guides is hindered by the interference this lawsuit (if successful) would post to the activities of master guides. I hold a Master Guide license from the State's Big Game Commercial Services Board, and am currently authorized to work as a Master Guide in three Guide Use Area (08-15, 08-19, and 08-25), all on Kodiak Island. I comply with the requirements to be a Master Guide. This includes obtaining numerous client

recommendations, maintaining continuity in my business operations, paying for general liability insurance or posting a \$100,000 bond to ensure payment of any judgments that may be entered as a result of my big game guiding service, maintaining workers' compensation insurance for assistant guides, and obeying the wildlife regulations.¹

7. I have also devoted and continue to devote substantial effort and resources to obtaining permission from the Federal and Native Corporation land managers to guide hunts on their lands. Much of the land on Kodiak Island, and the substantial majority of good bear habitat, is within Kodiak National Wildlife Refuge, which is run by the U.S. Fish and Wildlife Service ("FWS"). FWS has divided the Refuge into 25 areas and awards one Special Use Permit ("SUP") for big game guided hunting in each area. I hold the SUPs issued by FWS for three of those areas, KOD 4, KOD 10, and KOD 14. FWS awarded me my SUPs through a competitive process in which I was selected over other applicants. The terms of my SUPs require me to file annual operating plans with FWS, maintain substantial liability insurance, and comply with various other requirements established by FWS to ensure quality client experiences and protection of Refuge habitat. The substantial majority of my guided hunting, including for bears, is on my SUP areas on the Refuge, and the remainder is generally on Koniag Native Corporation land. I pay Koniag on a per-hunter basis (roughly \$1,250 per hunter) for permission to hunt Koniag lands. I have worked hard to maintain good relations with both FWS and Koniag.

8. FWS recognize the conservation value of guided hunting on Refuge lands, a value that would be jeopardized if Mr. Cassell's lawsuit prevails. FWS's Kodiak NWR Comprehensive Conservation Plan ("CCP") states that "Guides provide an important service to

¹ While the precise requirements to be a Master Guide have varied over the years, the current requirements are detailed in the instructions to current form to apply for this license: <https://www.commerce.alaska.gov/web/Portals/5/pub/gui4010.pdf>.

refuge visitors who need assistance with their trip” and that “Commercially guided hunting and related services contribute to fulfillment of Refuge purposes and to the National Wildlife Refuge System mission by facilitating priority public use and management of healthy wildlife populations through controlled hunting.”² FWS in the CCP explains that guided big-game hunting on Kodiak is a traditional activity Congress has preserved through legislation: “Commercial big-game guiding and outfitting services are a form of traditional activity that Congress intended to preserve with enactment of the Alaska National Interest Lands Conservation Act, which redesignated the Refuge.”³ FWS concludes that “Most non-Alaska residents would not be able to hunt brown bears on Kodiak Refuge if guiding were not allowed” and that competitively awarding one guiding permit per area helps “ensure quality guiding services to the public.”⁴ As a National Wildlife Refuge, Kodiak NWR exists for the benefit of all citizens of the United States, including non-residents who travel to the Refuge to hunt bear.

9. Under Alaska regulation 5 AAC 92.061 the current system distributes a minimum of 60 percent of Kodiak bear permits to residents and a maximum of 40 percent to non-residents. The actual numbers demonstrate an allocation of 67 percent of permits to residents and 33 percent to non-residents.⁵ In his Proposal, Cassell asked that the Board of Game change the distributions so that 90 percent of Kodiak bear permits are reserved for residents and the remaining 10 percent are available to both residents and non-residents (with that 10 percent

² Kodiak NWF CCP Summary, p. 11 and Appendix E, p. E-8.

³ CCP, p. E-14.

⁴ CCP, p. 2-67 and E-14.

⁵ The State now uses a lottery system to distribute the resident permits to residents who apply for them and to distribute the non-resident permits to non-residents who apply for them. This system has been in place for many years. The total number of permits is revised from time to time based on estimates of the Kodiak bear population.

“pooled” and then distributed to by lottery).⁶ This is a devastating reduction in the number of bear permits available to non-residents no matter how calculated:

A. Assuming that non-residents receive all 10 percent of the pooled permits that would be available to both residents and non-residents under Cassell’s proposal (even though Cassell would make that 10 percent pool available to both residents and non-residents), Cassell is asking to reduce the number of non-resident bear permits by more than 75 percent from its regulatory maximum (40 percent of all permits)⁷ and by approximately 70 percent from its actual number (33 percent of all permits).⁸

B. Much more realistically, assuming that both residents and non-residents participate in the 10 percent pool Cassell proposes and each category of hunter secures half of the permits in that pool, then non-residents will secure only 5 percent of all Kodiak bear permits. That would be a reduction of 87.5 percent from the current maximum distribution of bear permits to non-resident hunters⁹ and approximately 85 percent from the current actual distribution of bear permits to non-resident hunters.¹⁰

⁶ I am referring to bear hunts in areas not on the Kodiak road system. As I have explained, I conduct my hunting primarily on Kodiak National Wildlife Refuge lands, where I hold SUPs. These lands are not on the road system, and so are governed by the current permit drawing system that Plaintiff Cassell challenges. There is a separate less valuable bear hunt, conducted on primarily State lands on the road system, where permits are available over-the-counter. The best bear habitat is off the road system, including on the Refuge lands where I lead hunts.

⁷ Math: 10% divided by 40% equals 25%. Subtracting this 25% from the 100% total equals 75%, which is the reduction.

⁸ Math: 10% divided by 33% equals 30.3%. Subtracting this 30.3% from the 100% total equals 69.7%, which is approximately a 70% reduction.

⁹ Math: 5% divided by 40% equals 12.5%. Subtracting this 12.5% from the 100% total equals 87.5%, which is the reduction.

¹⁰ Math: 5% divided by 33% equals 15.15%. Subtracting this 15.15% from the 100% total equals 84.84%, which is approximately an 85% reduction.

Again, as I stated above, approximately 85 percent of our income is from Kodiak bear hunters and upwards of 90 percent of my bear hunter clients are non-residents. Based on the number above, if Cassell's proposal is ordered by the Court, either directly or as a result of a ruling by the Court that results in an adverse Board of Game ruling, I am looking at the loss of more than half my income. In addition, there would be no economies of scale to guide the rare resident bear hunter clients now and then. That would destroy my business. Cassell's proposal would also destroy the value of my U.S. FWS-issued SUPs, both to me and to U.S. FWS.

10. Realizing the threat from Cassell's proposal to the Kodiak economy in general, my business and particular, as well as the risk that an increase in the permit allocation to unguided residents could well result in an increase in the harvest of sows and thereby reduce the bear population, I participated in the proceeding before the Board of Game that considered that proposal. I submitted public comments opposing the proposal. A copy of my comments is attached as Exhibit 1 to this Affidavit. I traveled to Anchorage to testify against the proposal at the public hearings held by the Board of Game on March 15 through 19, 2019. My testimony and public comments are noted in the Board's hearing record. I coordinated with other guides who are APHA members in opposing Cassell's proposal.

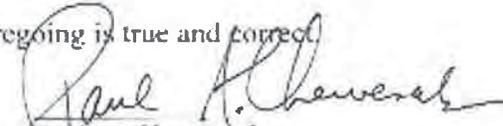
11. In addition to personally filing comments and testifying against Cassell's proposal, I participated in my role as Chair of the Kodiak Advisory Committee to the Board of Game. The Kodiak AC is a volunteer organization of Kodiak residents who meet and provide recommendations to the Board of Game. The Kodiak AC prepared and submitted a recommendation opposing Proposal 99. All members of the AC (about 16 were present) voted to recommend rejection of the Proposal. I assisted in the researching and drafting of the AC's recommendation, which is supplied as Exhibit 2 to this Affidavit. We presented legal arguments

with citations to case law and cited economic data on the benefits of guided hunting of non-residents to the Kodiak economy and the State's budget (non-resident hunters pay more for permits).

12. After hearing from both proponents and opponents of Cassell's proposal, the Board voted 5 to 1 to reject the proposal. Cassell has now appealed the Board of Game's decision by filing this lawsuit seeking to reverse that decision. As a prevailing party in the proceeding before the Board of Game, whose livelihood is substantially impacted, I seek to continue my participation in this new phase of the proceeding through APHA's motion to intervene. As a member of APHA, I trust APHA to represent my interests. If there is discovery in the case, I will participate and provide the required information, even if my participation is through APHA, rather than as a direct party to the case. However, should the Court determine that my direct participation as a party is preferable to my indirect participation through my trade association APHA, then I request to intervene directly as an individual party.

VERIFICATION

I state under penalty of perjury that the foregoing is true and correct.


Paul A. Chervenak

State of Alaska
Borough of Kodiak Island

This Affidavit was subscribed and sworn before me, a Notary Public, after satisfactory proof of identification, by Paul A. Chervenak.




Notary Public
My Commission expires 01/18/2022



**Alaska Board of Game
South Central Region Meeting
March 15-19, 2019**

My name is Paul Chervenak and I am a 39-year resident of Kodiak Alaska. I have been in the guide/outfitting business for 33 years. During this time, I have actively participated with the ADF&G, USF&WS and local native association resource managers and biologists. I participated in the development of the 2002 Kodiak Brown Bear Management Plan and then helped form, and have been chairman of, the Kodiak Unified Bear Subcommittee (KUBS) which oversees this plan and deals with bear issues on Kodiak. I am the State trustee, and chairman of, the Kodiak Brown Bear Trust. I have been on the Kodiak Advisory committee for over 20 years.

I am **opposed** to proposals 98 (changing season dates) and proposals 99,101,102,103,104 and 130 that deal with changing brown bear permit allocation on Kodiak. These will all result in a change in the current harvest rate of bears on Kodiak.

In recent years, there has been a push to change the resident/non-resident allocation for bear permits on Kodiak, increasing permits to residents. These ideas range from changing the distribution from the current 60/40 split (residents/non-residents-which currently is actually 66/34) to a 90/10 or greater, giving non-resident permits to residents and/or establishing a resident waiting list for under subscribed permits.

The first question that should be asked is: **What is good for the bears?**

The current management system is working beautifully. Changes, if any, should be slight and closely monitored.

Bear Management on Kodiak Island is one of the major successes in wildlife conservation. The current population is at an all-time high with a large percentage of the harvest being mature males, showing the health of the population. ADF&G consistently hits the annual target harvest of 6% (~180 animals). It a unique, interdependent and complex system developed over time and we are now at the micro management level. We need to be extremely careful, just slight changes could have potentially multiple and lasting consequences.

The second question that should be asked is: **What will be gained?**

The tables 1&2 in the Kodiak AC minutes show an example of what would happen if you gave the residents 90% of the current permits issued on Kodiak. The tables show: the existing # of non-resident permits, resident permits and total permits by hunt area. The fourth column shows the current resident draw success percentages with the existing resident # of permits (taken from the 2018 ADF&G hunt supplement). The 5th column shows the new draw success percentages for residents given the same # of applicants given 90% of the current # of permits issued. Draw percentages go up minimally.



Giving the “under subscribed” non-resident permits to residents and/or establishing a waitlist for non-used resident permits will negate the variable used by ADF&G in establishing permit numbers. They figure in some resident and non-resident permits being unused, thus issuing a higher number of permits than harvest would allow. These options will probably lead to an actual reduction in permits issued, making the drawing odds even greater.

With the current # of resident applicants, even giving them 90% of the current permits available, drawing odds only increase slightly. Only giving them a few more permits as some of the proposals would do, basically doesn't change their odds of drawing a permit. There is practically nothing gained.

Naturally the next question is: **What will be the cost?**

There will be definite major economical ramifications for the small businesses (guides), Kodiak and the state of Alaska. The change in allocation will most likely have major biological ramifications. Some unknowns probably will be: a decrease in resident permits, depending on harvest, and the loss of the long standing and traditional bear guide industry on Kodiak.

Economically: there will be a major loss of revenue for the small business owners, the guides, and the Kodiak economy.

It's hard to calculate the exact figures, but you would first look at the money generated from the hunts. The Kodiak AC minutes reflect some very minimal figures with just the hunt costs listed, 4.1 million dollars. It is hard to estimate the additional income these nonresidents bring to the economy. They, and often accompanying non-hunters they bring, have the added expenditures of non-resident accommodations, food and drink, equipment, gifts and other tourism related expenditures. Then there is the additional revenue that is gained by many of these hunters returning to Kodiak, often with their families, for other types of trips once they've gotten to know the Island.

Additionally, there is the loss of the guides higher per hunt expenditures of employees, air transportation, food, fuel, equipment, permitting, advertising, etc. These nonresident permits being given to residents will not generate anything even close to the same dollar figures.

Following the 10% allocation of some states in the lower 48 (which some proposers like to use in requesting this allotment) there would only be one non-resident permit available if the prescribed hunt had at least 10 permits available. Using the current # of permits issued, this would reduce the non-resident allotment to a maximum of 15 spring and 3 fall permits. Possibly 18 total permits, down from 170. (see the last column in Kodiak AC's minutes, figures 1&2) Even taking a straight 10%, or 50 of the current 500 drawing permits, would reduce it to less than 1 permit for each of the 62 possible prescribed hunts. This would put most of the bear guiding operations and their employees out of business.



These economic impacts carry over to the state level. These non-resident hunters often have additional tourism related expenditures throughout other parts of Alaska as they travel to Kodiak and then in return trips. It's well documented that non-resident hunters pay for most of the operating costs of the ADF&G (78%). Loss of license and tag revenue from Kodiak nonresident bear hunters alone would be close to one million dollars, if you gave the residents the current nonresident tags. (using the figures in Kodiak AC minutes-Proposal 99)

185 non-res licenses/tags @ \$1160=\$214,600. PR fund match \$643,800 Total \$858,400

120 non-res deer tags @ \$300=\$36,000. PR fund match \$108,000 Total \$144,000

Total lic/tag expenditures \$1,002,400

Comparison-160 res lic/tag @\$70=\$11,200 PR Fund match \$33,600 Total \$44,800

I believe the Kodiak AC's comparison numbers would actually be much lower, if you account for resident show participation rates and the likely probability that they would all already have their hunting licenses. So, 160 res tags@25=\$4000 and with PR funds would total \$16,000.

Biologically: there will be biological ramifications with the change in permit allocation. I disagree with the ADF&G being "political" and saying this is an allocation issue when it is also a biological issue. There will be an increase in sow harvest and a decrease in adult boar harvest. Both leading to lower cub production and lower sow/cub survivability. The resident hunters have a higher percentage of sow harvest. The targeted harvest of adult boars has helped increase sow/cub survivability which has led to a higher bear population. Harvest of adult males needs to continue to maintain the population as is or it will decrease. The guided non-resident hunters account for the majority of the harvest of adult males. (See the Kodiak AC'S Table 3- numbers taken from ADF&G harvest data over the last 8 years: whether looking at 28+", 27+" or 26+" skull sizes defining large boars). These percentages go up if you factor in the resident harvest by guides who drew a resident permit, and the residents who had help from a guide. Guides are primarily responsible for the harvest of large adult boars. Their predictable participation and anticipated harvest rates are very important for the continued health of Kodiak bear management.

Brown bears are not like ungulates, you cannot stockpile them. If you fail to harvest moose in an area, the majority will be there the following year, they do not kill each other. You cannot stockpile bears, you have to keep the harvest of adult boars ongoing.

I'm not trying to be mean, but it's a fact, the resident hunters will not be able to harvest the adult boars anywhere near the guides rate of success, or they already would. The majority of them do not know how to hunt brown bears, even if they were to put in the effort and time the guides do. They do not have the experience or knowledge to do so effectively. Brown bears are too smart, too wary and have too big of home ranges.

I started as a resident rookie brown bear hunter and have now been hunting them extensively in each of the last 35 years. I have a lot of experience, but am not even close to, or will ever, know too much. I have also watched and talked with many resident hunters, often helping



them, and see them repeatedly make the same mistakes I did early on, especially on scent control.

Non-experienced brown bear hunters have no idea on how careful you have to be with scent control. They often; take the easy route into an area, camp close to or in bear concentration areas often having fires, hike around looking for bears, try low odds of success stalks and often try to outdo other hunters in the area. This lack of scent control instantly drives the adult boars miles and miles away, leaving the sows and sub adult boars (both with smaller home ranges) as the bears available for harvest.

Guides are also better at spreading out use over time and the hunt area, giving everyone a higher quality and more successful hunt opportunity. They often coordinate with some of the resident hunters and have better knowledge of the hunt area and means of moving and/or accommodating other hunters. Resident hunters often concentrate in the May time period and lack the ability to coordinate with other residents, often ending up on top of each other, creating a less successful hunt and quality of experience. Putting more resident hunters into these hunts, by changing allocation, will worsen this problem.

Board of Game authority, mandates and their Nonresident Hunter Allocation Policy (NHAP)

The BOG by the Alaska constitution has general authority to provide for the utilization, development and conservation of all natural resources... "for the maximum benefit of the people." The BOG is required to look at the Common Use Policy ... "where the resources are reserved to the people for common use" and they are mandated to make sure the resources are maintained on the sustained yield principle. Additionally, by Alaska Statute, the commissioner of ADF&G is required to manage the resources of the state in the interest of the economy and general well-being of the state.

Maximum benefit of the people-The Kodiak bear is a unique situation in that it is not a "meat" animal, thus isn't managed to maximize it as a food source for the people of Alaska. So, that leaves it for its intrinsic and economic value. The intrinsic value is for all to see and enjoy, photograph. The primary value of the brown bear is to the economic value of the state and local economy. "For the maximum benefit of the people" should thus involve a high percentage of nonresident guided hunters which clearly maximizes the economic value of the Kodiak bear.

Common Use-The common use clause in the constitution makes no differentiation between personal and commercial use. The legal discussion of this is pointed out in the Kodiak AC minutes. Thus, unless conservation demands it, no preference is given to one or the other, residents or resident guides. The vast majority, 97%, of the guides registered in Unit 8 (Kodiak) are Alaskan residents. The times when a preference can be given is when there is a conservation concern. So, in fact, looking at "conservation", it might demand that guides be given preference with their lower sow, and much higher adult boar, harvest rates.



The BOG NHAP also acknowledges that "60% of state remains in Federal ownership and is managed for the benefit of all residents of all U.S. citizens equally". Approximately 2/3's of Kodiak Island is in Federal ownership. The USF&WS service wants access to the Kodiak National Wildlife Refuge open to all U.S. citizens equally. In fact, in 1976 when they came up with the current allocation, the USFWS wanted a 50/50 allocation, but compromised on the current allocation.

I think it is very clear that in the **best interest of the bears**, operating on the sustained yield principle, maximizing the benefit to the people and holding to the common use clause, the BOG should maintain the status quo on permit allocation.

Thank you for the opportunity to submit comments and feel free to contact me should you desire any additional information or clarification.

Sincerely,

Paul A. Chervenak
PO Box 1961
Kodiak, AK 99615
907-486-3008
paul@kodiakoutdoors.com



**Kodiak Advisory Committee
January 30, 2019
Kodiak High School Conference Room**

I. Call to Order: 1740 by Paul Chervenak (Chair)

II. Roll Call:

Members Present: 16

Guide	Paul Chervenak	Transporter	Rolan Ruoss
Alternate	Jason Bunch	Alternate	Nate Rose
Large Boat	Tyler Schmeil	Port Lions Alt.	George Weaver (phone)
Small Boat	Oliver Holm	Processor	Randy Swain (phone)
West Set Net	Kip Thomet	Old Harbor	Conrad Peterson
Port Lions	Kevin Adkins (Phone)	South Set Net	Theresa Peterson
Citizen	Mellissa Burns	Ouzinkie	Danny Clarion (phone)
Subsistence	Andrew Finke Conc.		
Citizen	Julie Kavanaugh		

Members Absent: 2

Trawl	Patrick O'Donnell
Small Boat	Ronald Kavanaugh

Quorum on AC: 8

User Groups Present:

Big Game Guides KNWR	Concerned Citizen
-------------------------	-------------------

III. Fish and Game Staff Present:

Tyler Polum	Matt Miller (Phone)
John Crye	Nate Svoboda

IV. Approval of Agenda:
Approved Unanimously

V. Approval of Previous Meeting Minutes:
From 1/4/2019, Approved Unanimously

VI. Old Business: Board of Fish Proposals 169 and 170.

VII. New Business: (Page 4)

1. Board of Game proposals for Southcentral Alaska Proposals 93 - 109.



<p>BOG 99</p>		<p>Allocate at least 90% of the Unit 8 Brown Bear drawing permits to residents.</p>	
<p> <input type="checkbox"/> Support <input type="checkbox"/> Support as Amended <input checked="" type="checkbox"/> Oppose <input type="checkbox"/> No Action </p>	<p>0</p>	<p>14</p>	<ul style="list-style-type: none"> • This proposal undermines a highly successful management program which provides balance between economic stability and opportunity with maximum sustainability. • This proposal is unanimously opposed. • The current Kodiak Bear Management Program is regarded as the most successful program in the world. Changes, if any, should be slight and closely monitored. • Any management change can and will have a trickle effect with multiple and potentially lasting biological consequences. <p>Discussion,</p> <ul style="list-style-type: none"> • As stated by the proposer, "Constitution mandates that wildlife will be utilized for maximum benefit for its people." The Kodiak Brown Bear is a "non-meat animal", thus it is not managed to maximize as a food source. Therefore, priority management is for economic and intrinsic value. "For the maximum benefit of the people" should thus involve a high percentage of nonresident guided hunters which clearly maximizes the economic value of the Kodiak bear. • The common use clause, "for the maximum benefit of its people" makes no distinction between use for personal purposes and use for professional purposes. (Owsicheck, 763 P.2d at 497) • The committee understands this proposal seeks to challenge guide and resident opportunity not non-resident and resident opportunity • Guide and non-resident opportunity are one in the same as established in Owsicheck vs State. <p><i>(Owsicheck, 763 P.2d at 497 note 15 states "while a hunting guide does not actually take the game, a privilege reserved for the client. We view this as an insignificant distinction that does not remove professional hunting guides from protection under the common use clause. The work of a guide is so closely tied to hunting and taking wildlife that there is no meaningful basis for distinguishing between the rights of a guide and the rights of a hunter under the common use clause.")</i></p> <ul style="list-style-type: none"> • Common Use interpretation within the Owsicheck vs State case asserts; unless conservation demands, no preference is to be given to either Alaskan residents or Alaskan guides. (Currently 97% of active professional guides registered in Unit 8 are Alaskan residents.)



- An argument could be made that conservation may demand that guide opportunity (non-resident permits) take precedent with their lower sow and higher mature boar harvest rates when it relates to conservation.

Referencing the Board of Game **Non-resident Allocation policy** 2017-222-BOG; In a draw hunt, allocation will be based upon the historical data of the past 10 or more years.

- The up to 60-40 allocation policy (which is actually 66-34) has been in place since 1976.
- Since 1899 Guides and Non-resident hunters have played the critical role in establishing the Kodiak Brown Bear as the iconic animal it is today. These tremendous efforts include today's conservation measures; ending market hunting, establishing bag and season limits, establishing a full-time game biologist, ending agricultural and ranching pursuits, prohibiting the taking of cubs and sows with cubs, implementing sealing requirements, establishing the Kodiak National Wildlife Refuge and instituting guide requirements.

This BOG policy also recognizes that "nonresident hunters provide the majority of direct funding into Alaskan Wildlife Management" and tasks the BOG with "preserving the heritage of hunting."

Changing the current 66/34 allocation will have a **major economic impact** on small businesses throughout Kodiak and State of Alaska and most likely eradicate the long-standing guiding tradition on Kodiak.

Money generated for small businesses in Kodiak:

- 185 non-resident hunts @ \$22,500.00 per hunt equals an additional 4.16 million dollars infused into Alaska's economy.
- Additional non-resident expenditures not accounted for include transportation, accommodations, food and drink, equipment, gifts and miscellaneous services.
- Other tourism related expenditures incidental to hunting also exist.
- Non-resident expenditures are exponentially higher than that of a self-guided resident hunt. Guided hunts have higher per hunt costs such as employees, transportation, fuel, food, equipment, permitting and advertising.



Money Generated for the State of Alaska through non resident hunts.

- 185 license and tags @1160.00 each equals \$214,600.00.
- Pitman Roberts Fund (PRF) match @ x3 equals \$643,800.00
- Totals of bear license, tag and PRF match equals \$858,400.00
- Approximately 120 deer tags @300.00 equals \$36,000.00
- PRF match @ x3 equals \$108,000.00
- Totals of deer license, tag and PRF equals \$144,000.00
- **Totals for license revenue to the State of Alaska through non-resident participation equals \$1,002,400.00**

Money Generated for the State of Alaska through resident hunts.

- 160 resident license and tags @ \$70.00 each equals \$11,200.00
- PR Match equals \$33,600.00
- **Totals for license revenue to the State of Alaska through resident participation equals \$44,800.00**

A comparison between non-resident and resident money generated to the state without non-resident participation.

- **Economic loss to the State of Alaska equals \$957,600.00.**
- These figures do not take into account additional tourism related expenditures in Alaska as they travel to Kodiak.

Utilizing the proposed "up to 10 percent" allocation for non-resident permits as used in the lower 48 States where 10 permits must be available to allow 1 non-resident permit and with the current number of permits issued; (See Attachments 1 and 2)

- Resident draw success would only increase slightly, sacrificing both biological and economic stability.
- Kodiak would have up to 15 spring and 3 fall non-resident permits annually.
- These numbers would put most Kodiak guides out of business and severely impact an already depressed economy.



			<p>Biological and Conservation concerns;</p> <p>The board of game policy mandates management for sustainable yield per the constitution. The current allocation accomplishes the primary goal of maintaining a stable and healthy bear population.</p> <p>A change in allocation will result in an increase in sow harvest and a decrease in adult boar harvest. Both leading to lower cub production and lower sow-cub survivability. Targeted harvest of adult boars has helped increase the bear population and needs to continue.</p> <ul style="list-style-type: none">• Resident hunters have a higher percentage of sow harvest.• Non-resident guided hunters have a higher percentage of adult boar harvest at 73%. (see Attachment 3)• Consistent adult boar harvest is an essential factor for management decisions and the sustainability of the population.• An assessment from the department estimates an increase in female harvest would likely result in a decrease in the number of drawing permits available overall to the resident hunter.
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EXHIBIT 7
Munsey Affidavit

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA
THIRD JUDICIAL DISTRICT AT ANCHORAGE

ROBERT CASSELL,)	
)	
Plaintiff,)	
)	
)	Case No. 3AN-19-7460CI
v.)	
)	
)	
STATE OF ALASKA, BOARD OF GAME,)	
)	
Defendant.)	
)	

Affidavit of Mike Munsey in Support of APHA Motion to Intervene

I, Mike Munsey, make this Affidavit in support of the Motion to Intervene filed by the Alaska Professional Hunters Association (“APHA”).

1. I am a hunting guide on Kodiak Island. My Master Guide license number is GUIM78. I am a member of the APHA. APHA is the State’s association of hunting guides. I provide this Affidavit in support of APHA’s motion to intervene. As explained in this Affidavit, Plaintiff Cassell’s lawsuit seeks to reduce by around 80 percent the number bear permits (licenses to take a bear) on Kodiak Island available to hunters who are not residents of the State of Alaska (“non-residents”). Because the substantial majority of the income my wife and I live on is from guiding bear hunts on the Island for non-residents, Cassell seeks relief that, if granted, would destroy my business, on which I depend for my livelihood. I therefore seek to participate in this case through my trade association, APHA, which is moving to intervene as a defendant.

2. My wife Robin Barefield and I operate Munsey’s Bear Camp on Kodiak Island. We earn essentially all our income from this business. My parents founded the business in 1956. I purchased it from them in 1980, and have operated it since then. We live year-round at our

hunting lodge on Kodiak Island, which has been our home for the past 62 years. Our hunting lodge where our clients stay with us is on Uyak Bay, which is on an inlet on the Western side of the Island. The site is off the road system. It is reached by a 30-minute float plane ride from the town of Kodiak, where there is air service to the Alaska Mainland.

3. As the name “Munsey’s Bear Camp” suggests, guiding bear hunts is our primary business. Looking at revenue as opposed to income, roughly 55 percent of the revenue our business earns is from guiding bear hunts, the type of hunting directly affected by this case. Another 15 percent or so of our revenue comes from guiding mountain goat and deer hunts. Information on our guided hunts is at www.hunt.munseysbearcamp.com. The remaining 30 percent of our revenue comes from guiding wildlife viewing and fishing. Information on that part of our business is available at www.munseysbearcamp.com. Looking at income (the money available to support my wife and I after paying assistant guides, fuel vendors, charter air vendors, lodge maintenance costs, land manager permission fees, and other business expenses), guiding bear hunts is even larger proportion of our business – roughly 70 percent of our income. The proportion of income from guiding bear hunting is even higher than the proportion of our revenue from that activity because it is a relatively high margin business compared to guiding hunts of other species and guiding wildlife viewing and fishing. Kodiak bears have a worldwide reputation for size and substantial allure to hunters, resulting in higher customer demand and pricing. Although the market has resulted in pricing for guiding mountain goat and deer hunts being much lower, the costs of guiding hunts for those species remain substantial (I still have to hire assistant guides and pay for fuel, food, and many other costs). In summary, my wife and I rely on our business income, which is primarily from guiding bear hunts, for our livelihood.

4. Almost all (well over 90 percent) of our customers for bear hunting are non-residents (persons whose home is somewhere other than Alaska). This is for two reasons. First, Alaska State law requires that non-residents hire a guide to hunt bear, but allows Alaska residents to hunt bear without a guide. Second, Alaska residents have a greater ability than non-residents to navigate the difficult logistics of getting to Kodiak Island to hunt bear, and so have much less incentive to hire a guide to help them with these logistics. An Alaskan resident may very well own their own small plane and be able to fly to the Island, or own a boat and come over from the Homer area. An Alaskan resident is far more likely to know Island residents with whom he or she can stay while hunting on the Island, or how to camp on their own. An Alaskan resident is more likely to already own their own weather-appropriate hunting equipment. Further, customers hire guides for the increased safety they provide as guides are specifically trained in safety, and the guides who operate on Federal lands have extensive safety plans as required by our Federal SUPs, which most likely far exceeds state guide licensing requirements.

5. Having a guide provides a conservation value whether the client is a resident or non-resident. As was shown in the evidence presented to the Board of Game when that Board made the decision to reject Plaintiff Cassell's proposal (the decision that prompted Cassell's lawsuit), guided hunters are substantially more likely than non-guided hunters to take boars (male bears) than sows (female bears). As also shown by the evidence in that proceeding, the key to maintaining a healthy bear population is to limit harvest of sows, who have litters of cubs only once every four or five years. Guides have the expertise at spotting and viewing bears to help both non-resident and resident hunters avoid harvesting sows. Unlike unguided hunters from Anchorage or elsewhere in the State, guides on Kodiak Island have a substantial economic

incentive to minimize harvest of sows, as doing so preserves the natural resource (the bears) on which their guiding business depends for long-term success.

6. Throughout my career, I have worked hard to maintain the State of Alaska licensure necessary to guide clients and supervise assistant guides who directly guide some of my customers. Shadowing or apprenticing for master guides is the primary method by which prospective guides become master guides. The educational and professional development and licensing opportunity for these prospective guides would be hindered by the interference this lawsuit (if successful) would pose to the activities of master guides. I hold a Master Guide license from the State's Big Game Commercial Services Board, and am currently authorized to work as a Master Guide in Guide Use Areas 08-17, 08-18, and 08-20, all on Kodiak Island. I comply with the requirements to be a Master Guide. This includes obtaining numerous client recommendations, maintaining continuity in my business operations, paying for general liability insurance or posting a \$100,000 bond to ensure payment of any judgments that may be entered as a result of my big game guiding service, maintaining workers' compensation insurance for assistant guides, and obeying the wildlife regulations.¹

7. I have also devoted and continue to devote substantial effort and resources to obtaining permission from the Federal and Native Corporation land managers to guide hunts on their lands. Much of the land on Kodiak Island, and the substantial majority of good bear habitat, is within Kodiak National Wildlife Refuge, which is run by the U.S. Fish and Wildlife Service ("U.S. FWS"). U.S. FWS has divided the Refuge into 25 areas and awards one Special Use Permit for big game guided hunting in each area. Thus only one guide can guide in each

¹ While the precise requirements to be a Master Guide have varied over the years, the current requirements are detailed in the instructions to current form to apply for this license: <https://www.commerce.alaska.gov/web/Portals/5/pub/gui4010.pdf>.

area of the Refuge. I hold the Special Use Permits (“SUPs”) issued by U.S. FWS for three of those areas, KOD 9, KOD 11, and KOD 17. FWS awarded me my SUPs through a competitive process in which I was selected over other applicants. The terms of my SUPs require me to file annual operating plans with U.S. FWS, maintain substantial liability insurance, and comply with various other requirements established by U.S. FWS to ensure quality client experiences and protection of Refuge habitat. Most of my guided hunting, including for bears, is on my SUP areas on the Refuge, and the remainder is generally on Koniag Native Corporation Land. I pay Koniag on a per-hunter basis (roughly \$1,000 per hunter) for permission to hunt Koniag lands. I have worked hard to maintain good relations with both U.S. FWS and Koniag.

8. U.S. FWS recognize the conservation value of guided hunting on Refuge lands, a value that would be jeopardized if Cassell’s lawsuit prevails. U.S. FWS’s Kodiak NWR Comprehensive Conservation Plan (“CCP”) states that “Guides provide an important service to refuge visitors who need assistance with their trip” and that “Commercially guided hunting and related services contribute to fulfillment of Refuge purposes and to the National Wildlife Refuge System mission by facilitating priority public use and management of healthy wildlife populations through controlled hunting.”² U.S. FWS in the CCP explains that guided big-game hunting on Kodiak is a traditional activity Congress has preserved through legislation: “Commercial big-game guiding and outfitting services are a form of traditional activity that Congress intended to preserve with enactment of the Alaska National Interest Lands Conservation Act, which redesignated the Refuge.”³ U.S. FWS concludes that “Most non-Alaska residents would not be able to hunt brown bears on Kodiak Refuge if guiding were not allowed” and that competitively awarding one guiding permit per area helps “ensure quality

² Kodiak NWF CCP Summary, p. 11 and Appendix E, p. E-8.

³ CCP, p. E-14.

guiding services to the public.”⁴ As a National Wildlife Refuge, Kodiak NWR exists for the benefit of all citizens of the United States, including residents of other states who may desire to travel to the Refuge to hunt bear.

9. Under Alaska regulation 5 AAC 92.061, the current system distributes a minimum of 60 percent of Kodiak bear permits to residents and a maximum of 40 percent to non-residents. The actual numbers demonstrate an allocation of 67 percent of permits to residents and 33 percent to non-residents.⁵ In his Proposal, Cassell asked that the Board of Game change the distributions so that 90 percent of Kodiak bear permits are reserved for residents and the remaining 10 percent are available to both residents and non-residents (with that 10 percent “pooled” and then distributed to by lottery).⁶ This is a devastating reduction in the number of bear permits available to non-residents no matter how calculated:

A. Assuming that non-residents receive all 10 percent of the pooled permits that would be available to both residents and non-residents under Cassell’s proposal (even though Cassell would make that 10 percent pool available to both residents and non-residents), Cassell is asking to reduce the number of non-resident bear permits by more than 75 percent from its regulatory maximum (40 percent of all permits)⁷ and by

⁴ CCP, p. 2-67 and E-14.

⁵ The State now uses a lottery system to distribute the resident permits to residents who apply for them and to distribute the non-resident permits to non-residents who apply for them. This system has been in place for many years. The total number of permits is revised from time to time based on estimates of the Kodiak bear population.

⁶ I am referring to bear hunts in areas not on the Kodiak road system. As I have explained, I conduct my hunting primarily on Kodiak National Wildlife Refuge lands, where I hold SUPs. These lands are not on the road system, and so are governed by the current permit drawing system that Plaintiff Cassell challenges. There is a separate less valuable bear hunt, conducted on primarily State lands on the road system, where permits are available over-the-counter. The best bear habitat is off the road system, including on Refuge lands where I lead my bear hunts.

⁷ Math: 10% divided by 40% equals 25%. Subtracting this 25% from the 100% total equals 75%, which is the reduction.

approximately 70 percent from its actual number (33 percent of all permits).⁸

B. Much more realistically, assuming that both residents and non-residents participate in the 10 percent pool Cassell proposes and each category of hunter secures half of the permits in that pool, then non-residents will secure only 5 percent of all Kodiak bear permits. That would be a reduction of 87.5 percent from the current maximum distribution of bear permits to non-resident hunters⁹ and approximately 85 percent from the current actual distribution of bear permits to non-resident hunters.¹⁰

Again, as I stated above, approximately 70 percent of my business income is from Kodiak bear hunters and upwards of 90 percent of my bear hunter clients are non-residents. Based on the number above, if Cassell's proposal is ordered by the Court, either directly or as a result of a ruling by the Court that result in an adverse Board of Game ruling, I am looking at the loss of more than half my income. In addition, there would be no economies of scale to guide the rare resident bear hunter clients now and then. That would destroy my business. Cassell's proposal would also destroy the value of my U.S. FWS-issued SUPs, both to me and to U.S. FWS.

10. Realizing the threat to my business from Cassell's proposal, I participated in the proceeding before the Board of Game that considered that proposal. I submitted public comments opposing the proposal. A copy of my comments is attached as Exhibit 1 to this Affidavit. I traveled to Anchorage to testify against the proposal at the public hearings held by the Board of Game on March 15 through 19, 2019. I coordinated with other guides who are APHA members in opposing Cassell's proposal.

⁸ Math: $10\% \div 33\% = 30.3\%$. Subtracting this 30.3% from the 100% total equals 69.7%, which is approximately a 70% reduction.

⁹ Math: $5\% \div 40\% = 12.5\%$. Subtracting this 12.5% from the 100% total equals 87.5%, which is the reduction.

¹⁰ Math: $5\% \div 33\% = 15.15\%$. Subtracting this 15.15% from the 100% total equals 84.84%, which is approximately an 85% reduction.

11. After hearing from both proponents and opponents of Cassell's proposal, the Board voted 5 to 1 to reject the proposal. Cassell has now appealed the Board of Game's decision by filing this lawsuit seeking to reverse that decision. As a prevailing party in the proceeding before the Board of Game, whose livelihood is substantially impacted, I seek to continue my participation in this new phase of the proceeding through APHA's motion to intervene. As a member of APHA, I trust APHA to represent my interests. If there is discovery in the case, I will participate and provide the required information, even if my participation is through APHA, rather than as a direct party to the case. However, should the Court determine that my direct participation as a party is preferable to my indirect participation through my trade association APHA, then I request to intervene directly as an individual party.

VERIFICATION

State of Alaska

Borough of Kodiak Island

I certify under penalty of perjury that the foregoing is true. In accordance with Alaska Statute § 09.63.020, I attest that no public notary or other official empowered to administer oaths is available to certify this affidavit because, as explained above, I am at a location off the road system that is only accessible by float plane during the guiding season.


Mike Munsey

Dated: July 28, 2019

EXHIBIT 1 TO MUNSEY AFFIDAVIT



PC070
1 of 1

Submitted By
Mike Munsey
Submitted On
2/24/2019 9:55:40 AM
Affiliation
Munsey's Bear Camp

Phone
9072025619

Email
munseymike12@gmail.com

Address
P.O. Box AOS
P.O. Box AOS
Kodiak, Alaska 99697

I was born and raised on Kodiak Island and have lived my entire life here, and I am strongly opposed to Proposal 99. Nonresident hunters provide a huge source of revenue to the State of Alaska through licenses and tag fees. They also contribute more to the local economy than resident hunters. Nonresident hunters statistically spend more money in local sporting goods stores, hotels, restaurants and tourist shops than resident hunters. Passage of this proposal would be a huge financial blow to not just the guides who operate on Kodiak, but also to the local economy in general, and to the ADF&G budget.

EXHIBIT 8
Rohrer Affidavit

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA
THIRD JUDICIAL DISTRICT AT ANCHORAGE

ROBERT CASSELL,)	
)	
Plaintiff,)	
)	
)	Case No. 3AN-19-7460CI
v.)	
)	
)	
STATE OF ALASKA, BOARD OF GAME,)	
)	
Defendant.)	
)	

Affidavit of Samuel Rohrer in Support of APHA Motion to Intervene

I, Samuel Rohrer, make this Affidavit in support of the Motion to Intervene filed by the Alaska Professional Hunters Association (“APHA”).

1. I am a hunting guide on Kodiak Island. My Master Guide license number is GUIM204. I am a member of the APHA. I currently serve as APHA’s president. However, because of my personal interest in this controversy, the affidavit describing APHA’s interest in the proceeding as an organization is supplied by its Executive Director, Deborah Moore. APHA is the State’s association of hunting guides. I provide this Affidavit in support of APHA’s motion to intervene. As explained in this Affidavit, Plaintiff Cassell’s lawsuit seeks to reduce by around 80 percent the number bear permits (licenses to take a bear) on Kodiak Island available to hunters who are not residents of the State of Alaska (“non-residents”). Because the substantial majority of my income is from guiding bear hunts on the Island for non-residents, Cassell seeks relief that, if granted, would destroy my business, on which my wife Sarah and I and our children depend for my livelihood. I therefore seek to participate in this case through my trade association, APHA.

2. I own and operate Rohrer Bear Camp on Kodiak Island. This guiding business is incorporated as Rohrer Bear Camp, Inc. It presently supplies 85 percent of the income of my family (I also do some landscape construction work). My father Dick Rohrer has guided on Kodiak since 1969. He owned and operated Rohrer Bear Camp, Inc. for decades. Starting at age 15, I worked in his family business first as a general helper and then, as I got older, took on additional roles, including fishing guide, hunting packer, assistant hunting guide, registered hunting guide, and finally Master Guide. My wife and I purchased the business from my dad in 2015.

3. Rohrer Bear Camp consists of several cabins on Uganik Bay on the west side of Kodiak Island. The site is off the road system. It is reached by an approximately 30-minute float plane ride from the town of Kodiak, where there is air service to the Alaska Mainland.

4. As the name “Rohrer Bear Camp” suggests, guiding bear hunts is our primary business. Looking at revenue as opposed to income, roughly 76 percent of our revenue comes from guiding bear hunts, the type of hunting directly affected by this case. The remainder comes from guiding goat and deer hunts, wildlife viewing, and fishing. Looking at income (the money available to support my wife and I and our children after paying assistant guides, fuel vendors, charter air vendors, lodge maintenance costs, land manager permission fees, and other business expenses), guiding bear hunts is even larger proportion of our business – it accounts for roughly 85 percent of our income. The proportion of income from guiding bear hunting is even higher than the proportion of our revenue from that activity because it is a relatively high margin business compared to guiding hunts of other species and guiding wildlife viewing and fishing. Kodiak bears have a worldwide reputation for size and substantial allure to hunters, resulting in higher customer demand and pricing. My 2019 pricing sheet, which is available at

www.kodiakbearcamp.com, is attached as Exhibit 1 to this Affidavit. Although the market has resulted in pricing for guiding mountain goat and deer hunts being much lower, the costs of guiding hunts for those species remain substantial (I still have to hire assistant guides and pay for fuel, food, and many other costs). Guiding wildlife viewing and fishing produces better margins than deer or goat hunting, but not nearly as much as bear hunting. In summary, my wife and I rely on our business income, which is primarily from guiding bear hunts, for our livelihood.

5. Almost all (well over 90 percent) of our customers for bear hunting are non-residents (persons whose home is somewhere other than Alaska). This is for two reasons. First, Alaska State law requires that non-residents hire a guide to hunt bear, but allows Alaskan residents to hunt bear without a guide. Second, Alaska residents have a greater ability than non-residents to navigate the difficult logistics of getting to Kodiak Island to hunt bear, and so have much less incentive to hire a guide to help them with these logistics. An Alaskan resident may very well own their own small plane and be able to fly to the Island, or own a boat and come over from the Homer area. An Alaskan resident is far more likely to know Island residents with whom he or she can stay while hunting on the Island, or how to camp on their own. An Alaskan resident is more likely to already own their own weather-appropriate hunting equipment. Alaskan residents just do not want to pay the prices necessary for a guide to put on a quality bear hunt. See Exhibit 1 (pricing table — bear hunt is \$23,500 per customer, which supports the Kodiak economy). Further, customers hire guides for the increased safety they provide as guides are specifically trained in safety, and the guides who operate on Federal lands have extensive safety plans as required by our Federal SUPs, which most likely far exceeds state guide licensing requirements.

6. Having a guide provides a conservation value whether the client is a resident or non-resident. As was shown in the evidence presented to the Board of Game when that Board made the decision to reject Plaintiff Cassell's proposal (the decision that prompted Cassell's lawsuit), guided hunters are substantially more likely than non-guided hunters to take boars (male bears) than sows (female bears). As also shown by the evidence in that proceeding, the key to maintaining a healthy bear population is to limit harvest of sows who have litters of cubs only once every four or five years. Guides have the expertise at spotting and viewing bears to help both non-resident and resident hunters avoid harvesting sows. Unlike unguided hunters from Anchorage or elsewhere in the State, guides on Kodiak Island have a substantial economic incentive to minimize harvest of sows, as doing so preserves the natural resource (the bears) on which their guiding business depends for long-term success.

7. Throughout my career, I have worked hard to maintain the State of Alaska licensure necessary to guide clients and supervise assistant guides who directly guide some of my customers. Shadowing or apprenticing for master guides is the primary method by which prospective guides become master guides. The educational and professional development and licensing opportunity for these prospective guides is hindered by the interference this lawsuit (if successful) would pose to the activities of master guides. I hold a Master Guide license from the State's Big Game Commercial Services Board, and am currently authorized to work as a Master Guide in Guide Use Areas 08-22, 08-23, and 08-24, all on Kodiak Island. I comply with the requirements to be a Master Guide. This includes obtaining numerous client recommendations, maintaining continuity in my business operations, paying for general liability insurance or posting a \$100,000 bond to ensure payment of any judgments that may be entered as a result of

my big game guiding service, maintaining workers' compensation insurance for assistant guides, and obeying the wildlife regulations.¹

8. I have also devoted and continue to devote substantial effort and resources to obtaining permission to guide hunts on Kodiak National Wildlife Refuge, which is run by the U.S. Fish and Wildlife Service ("U.S. FWS"). I conduct all my bear hunts on Refuge lands. U.S. FWS has divided the Refuge into 25 areas and awards one Special Use Permit for big game guided hunting in each area. Thus only one guide can guide in each area of the Refuge. I hold the Special Use Permits ("SUP") issued by U.S. FWS for three of those areas, KOD 03, KOD 07 and KOD 08. U.S. FWS awarded me my SUPs through a competitive process in which I was selected over other applicants. Because U.S. FWS recently renewed my SUPs for five year terms, over four years remain on the current term of each SUP (2019-2023). The terms of my SUPs require me to file annual operating plans with U.S. FWS, maintain substantial liability insurance, and comply with various other requirements established by U.S. FWS to ensure quality client experiences and protection of Refuge habitat.

9. U.S. FWS recognize the conservation value of guided hunting on Refuge lands, a value that would be jeopardized if Cassell's lawsuit prevails. U.S. FWS's Kodiak NWR Comprehensive Conservation Plan ("CCP") states that "Guides provide an important service to refuge visitors who need assistance with their trip" and that "Commercially guided hunting and related services contribute to fulfillment of Refuge purposes and to the National Wildlife Refuge System mission by facilitating priority public use and management of healthy wildlife

¹ While the precise requirements to be a Master Guide have varied over the years, the current requirements are detailed in the instructions to current form to apply for this license: <https://www.commerce.alaska.gov/web/Portals/5/pub/gui4010.pdf>.

populations through controlled hunting.”² U.S. FWS in the CCP explains that guided big-game hunting on Kodiak is a traditional activity Congress has preserved through legislation:

“Commercial big-game guiding and outfitting services are a form of traditional activity that Congress intended to preserve with enactment of the Alaska National Interest Lands Conservation Act, which redesignated the Refuge.”³ U.S. FWS concludes that “Most non-Alaska residents would not be able to hunt brown bears on Kodiak Refuge if guiding were not allowed” and that competitively awarding one guiding permit per area helps “ensure quality guiding services to the public.”⁴ As a National Wildlife Refuge, Kodiak NWR exists for the benefit of all citizens of the United States, including non-residents who may desire to travel to the Refuge to hunt bear.

10. Under Alaska regulation 5 AAC 92.061 the current system distributes a minimum of 60 percent of Kodiak bear permits to residents and a maximum of 40 percent to non-residents. The actual numbers demonstrate an allocation of 67 percent of permits to residents and 33 percent to non-residents.⁵ In his Proposal, Cassell asked that the Board of Game change the distributions so that 90 percent of Kodiak bear permits are reserved for residents and the remaining 10 percent are available to both residents and non-residents (with that 10 percent

² Kodiak NWF CCP Summary, p. 11 and Appendix E, p. E-8.

³ CCP, p. E-14.

⁴ CCP, p. 2-67 and E-14.

⁵ I am referring to bear hunts in areas not on the Kodiak road system. As I have explained, I conduct my hunting on Kodiak National Wildlife Refuge lands, where I hold SUPs. These lands are not on the road system, and so are governed by the current permit drawing system that Plaintiff Cassell challenges. There is a separate less valuable bear hunt, conducted on primarily State lands on the road system, where permits are available over-the-counter. The best bear habitat is off the road system, including on the Refuge lands where I lead my bear hunts.

“pooled” and then distributed to by lottery).⁶ This is a devastating reduction in the number of bear permits available to non-residents no matter how calculated:

A. Assuming that non-residents receive all 10 percent of the pooled permits that would be available to both residents and non-residents under Cassell’s proposal (even though Cassell would make that 10 percent pool available to both residents and non-residents), Cassell is asking to reduce the number of non-resident bear permits by more than 75 percent from its regulatory maximum (40 percent of all permits)⁷ and by approximately 70 percent from its actual number (33 percent of all permits).⁸

B. Much more realistically, assuming that both residents and non-residents participate in the 10 percent pool Cassell proposes and each category of hunter secures half of the permits in that pool, then non-residents will secure only 5 percent of all Kodiak bear permits. That would be a reduction of 87.5 percent from the current maximum distribution of bear permits to non-resident hunters⁹ and approximately 85 percent from the current actual distribution of bear permits to non-resident hunters.¹⁰

Again, as I stated above, approximately 85 percent of our income is from Kodiak bear hunters and upwards of 90 percent of my bear hunter clients are non-residents. Based on the number

⁶ The State now uses a lottery system to distribute the resident permits to residents who apply for them and to distribute the non-resident permits to non-residents who apply for them. This system has been in place for many years. The total number of permits is revised from time to time based on estimates of the Kodiak bear population.

⁷ Math: 10% divided by 40% equals 25%. Subtracting this 25% from the 100% total equals 75%, which is the reduction.

⁸ Math: 10% divided by 33% equals 30.3%. Subtracting this 30.3% from the 100% total equals 69.7%, which is approximately a 70% reduction.

⁹ Math: 5% divided by 40% equals 12.5%. Subtracting this 12.5% from the 100% total equals 87.5%, which is the reduction.

¹⁰ Math: 5% divided by 33% equals 15.15%. Subtracting this 15.15% from the 100% total equals 84.84%, which is approximately an 85% reduction.

above, if Cassell's proposal is ordered by the Court, either directly or as a result of a ruling by the Court that results in a Board of Game ruling, I am looking at the loss of more than half my income. In addition, there would be no economies of scale to guide the rare resident bear hunter clients now and then. That would destroy my business. Cassell's proposal would also destroy the value of my U.S. FWS-issued SUPs, both to me and to U.S. FWS.

11. Realizing the threat to my business from Cassell's proposal, I participated in the proceeding before the Board of Game that considered that proposal. I submitted public comments opposing the proposal and testified against the proposal (I understand Board records may not reflect that I testified, perhaps because of confusion with my father, who also testified, and has the same last name as me). A copy of my comments is attached as Exhibit 2 to this Affidavit. My father Dick Rohrer filed comments against the proposal and testified against it at the public hearings held by the Board of Game on March 15 through 19, 2019. APHA, of which I am President, also presented public testimony as an organization against the proposal, through its Director of Government Affairs, Thor Stacey. I coordinated with other guides who are APHA members and APHA in opposing Cassell's proposal. These comments and testimony are noted in the public record of the Board of Game hearings.

12. After hearing from both proponents and opponents of Cassell's proposal, the Board voted 5 to 1 to reject the proposal. Cassell has now appealed the Board of Game's decision by filing this lawsuit seeking to reverse that decision. As a prevailing party in the proceeding before the Board of Game, whose livelihood is substantially impacted, I seek to continue my participation in this new phase of the proceeding through APHA's motion to intervene. As a member of APHA, I trust APHA to represent my interests. If there is discovery in the case, I will participate and provide the required information, even if my participation is

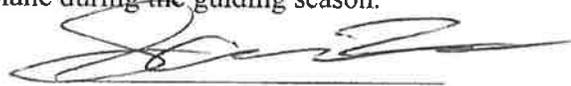
through APHA, rather than as a direct party to the case. However, should the Court determine that my direct participation as a party is preferable to my indirect participation through my trade association APHA, then I request to intervene directly as an individual party.

VERIFICATION

State of Alaska

Borough of Kodiak Island

I certify under penalty of perjury that the foregoing is true. In accordance with Alaska Statute § 09.63.020, I attest that no public notary or other official empowered to administer oaths is available to certify this affidavit because, as explained above, I am at a location off the road system that is only accessible by float plane during the guiding season.



Samuel Rohrer

Dated: July 27, 2019



Master Guide #204
 Sam Rohrer
 P.O. Box 1388
 Kodiak, Alaska 99615
 Phone: 1-907-486-4074
 Cell: 1-907-539-1828
sam@kodiakbearcamp.com
www.kodiakbearcamp.com

Fair Chase Hunting

Brown Bear
 Mountain Goat
 Sitka Black-tailed Deer
 Family Trips
 Fishing
 Trekking

HUNTING PRICE LIST		
Brown Bear	10 Day	\$23,500.00
Mountain Goat	6 Day	\$9,500.00
Sitka Black-tailed Deer	6 Day	\$6,500.00
APHA Hunter Preservation Fee		\$150.00
Deposit Required		50%

FISHING PRICE LIST		
Wildlife Viewing & Fishing	6 Day/5 Nights	\$3,300.00
Wildlife Viewing & Fishing	4 Day/3 Nights	\$2,200.00
Deposit Required		50%

LICENSE & TAG FEES			
Hunting License:	\$160.00	Fishing License	
Bear Tag:	\$1000.00	3 Day Fishing License:	\$45.00
Goat Tag:	\$600.00	7 Day Fishing License:	\$70.00
Deer Tag (Each):	\$300.00	14 Day Fishing License:	\$105.00

Prices Valid for 2019

From the desk of

Sam Rohrer
 P.O. Box 1388
 Kodiak, AK 99615



PC086
 1 of 2

February 28, 2019

Kristy Tibbles
 Executive Director, AK BOG
 P.O. Box 115526
 Juneau, AK 99811-5526

RE. 2019 Southcentral Region Comments

Chairman Spraker and BOG Members,

Thank you for serving our state and its wildlife resources and thank you for taking the time to read my comments on Southcentral Region proposals.

I will be brief in my comments, but I do encourage you to look closely at the Kodiak Advisory Council comments and meeting minutes, as they accurately reflect the views of our Kodiak community. Our community put a tremendous amount of time and effort into AC meetings to thoughtfully consider all the Kodiak proposals. This was an effort to protect and maintain a system of Brown Bear Management that has taken over 40 years to perfect.

Kodiak's Brown Bear Management Strategy is regarded as one of the most successful systems in wildlife conservation. As you know, Kodiak is world famous for its large bears and record book skull sizes. The facts are clear, there has never been a better time to hunt Kodiak in terms of chances of success on large record book skulled bears. But this has not happened by accident. It is the result of years of careful management and developing a plan that works. I ask that the BOG be very careful in how it changes this enormously successful program.

Proposal – 99 OPPOSE

I ask that you oppose proposal 99. This proposal would single handedly upset the management structure on Kodiak that has been in place for over 40 years. It would also have devastating financial affects on local small business and our community at large. The Alaska Constitution mandates that wildlife be managed "for the maximum benefit of its people". But this benefit is not just reserved for the person who actually pulls the trigger and harvests the bear. This benefit is for ALL Alaskans, that includes the financial benefit to the local community.

This proposal would also very likely increase sow harvest, which would ultimately result in fewer tags being issued. Even if 100% of available tags were offered to resident hunters, resident hunters would still not have substantially higher draw odds, especially for the most popular hunts. It is important to remember, that the Kodiak Road System area offers over the counter tags and continues to produce some of the largest skulled bears taken in all of Alaska.

Resident hunters have numerous opportunities to harvest bears via over the counter tags both on Kodiak and the entire Alaska Peninsula. There is no reasonable purpose to change the current set allocation.

Proposal – 100 Support

I ask that you support proposal 100. The Board of Game has long asked for the public to bring a proposal that could be applied statewide for management of 2DK permits. The Kodiak AC has proposed this separate drawing hunt with a separate 2DK allocation. For the guiding industry in Alaska to have long term viability it needs stability. A separate 2DK drawing and allocation provides this stability. I believe this proposal could be duplicated in other areas of the state, which would help bring stability to all non-resident drawings.

907-486-4074
 907-539-1828
 sam@kodiakbearcamp.com



Proposal – 101 Oppose

I ask that you oppose proposal 101. First, this proposal is outside of the purview of the Board of Game, however, even if this was not the case, the Board should still oppose it. This proposal would create 2 classes of Alaskan resident hunters, those who can afford high license and tag fees and those who cannot afford them. This is not equal access, this is "special access" for those who are rich. This also ignores the additional economic benefit that nonresident hunters bring to rural Alaska, besides their license and tag fees.

Proposal – 102 Oppose

I ask that you oppose proposal 102. It is telling that the entire community of Kodiak, through the local AC, unanimously opposed this proposal. Currently, most locals would encourage a higher harvest in the "Road System Area". If conflicts were happening on the "Road System Area" the BOG could rest assure, that the local AC would bring a proposal forward to address it. This is a proposal that is offering a "solution" where a problem does not exist.

Proposal – 103 Oppose

I ask that you oppose proposal 103. Again, the Kodiak AC unanimously opposed this proposal. It is important to remember that Managers consider unused permits by both resident and nonresidents when establishing permit numbers. If all unused permits were used, it would require fewer permits be issued in the first place. On average only 8 permits go unused by nonresident hunters each year.

Proposal – 104 Oppose

I ask that you oppose proposal 104. The argument against this proposal is very similar to the argument in opposition to proposal 103. Re-issuing the high number of permits drawn but not used would result in higher participation and harvest. Currently Kodiak is hitting its harvest goals, if participation and harvest increase, then the number of permits originally offered would have to significantly decrease to keep Kodiak within its harvest objectives. This proposal would ultimately *decrease* the opportunity of Resident hunters to obtain a drawing permit.

Proposal – 106 Take No Action

I ask that you take no action on proposal 106. The first part of the proposal recommends that the Department develop educational material to encourage the harvest of mature boars. This is such a good idea, that the Department already did this many years ago. Currently the department offers an information letter, a website, a video, an in-person presentation at time of tag pick-up, and a booklet all aimed at educating the public about Brown Bears. The second part of the proposal asks for a penalty if sows are harvested. Currently, female harvest is within the Department's objectives, however if the female harvest climbs above objectives, the current bear management plan for Kodiak recommends that sow skull size minimums be initiated. This strategy has been used successfully in the past on Kodiak, however it is not currently needed.

Proposal – 130 Oppose or Take No Action

I ask that you either oppose or take no action on proposal 130. The issue that this proposal seeks to address, will already be addressed by Proposal 100.

Thank you for taking the time to thoughtfully read my comments. I appreciate all that you do for Alaska!

Respectfully,

Sam Rohrer
Kodiak, AK

907-486-4074
907-539-1828
sam@kodiakbearcamp.com

EXHIBIT 9
Kodiak Refuge Comments on Cassell Petition



United States Department of the Interior



PC060
1 of 1

FISH AND WILDLIFE SERVICE
Kodiak National Wildlife Refuge
1390 Buskin River Road
Kodiak, Alaska 99615
(907) 487-2600

February 19, 2019

ATTN: Board of Game Comments
Alaska Department of Fish and Game
Boards Support Section
P.O. Box 115526
Juneau, AK 99811-5526

Dear Members of the Board of Game:

I appreciate the opportunity to comment on Southcentral Region proposals to be considered by the Alaska Board of Game during its March 15-19, 2019 meetings. I offer the following comments regarding Proposal 99 pertaining to Game Management Unit 8 (GMU 8).

The Fish and Wildlife Service has a long history of provision of hunting opportunity to the American public on National Wildlife Refuges. On federal refuge lands we are required to ensure that the allocation of hunting opportunity is fairly balanced between State-resident and non-resident hunters. On Kodiak Refuge, which comprise 52% of the land area of GMU 8, this fair balance has been struck with the long-standing standard of allocation of drawing permits for recreational sport hunting of brown bear. Specifically, this standard has provided 60% of drawing permits to Alaska resident hunters and 40% of drawing permits to non-resident hunters.

This permit allocation standard has been highly successful—both by providing balanced opportunity to American hunters, and by ensuring a productive bear population that includes adequate representation of trophy-class males. Review of bear harvest data for Kodiak Refuge indicates a long-term trend of increased ratio of males including trophy-class males.

I oppose Proposal 99 and further recommend no change to the current resident and non-resident allocation standard for drawing permits for recreational sport hunting of brown bear in GMU 8.

Sincerely,



Michael Brady
Refuge Manager

Cc: Nathan Svoboda, Alaska Department of Fish and Game

EXHIBIT 10
Alaska Peninsula Refuge Prospectus 2021

U.S. Department of the Interior
Fish and Wildlife Service
Alaska Peninsula National Wildlife Refuge

Prospectus and Request for Proposal

**INVITATION FOR PROPOSALS TO CONDUCT
COMMERCIAL BIG GAME GUIDE SERVICES WITHIN
AREAS OF THE ALASKA PENINSULA NATIONAL WILDLIFE REFUGE**

Issued by: Refuge Manager
Alaska Peninsula National Wildlife Refuge

Date: October 28, 2020

Location: King Salmon, Alaska

Submittal: Sealed proposals must be sent to the address indicated below with a postmark that is no later than **April 5, 2021**.

U.S. Fish and Wildlife Service
Attention: Regional Permits Coordinator
National Wildlife Refuge System - Alaska
1011 East Tudor Road, MS 235
Anchorage, Alaska 99503

For Information: Contact the Refuge Manager, Alaska Peninsula National Wildlife Refuge, by mail at Alaska Peninsula National Wildlife Refuge, PO Box 277, King Salmon, Alaska, 99613 or by phone at (907) 246-3339 weekdays.

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**PROSPECTUS FOR COMMERCIAL BIG GAME GUIDE SERVICES
ALASKA PENINSULA NATIONAL WILDLIFE REFUGES
ALASKA**

I. INTRODUCTION

The Alaska Peninsula National Wildlife Refuge (Refuge) is offering opportunities for big game guides to provide commercial services on Refuge lands, within Alaska State Game Management Unit 9. The Refuge will award the special use permits for big game guiding services on the Refuge through a competitive selection process. Prospective applicants are advised to read this prospectus and the sample permit (Appendix B) before responding.

Terms of permits awarded under this method are valid initially for five years. When permit holders have successfully met all permit terms and conditions and have a satisfactory record of performance, the Service will renew those permits for an additional five years without competition. After the renewed permits expire, the Service will not extend or renew them.

The objective of allowing commercial big game guiding is to make available a variety of quality services to the public for recreational hunting on the Refuges, when such activities are compatible with the Refuge's purposes, resources and management objectives. Refuge policies require that sport hunting must reflect well on the refuge and on the tradition of hunting. It must promote positive hunting values and hunter ethics such as fair chase, and provide participants with reasonable harvest opportunities, less crowding, less competition, fewer conflicts between hunters, relatively undisturbed wildlife, greater hunter safety, less than average crippling loss, and less interference from or dependence on mechanized aspects of the sport. Commercial guiding activities authorized on refuge lands should contribute to these policies.

Permit holders cannot sublet any part of an area and are prohibited from subcontracting clients with any other guide.

All applicants are responsible for making their own investigations as to the economic feasibility of any proposal, facts about the area, and estimates of potential business opportunity.

It will be the responsibility of all permit holders selected under this prospectus to adhere to all permit conditions and work diligently to minimize conflicts with other users.

Contact the Refuge Manager, Alaska Peninsula National Wildlife Refuge, by mail at Alaska Peninsula National Wildlife Refuge, PO Box 277, King Salmon, Alaska, 99613 or by phone at (907) 246-3339 weekdays.

II. REFUGE DESCRIPTION

The Alaska Peninsula National Wildlife Refuge boundaries encompass about 4.3 million acres of land -- an area bigger than the State of Connecticut. Stretching for nearly 340 miles along the Alaska Peninsula, the Refuge is subdivided into four units: the Ugashik, Chignik, Pavlof, and North Creek units. **Note: the Pavlof and North Creek Units are not covered in this prospectus.**

The Ugashik Unit's northeastern boundary is about 60 miles south of the Refuge headquarters at King Salmon and 360 air miles southwest of Anchorage. It is bounded on the north by the Becharof Refuge and on the south by the Aniakchak National Monument and Preserve. The Chignik Unit stretches between the Monument's southern boundary and the boundary of the Pavlof Unit, which occupies the southwestern end of the Alaska Peninsula crescent. Izembek National Wildlife Refuge adjoins the Pavlof Unit's southwest corner.

Refuge Resources

Landforms of the Alaska Peninsula Refuge include rugged mountain crests, rounded sub-summits, U-shaped valleys with sheer walls, sea cliffs and fjords, low tundra wetlands, glacial lakes, and moraines. The dominant geographical feature is the rugged Aleutian Range. Eleven major volcanoes, including seven that are active, are dominant features of the Refuge. They range from 4,400 feet to 8,300 feet in elevation. Cinder beds radiate from eruptive centers in the volcanic systems, and the volcano slopes are covered with glaciers and summit ice fields.

The Refuge lands on the Bristol Bay side of the range gradually slope toward the Bristol Bay coastal plain northwest of the mountains. The coastal plain terrain is flat, with lakes and meandering streams. Remnants of glacial moraines provide the only local relief. Toward the tip of the peninsula the southwestern half of the Refuge has fewer lakes and assumes a progressively narrower slope.

The Ugashik, Meshik, and Chignik Rivers, the Ugashik Lakes, Black Lake and many other rivers and lakes provide habitat necessary for the five species of salmon that spawn in the Refuge. Over 30 species of mammals are present, including brown bear, moose, caribou, wolf, and wolverine. Sea otters, sea lions, and harbor seals inhabit the Pacific coastal area. The Refuge's lakes and wetlands are heavily used by nesting and migrating waterfowl.

Refuge Purposes

Many laws, regulations, and congressional mandates influence this Refuge. However, the salient authority is contained in the Alaska National Interest Lands Conservation Act (ANILCA) purposes. Section 302(1)(B) of ANILCA sets forth the following major purposes for which the Alaska Peninsula Refuge was established and shall be managed:

(i) to conserve fish and wildlife populations and habitats in their natural diversity including, but not limited to, brown bears, the Alaska Peninsula caribou herd, moose, sea otters and

other marine mammals, shorebirds and other migratory birds, raptors, including bald eagles and peregrine falcons, and salmonoids and other fish.

(ii) to fulfill international treaty obligations of the United States with respect to fish and wildlife and their habitats;

(iii) to provide, in a manner consistent with the purposes set forth in subparagraphs (i) and (ii), the opportunity for continued subsistence uses by local residents; and

(iv) to insure, to the maximum extent practicable and in a manner consistent with the purposes set forth in paragraph (i), water quality and necessary water quantity within the refuge. [ANILCA 302(1)(B)]

For more information on the Alaska Peninsula Refuge, visit the Refuge internet site at https://www.fws.gov/refuge/alaska_peninsula/.

III. DEFINITIONS

Fish and Wildlife Service (Service). U.S. Department of Interior, Fish and Wildlife Service, Alaska Peninsula National Wildlife Refuge.

Guide. For purposes of this prospectus, the Service adopts the definition of “guide” from Alaska Statute, Section 8.54.790. "Guide" means to provide, for compensation or with the intent or with an agreement to receive compensation, services, equipment, or facilities to a big game hunter in the field by a person who accompanies or is present with the big game hunter in the field either personally or through an assistant; in this paragraph, “services” includes:

- (A) contracting to guide or outfit big game guide hunts;
- (B) stalking, pursuing, tracking, killing, or attempting to kill big game;
- (C) packing, preparing, salvaging, or caring for meat, except that which is required to properly and safely load the meat on the mode of transportation being used by a transporter;
- (D) field preparation of trophies, including skinning and caping;
- (E) selling, leasing, or renting goods when the transaction occurs in the field;
- (F) using guiding or outfitting equipment, including spotting scopes and firearms, for the benefit of a hunter; and
- (G) providing camping or hunting equipment or supplies which are already located in the field.

Outfit. For purposes of this prospectus, the Service adopts the definition of “outfit” from Alaska Statute, Section 8.54.790. "Outfit" means to provide, for compensation or with the intent to receive compensation, services, supplies, or facilities to a big game hunter in the field, by a person who neither accompanies nor is present with the big game hunter in the field either personally or by an assistant.

Operations Plan. A narrative description of the proposed commercial hunting operation which contains all information required in Form A of this prospectus.

Party Size. The number of people (including guides, clients, pilots, and any other employees of the holder) who are authorized to be in a use area, by the terms of a special use permit.

Permit Holder or Permittee. An individual who is selected through this prospectus and who is issued a special use permit.

Special Use Permit (Permit). A U.S. Fish and Wildlife Service authorization required for all commercial uses of refuge lands and waters.

Guide Use Area. An area designated by the Service and offered to a commercial operator to provide guided big game hunting services for the public.

Client Use Day. One calendar day (24 hours), or portion thereof, for each person using the refuge. Used as a measure of human use. Also called a visitor day. Includes use of the refuge by guides, clients, and

any other individuals associated with the permit holder for any part of one day (24 hour period from midnight to midnight).

Example: One guide, one assistant guide, and 4 clients fly in to the refuge at 8:00 a.m. on September 1, spend three nights and leave at 2:00 p.m. on September 4. That equals 24 use days (6 people x 4 days = 24 use days); and 16 client use days (4 clients x 4 days = 16 client use days).

Base Camp. Base camps are seasonal camps used as a primary base of guide operations in the field for the entire, or most of the hunting season, and used by most or all of the clients during some portion of their hunt.

Spike Camp. Spike camps are smaller, sub-camps used only for a short duration (e.g., portion of a client trip) while hunting outside the range of the base camp. Spike camps are disassembled and moved or removed upon the completion of each client's hunt.

IV. OFFERINGS

Three offerings are described below. Each individual can submit only one application per guide use area offered. An individual may apply for up to **ten** offerings for guide use areas on Alaska refuges, but is **limited to three permits for guide use areas on Service lands at any one time. This limitation includes any partnership or ownership interest that you may have in big game guide businesses permitted to other individuals.** For example, you may not hold three refuge big game guide permits and have a partner/owner interest in other guide businesses permitted on Service lands.

Some Refuge guide use areas contain private lands (i.e., land that has been conveyed to Alaska Native corporations, Native allotments, or other private inholdings). Refuge permits do not authorize activities on private or State lands within any guide use area. Some guide use areas may also contain lands selected by, but not yet conveyed to Alaska Native corporations. Use of these selected lands requires approval by the refuge manager. The permittee must provide the refuge manager written views from the affected Alaska Native corporation before authorization to use of selected lands can be considered.

Detailed maps of the guide use areas are available on-line at <https://ecos.fws.gov/ServCat/Reference/Profile/125010>, or by request from the Alaska Peninsula Refuge headquarters (see page 1).

The following guide use area descriptions are approximate and are not legally defined and binding. The original area map, located in the Refuge headquarters office, is the single, ruling instrument defining areas and will be used to decide boundary questions. Prospective applicants are responsible for knowing the boundaries that are pertinent to areas of interest.

Most guide use area boundaries are located on watershed divides, stream courses, and occasionally, other well-defined topographic features. Guide use areas do not extend beyond the outer boundary of the Refuge. Copies of the Refuge and/or wilderness boundary descriptions are available from the Refuge office upon request. The selected guide will have exclusive commercial big game guiding use of the permitted area (except for shared areas, as noted). However, transporters, air taxis, non-hunting commercial guides, and other hunters also have access to this guide use area.

Offering Number 1:

Use area number (and location): **AKP-10**; Black lake Drainage and Pacific Drainage, Castle Cape area

Term of the permit: January 1, 2022, through December 31, 2026

Offering type: Joint use – one permit available

Species available: All big game species available under Alaska sport hunting regulations. Note caribou hunting is currently closed. If caribou hunting season is opened for sport hunting during the term of the permit, the permittee may be authorized to guide caribou clients subject to terms approved by the refuge manager.

Other Information: Refuge lands in this use area are widely separated by private lands belonging to Chignik River Ltd., Chignik Lagoon Native Corp., and Far West, Inc. During each of the past ten years, the Refuge has authorized the two permitted guides in this use area a combined total of three moose clients and twelve bear clients. All food, garbage and other scented items must be stored in a bear proof container (certified by the Interagency Grizzly Bear Committee) during overnight stays on the refuges, unless stored within a hard-sided building.

Offering Number 2:

Use area number (and location): **AKP-11**; Mt. Veniaminof, north and west

Term of the permit: January 1, 2022, through December 31, 2026

Offering type: Sole use

Species available: All big game species available under Alaska sport hunting regulations. Note caribou hunting is currently closed. If caribou hunting season is opened for sport hunting during the term of the permit, the permittee may be authorized to guide caribou clients subject to terms approved by the refuge manager.

Other Information: The authorized number of clients for bear and moose during the past ten years has been six and three respectively. All food, garbage and other scented items must be stored in a bear proof container (certified by the Interagency Grizzly Bear Committee) during overnight stays on the refuges, unless stored within a hard-sided building.

Offering Number 3:

Use area number (and location): **AKP-12**; Mt. Veniaminof southeast, Pacific Drainage

Term of the permit: January 1, 2022, through December 31, 2026

Offering type: Joint use – two permits available

Species available: All big game species available under Alaska sport hunting regulations. Note caribou hunting is currently closed. If caribou hunting season is opened for sport hunting during the term of the permit, the permittee may be authorized to guide caribou clients subject to terms approved by the refuge manager.

Other Information: During the past ten years, the two permitted guides in this use area have been authorized to guide a combined total of four moose hunters and fourteen bear hunters, annually. All food, garbage and other scented items must be stored in a bear proof container (certified by the Interagency Grizzly Bear Committee) during overnight stays on the refuges, unless stored within a hard-sided building.

V. SPECIAL REQUIREMENTS AND CONSIDERATIONS

Minimum Requirements (Applicant must submit copies of all documents with application in order to be evaluated, unless otherwise indicated)

* Applicant must possess a current State:

- business license
- registered guide-outfitter license
- certification for appropriate game management unit (GMU)

Note: Any applicant whose state registered guide-outfitter license is suspended, revoked, or under probation during the permit period, will automatically result in the revocation of the permit.

- * Applicant shall provide proof of liability insurance (minimum \$300,000 each occurrence, \$500,000 aggregate), with the Fish and Wildlife Service named as coinsured prior to issuance of the refuge special use permit. Insurance does not have to be purchased prior to applying. The Service may, during the life of this permit, conduct a review of insurance requirements to assess adequacy of our current minimum requirements. Applicants should be aware that if a determination is made to increase minimum insurance requirements, permittees holding the current minimum coverage will be required to increase their insurance coverage to comply with the new requirements.
- * Applicant shall submit an affidavit signed by the applicant that affirms the applicant's financial ability to perform according to the operations plan.
- * Permit holder and assistant guides must possess a current first aid and CPR card prior to issuance of the permit and maintain currency through the authorized use period.

Use Records

The permit holder will be required to submit to the Refuge Manager an annual guide use report showing the numbers of clients and client use days for each species hunted, numbers of each species harvested, applicable dates, and other data required by special conditions of the permit, and provide a copy of the State's hunt record for each client. This report must be provided by December 31 for all uses during that calendar year unless the permit requires otherwise. This report shall be certified by the permit holder as being complete and accurate.

Performance Evaluations

Permit holders will be checked periodically to determine compliance with the permit conditions and operations plan, including compliance with state and federal regulations. Evaluations will be based upon compliance inspections, discussions with clients, etc. The permit holder will be advised of deficiencies and any required remedial actions.

Fees

Fees are required for commercial use of refuge lands. Holders of special use permits awarded under this prospectus will be required to pay a \$100 administrative fee for each permit, annual fees for use and occupancy of Refuge lands (i.e., cabins, tent platforms, campsite structures, caches, etc.), and client use day fees in accordance with Service regional policy.

Total Allowable Use

The Service anticipates the use allowed under the refuge permit will remain the same throughout the permit term, however it is not guaranteed. Use may be adjusted at any time by the Service, if necessary due to regulation changes, subsistence needs, environmental or resource concerns, or other management needs which may warrant adjustment.

Fuel Storage

Permit holders will be required to follow guidelines established in the Service's Regional Fuel Storage Policy (R11), which addresses fuel spill prevention/containment at fuel storage locations on Service lands and follow additional conditions or restrictions required in the refuge specific conditions detailed in the Special Use Permit.

General Terms

1. The government reserves the right to not award portions or all of some use areas being offered; extend the date for receiving the proposals; and to reject any or all proposals.
2. Applications containing false or incomplete information may be rejected by the Service. If a permit has been issued based on false or incomplete information, it may be terminated at any time.
3. The Service will use the information submitted with the original applications to rank applicants and award permits. However, the Service also reserves the right to contact all applicants for any offering for additional information, or to evaluate other sources of information prior to award.
4. Soliciting business, or conducting a commercial enterprise on a national wildlife refuge is prohibited except as authorized by a special use permit (50 CFR 27.97). Successful applicants will be issued special use permits authorizing and governing use and occupancy of refuge lands under the National Refuge System Administration Act (16 U.S.C. 668dd-668ee) and the Refuge Recreation Act (16 U.S.C. 460k-3). Such uses are subject to fees established by the Service. Permits issued in response to this prospectus will only authorize commercial big game guiding activities allowed under a big game guide license by Alaska statutes and regulations, and specified in the permit holder's approved plan of operations. Other commercial activities (e.g., incidental sport fish guiding or guiding for small game/waterfowl) will be prohibited without the prior written approval of the refuge manager.
5. The permit does not authorize use of lands conveyed to Alaska Native corporations, or other private or state lands.
6. Any oral statement by any representative of the Government, modifying or changing any conditions of this prospectus is an expression of opinion only and confers no right upon any applicant.
7. In the event that a contradiction exists between conditions in this prospectus and the conditions in the permit holder's special use permit, the conditions in the special use permit will govern.
8. The permit holder's operation plan, as amended and accepted by the Service, will be incorporated as a special condition of the permit. By accepting the permit, the holder must conduct his/her commercial guiding operations in adherence with the plan of operations, as well as other permit

conditions. Any deviation from the permit conditions or approved operations plan requires prior written approval from the Refuge Manager.

9. All costs incurred by the applicants for items submitted for this prospectus shall be the sole responsibility of the applicant.

Freedom of Information Act

All proposals submitted in response to this prospectus will be disclosed by the Department of the Interior to any person upon request pursuant to the Freedom of Information Act, 5 U.S.C. § 552 (FOIA). The Service believes that it is not necessary for applicants to provide confidential commercial or financial information when completing their proposals. Therefore, inclusion of such information is highly discouraged. However, if the applicant chooses to include commercial or financial information in the application which the applicant believes to be exempt from disclosure under FOIA, the cover page of each copy of the proposal shall include an attachment with the following statement:

"The information specifically identified on pages __, __, __, etc., of this proposal constitutes confidential commercial and financial information which the applicant believes to be exempt from disclosure under the Freedom of Information Act. The applicant requests that this information not be disclosed to the public, except as may be required by law."

In the event of a request for documents under FOIA, the burden will be on the applicant to establish that the information he/she requests to be withheld as privileged commercial or financial information is exempt from disclosure. Information included in the proposals relating to personal privacy such as social security numbers, home telephone numbers, dates of birth, and the names of defendants and witnesses in law enforcement reports is protected from disclosure under the FOIA and the Privacy Act [5 U.S.C. § 552(a)] and will be withheld.

Other examples of items generally exempted from release under FOIA include Service panel member names, base and spike camp locations, names and addresses of clients, official background reports documenting history of violations or convictions for applicant, applicant's employees, and/or current and proposed business partners associated with the guide operations (e.g. "Any Persons Report" from the Alaska Department of Public Safety).

In order for a FOIA request to be processed in a more efficient manner, the requester should submit requests through FOIAonline, a secure, web-based tracking and case-management system, at <https://www.foiaonline.gov> or the government-wide portal at <https://www.foia.gov>.

VI. SELECTION OF SUCCESSFUL APPLICANTS

A panel comprised of Service employees will evaluate all properly completed applications or proposals for a refuge guide use area, using scoring factors and guidance developed by the Service for each of the criteria listed below. The average score assigned by panel members will determine the applicant's final score for each of the criteria. The sum of scores for all criteria will determine the applicant's total score. After scoring and ranking all applications for a guide use area, the ranking panel will recommend a list of the "best qualified applicants" to be considered for final selection for that area. The refuge manager will make the final selections for the guide use areas within the refuge that he/she manages. The refuge manager may either limit his/her selection to the list of best qualified applicants recommended by the ranking panel, or consider all applicants for the area that meet the minimum scores and qualifications. The refuge manager will base his/her final selection on the results of the ranking panel evaluations, the manager's own examination of the applications, interviews of the applicants, client references, and other records or sources of information (e.g., permit files) that can document the applicant's performance and qualifications.

Applicants must attain the minimum scores indicated below in all of the criteria to be eligible for consideration by the refuge manager. In the last criterion (history of compliance), any applicant whose point deductions for history of violations/convictions reach or exceed 90 points will be ineligible for a permit.

- 1) **(Form A)** Operation Plan
(Maximum 155 points; minimum points required 75, or 100 for wilderness areas).
- 2) **(Form B)** Ability to provide a high quality guiding service to the public.
(Maximum 75 points; minimum points required 25).
- 3) **(Form C)** Demonstrated experience and knowledge of the guide use area, and the terrain, climate, and species to be hunted. (Maximum 110 points; minimum points required 20).
- 4) **(Form D)** Safety Plan, safety training and safety equipment
(Maximum 60 points; minimum points required 25)
- 5) **(Form E)** History of compliance with state and federal hunting, fishing, and guiding laws, regulations, and permit requirements (points deducted for each offense; point deductions may not reach or exceed 90 points). Note: Any applicant who has a felony conviction, or is otherwise, prohibited from possessing, receiving or being near any firearm and ammunition in accordance with state and federal law, is ineligible for a permit. No applicant can employ a convicted felon to possess, receive, or be near any firearm and ammunition in accordance with state and federal law. In addition, any applicant or employee who individually or cumulatively has 5 or more misdemeanor convictions within the last 10 years, is ineligible for a permit.

VII. INSTRUCTIONS: HOW TO SUBMIT PROPOSALS

All proposals must be submitted in writing to:

U.S. Fish and Wildlife Service
Attention: Regional Permits' Coordinator
National Wildlife Refuge System - Alaska
1011 East Tudor Road, Ms 235
Anchorage, Alaska 99503

All proposals must be sent to the Fish and Wildlife Service, Alaska Regional Office, at the address indicated above, with a postmark that is no later than April 5, 2021. **An original and two copies of the complete application package must be submitted for each guide use area.** Proposals must be presented in three ring binders format (do not use coil binders and do not use transparent sleeve covers for your pages), all pages must be numbered, and include the special use application form (APPENDIX B, all 9 pages and unfilled) and the regional special conditions (all 3 pages). Proposals must be signed by the individual or individuals applying for the area. Each mail in package should be clearly marked "ALASKA PENINSULA Refuge Guiding Proposal" and contain the name, address and telephone number of the applicant. Applications that are mailed must be sent by certified or registered mail, return receipt requested.

Incomplete proposals will not be returned to the applicant for more information. Material submitted with the proposals will not be returned to the applicant. All proposals must be legible, either neatly printed in dark ink or typed. **Proposals received after the above deadline will be considered late and will be returned to the sender without evaluation.**

You may apply as a partnership, however each partner must be individually qualified to receive the permit, and partnership applications will be ranked using the lowest scoring partner. Each partner must sign the permit, and be responsible for complying with permit conditions.

The following instructions are provided to guide the applicant in completing the enclosed forms in Section VIII. **The Service will not accept any form of proposal except as specified in the format under Section VIII.** Elements of the proposal may be incorporated as conditions of the special use permit.

An applicant who knowingly provides false or incomplete information may be disqualified.

Proposals must include:

Cover Sheet. By signing this form the applicant attests that all information provided with the application is true and complete and authorizes the Service to verify any information provided.

Form A - Proposed Operations Plan. Information on this form should describe the full services you will offer to the public. The information you provide in your proposed operations plan will be used in evaluating impacts to refuge resources, and other refuge users. It will also be considered in evaluating your ability to provide a quality hunt and guiding service to the public, and your knowledge of the area applied for. Instructions on the form indicate the information required.

Form B - Ability to Provide a High Quality Hunt and Guiding Service to the Public. Use this form to describe your ability to provide a high quality hunt and big game guiding service.

Form C - Demonstrated Experience and Knowledge of the Terrain, Climate, and Species to be Hunted. Use this form to describe your experience and knowledge of the guide use area being applied for, and for similar terrain, climate, and species to be hunted.

Form D - Safety plan, safety training and safety equipment. Information on this form will be used to evaluate your ability to provide a safe, guided hunt.

Form E - History of Violations. You must report any felony conviction, or misdemeanor convictions (including forfeiture of collateral and no contest pleas) for violations committed during the last ten years by you, or any of your business partners, or employees, and any pending charges pursuant to the instructions on the form. You must also report convictions and pending charges for any violations committed by individuals who were being guided or accompanied by you or persons associated with your guiding business at the time of the violation. If a pending charge results in a conviction, the conviction could be cause to revoke a permit, depending on the nature and severity of such conviction. You must also provide copies of official law enforcement records or background reports of criminal history for you and your business partners, as explained on the form.

Form F - Evaluation of Client References. Applicants must supply a complete list of all clients for the past ten years. The clients may be contacted by the Service for references to evaluate the quality of your past services.

VIII. INFORMATION REQUIRED

Please read the following forms carefully. Additional information relative to the questions found in these forms can be found in Section V. Be sure to provide in written form the information requested under each element in the format specified. **Additional pages should be used if extra space is needed (use copies of or the same format as the continuation sheet form provided in Appendix A).** Information beyond the minimum requested will be evaluated. All information is subject to verification by the Service and additional supporting data may be required. **Be sure to retain a copy of the application for your records.** The Service is under no obligation to return applications.

**ALASKA PENINSULA REFUGE GUIDING PROSPECTUS
APPLICATION COVER SHEET**

GUIDE USE AREA _____

I certify that the information furnished herewith is true and complete to the best of my knowledge and belief. I authorize the Fish and Wildlife Service to verify the information furnished herewith.

BY _____
(Sign in ink as typed or printed below)

(Type or print full name)

(Doing business as)

PERMANENT MAILING ADDRESS

ADDRESS DURING APPLICATION REVIEW PERIOD (IF DIFFERENT)

TELEPHONE NUMBER: Daytime _____

Other _____

E-mail address (where you would prefer to be contacted) _____

DATE _____

The information identifying your priorities for selection of guide areas, and Forms A through F must be submitted for your proposal to be evaluated.

Refuge Guide Use Area Priorities

List all the guide use areas for which you are applying in the order in which you would like to receive them. You may apply for up to ten guide use areas, but you are limited to a maximum of three big game guide permits on Service lands at any one time. This limitation includes any partnership or ownership interest that you may have in other big game guide businesses (i.e., you may not hold three refuge big game guide permits and have a partner/owner interest in other guide businesses permitted on Service lands).

Guide Use Area Priority List

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____
7. _____
8. _____
9. _____
10. _____

Note: The following instructions apply only if you currently hold valid permits for other refuge guide use areas not offered at this time.

If you already hold permits for other refuge areas not being offered at this time, you may still apply for any of the use areas currently being offered. However, you must list below any of the guide area(s) that you are currently permitted to use, but would relinquish to be awarded the area you are applying for in this application, in order to avoid exceeding the three area limitation.

1. _____
2. _____
3. _____

FORM A

Proposed Operations Plan

Provide in narrative form a description of the services you propose to offer. Be sure to explain the services for each offering for which you are applying. This narrative should address, at a minimum, the type and extent of services, including the following:

- 1) Dates of operations:
- 2) Species to be hunted and type of hunts provided for each (i.e., guided or drop-off hunts):
- 3) Maximum number of clients for each species, and each type of hunt:
- 4) Number, type, and location of existing or new camps (i.e., tent, tent frame, cabin, boat):
 - Base and spike camps
 - Camp locations (mark on USGS 1:63,360 scale topographical maps), if located off-refuge include a legal description of the property or mark on a USGS 1:63,360 scale topographical map (use this website <https://ngmdb.usgs.gov/topoview/viewer/> to obtain USGS 1:63,360 scale topographical maps and print them on 8.5" x 11" paper)
 - Habitat type each camp is located in
 - Structures, facilities and equipment used or needed at camps (e.g., weatherports, caches, latrines, stoves, chainsaws, etc.)
 - Water supplies
- 5) Methods and facilities for management and disposal of garbage/trash:
- 6) Methods and facilities for management and disposal of human waste:
- 7) Methods and facilities for care and storage of food, gear and meat:
- 8) Access points and mode(s) of transportation proposed within the area:
 - Access points and routes of access to be used (mark on USGS 1:63,360 topographical maps, see previous instructions)
 - Use of aircraft for transportation to and from, and within field
 - number and type of aircraft used, include tail numbers of aircraft owned by the operator. (Note: Operators using air taxi services will be required to report tail numbers used by air taxi services prior to the operating season.)
 - maximum and average number of flights and hours of daily use for each aircraft used
 - location and type of landing sites

Applicant's Name _____ Form A - Page 1

- methods or strategies to reduce impacts of aircraft use on resources and other use - Other modes of transportation (e.g., boats, snowmobiles, pack animals, etc.) used to and from, and within field
 - number and type vehicles used; If using a licensed vehicle include the registration number or license plate number as appropriate.
 - number and type of pack animals used maximum and average frequency of use and hours daily use, for each mode of transportation
 - if using pack animals, methods and facilities for management of pack animal(s), including control of the animal(s) while in the field, management of animal feed, and disposal of the animal's waste.

9) On site fuel storage and re-fueling needs:

- Mark locations on USGS 1:63,360 topographical maps (see previous instructions on accessing the USGS website to obtain maps)
- Type of fuel and fuel containers, and number of gallons at each location
- Describe on site re-fueling operations needed
 - Describe plans, methods, materials and other provisions for prevention, response, and cleanup of fuel spills

10) Methods for avoiding and responding to bear problems (if applicable): Services provided by others (contracts for transportation, food services, etc., give specific details):

11) Methods or strategies (not already described) to reduce impacts on Refuge resources (Refer to offering language under *Special land categories*. If none are listed, disregard responding to this number.

FORM B

Ability to Provide a High Quality Guiding Service to the Public

1. Describe your business practices including: proposed client rates; payment options; hunter contract forms, promotional strategies or efforts; reservation, cancellation and refund policies; and acknowledgement of risk forms.
2. Describe provisions for disabled clients.
3. Tell us how you educate your clients about the refuge and its resources.
4. Describe your knowledge, abilities, and experience in caring for meat, capes, and hides from
 - a. big game.
5. List the number of years and estimated number of animals of each species that you and/or your employees have taken care of (e.g., field dressed, skinned, caped, boned, butchered, etc.).
6. Document any training that you or your employees have received in care of meat or trophies (e.g., taxidermy, meat cutting, etc.).
7. Describe your plan, methods, provisions, and facilities to salvage, care for, and provide opportunity for utilization of meat from harvested animals.
8. Describe your methods and strategies to reduce conflict with other Refuge users, including subsistence users.

Applicant's Name _____ Form B - Page 1

FORM C

**Demonstrated Experience and Knowledge of the
Terrain, Climate, and Species to be Hunted**

This table is required to be filled out. You may provide a narrative if you wish, but it is not required.

A. Experience

1. **Guiding on the refuge Guide Use Area being offered.** In the following table, list your guiding and outfitting experience in the refuge guide use area applied for during each of the last 20 years, starting with January 1, 2000. Please fill out the table as completely as possible. Insert additional rows if necessary.

Year	# of Clients	Number of Days in the Field	Total Client Use Days	Species Hunted	Animals Taken	Your Role (Assistant, Registered, or Contracting Guide)	Did you personally lead this hunt? Yes/No
<i>(Example)</i> 1982	4	34	20	Wolf, B Bear, caribou	2 wolves, 4 B Bears	Both	Yes

Applicant's Name _____ Form C - Page 1

2. **Other activities on the refuge Guide Use Area being applied for.** In the following table, list other relevant personal or non-guide experiences you have had in the refuge guide use area applied for during each of the last 20 years, starting with January 1, 2000. This may include personal sport or subsistence hunting and fishing, conducting air taxi or transporting services, resource management activities or any other experiences you feel would be relevant. Please fill out the table as completely as possible. Insert additional rows as needed.

Year	Number of Days in the Field	Description of Activities
<i>(Example) 1995</i>	56	<i>Took family fishing at Galbraith Lake for 4 days. Floated the Sheenjek River with friends for 15 days in June. Spent time in both areas alone learning about them in preparation for the two trips, 37 days.</i>

Applicant's Name _____ Form C - Page 2

3. **Guiding elsewhere.** Describe your guiding/outfitting experience **in other areas** during each of the last **10 years**, starting with January 1, 2010. For each year, list the number of clients, noting the number of days you spent in the field, identify the species hunted, number of each species taken, specific locations and type of terrain and climate where you guided or outfitted. Indicate the specific periods, if any, for which you were not serving as a registered big game guide. You should also indicate if you were the contracting guide. If you guided for activities other than big game guiding, describe the type of activities you guided, and the specific services you provided. *More weight will be given in this category for guiding experience in Alaska.*

Year	# of Clients	Number of Days in the Field	Total Client Use Days	Species Hunted	Animals Taken	State	If in Alaska, State Game Management Unit	If in Alaska and if applicable, Refuge or other federal Guide Use Area	Description of Terrain & Climate	Your Role (Assistant, Registered, or Contracting Guide)	Did you personally lead this hunt? Yes/No
<i>(Example) 2004</i>	<i>34</i>	<i>22</i>	<i>26</i>	<i>Wolf, Sheep</i>	<i>4 Wolves 2 Sheep</i>	<i>Montana</i>	<i>N/A</i>	<i>N/A</i>	<i>Mountains, alluvial fans</i>	<i>Both</i>	<i>Yes</i>

4. **Other relevant activities not on the Guide Use Area you are applying for.** In the following table, list other relevant experiences you have had during each of the last 10 years, starting with January 1, 2010. This may include personal sport or subsistence hunting and fishing, conducting air taxi or transporting services, resource management activities or any other experiences you feel would be relevant. Please fill out the table as completely as possible. Insert additional rows as needed. Include explanations and other information after the table.

Year	Number of Days in the Field	Description of Activities and General Location	State	If in Alaska, State Guide Management Unit	If in Alaska and if applicable, Refuge or other federal Guide Unit	Description of Terrain & Climate
<i>(Example)</i> 2001	70	<i>Walked from Bettles to Anaktuvik Pass and back.</i>	<i>AK</i>	<i>13 B, 14 C</i>	<i>ARC-06</i>	<i>Marsh, river valleys, mountains</i>

Applicant's Name _____ Form C - Page 4

5. Relevant education/training. Describe any education and/or training you believe is relevant to the terrain, climate, and species to be hunted (do not include safety-related training here).

FORM D

Safety plan, safety training, and safety equipment

1. List all safety related training that you, your partners, and your employees have taken (e.g., advanced first aid, ETT, EMT, arctic survival, wilderness first aid/medicine, cold water survival, etc.). Also describe any relevant experience/training in actual rescue or survival operations or programs, hunter safety programs, etc. Give dates of training or participation and indicate if certification is current (if applicable). **Note: the successful applicant and assistant guides are required to submit current first aid and CPR certification prior to permit issuance.**
2. Describe your emergency preparedness or safety plan. List emergency communications equipment and address your plans, if any, in the event of mechanical failures, or other types of accidents/incidents.
3. List all safety related equipment and supplies, in addition to the communications equipment listed above.

Applicant's Name _____ Form D - Page 1

FORM E

History of Violations, Accidents, and Incidents

1) Since January 1, 2010, have **you or any of your former, current or proposed business partners that were, are, or will be associated with your guiding business:**

- been convicted, forfeited collateral, or pled nolo contendere to any guiding, outfitting or transporting offense;
- had a guiding license or privilege suspended, revoked, or under probation;
- been administratively penalized for violation of any federal regulations or special use permit condition while operating or being associated with a business holding a special use permit from the U.S. Fish and Wildlife Service or any other federal agency;
- been convicted of violating any state or local laws related to hunting or fishing (including commercial fishing)?

Are you or any of your **former, current or proposed business partners** who were, are, or will be associated with your guiding business, under pending charges for any violation associated with guiding, transporting, or outfitting business on any federal or state lands (**not just Alaska**)?

If the answer to any of these questions is yes, list each incident and give the name of the person, place of occurrence and name/address of the law enforcement agency and/or court involved (you may provide an explanation).

2) Since January 1, 2010, have any of **your former, current or proposed employees**, while in your employment or **employees of contractors while performing a service for you** under a permit from the U.S. Fish and Wildlife Service or any other federal agency:

- been convicted, forfeited collateral, pled nolo contendere;
- had a guiding license or privilege suspended, revoked, or under probation;
- been administratively penalized for violation of any federal regulations, or special use permit conditions while operating under a special use permit with the U.S. Fish and Wildlife Service or any federal agency;
- been convicted of for violating any state or local laws related to hunting, fishing (including commercial fishing), outfitting, transporting, or guiding?

Do any current or proposed employees, **or contractors**, have any charges for any violation as described above presently pending? If the answer to **any of** these questions is yes, list each incident and give the name of the person, place of occurrence and name/address of the law enforcement agency and/or court involved (you may provide an explanation, including how you handled the situation).

3) Since January 1, 2010, has any **client** or been convicted, forfeited collateral, pled nolo contendere, or is now under pending charges for any violation that occurred while being guided or accompanied by you or individuals associated with your guiding business? If yes, list each incident and give the name of the person, place of occurrence and name/address of the law enforcement agency and/or court involved (and provide explanation, if you desire).

Applicant's Name _____ Form E - Page 1

FORM E (continued)

4) Attach copies of official background reports documenting history of violations or convictions for yourself, and all current and proposed business partners associated with your guide operations. You and each of your business partners must obtain a copy of an "Any Persons Report" from the Alaska Department of Public Safety (i.e., Alaska State Troopers) **as well as any State or U.S. possession where you have guided over the last 10 years** (January 1, 2010) and specify that hunting, fishing and guiding related records (i.e., "**Fish and Wildlife Report**") be included. Information on Alaska "walk-in" locations can be found on-line at <http://www.dps.state.ak.us/Statewide/background/walkin.aspx>. You must provide a copy of these background reports for yourself and all partners identified in your application to be considered for a refuge permit and you are responsible for any required report cost. If desired, you may provide an explanation of any item that appears on your "Any Persons Report."

5) List accidents, incidents, and safety related violations that were required to be reported to any federal, state, or local government [e.g. The Federal Aviation Administration (FAA), the U.S. Coast Guard (USCG), The National Transportation Safety Board (NTSB)] for all safety violations, accidents and/or incidents involving you or your guiding, outfitting or transporting operation that have occurred since January 1, 2010. If other services are available to clients whose actions may reflect on your business (e.g. contracted air transporters, acquaintances providing services to your clients even without being contracted), provide a summary and explanation of reported safety violations, accidents or investigations related to these activities.

If any investigations were conducted by any federal, state, or local government for any safety violations, accidents and/or incidents involving you or your guiding, outfitting, or transporting operation that have occurred since January 1, 2010, and a report was made of the investigation, you must submit a copy of the report. Please request this information early to ensure your proposal will be complete. If records cannot be obtained from the agency involved, describe the accident, incident or violation in detail and provide the name and telephone number of the person you contacted who informed you that the record could not be provided. Agencies typically do not provide reports unless there are records of such accidents, incidents, violations or enforcement actions.

Example:

a) FAA reports may be obtained by writing a letter to FAA, P.O. Box 25082, Oklahoma City, Oklahoma 73125, Attention: AVN 124. The letter must include the full name of the person the records are being requested for, certificate numbers, return address, stipulate that you request records for accidents, incidents and enforcement actions occurring since January 1, 2010, and be signed. A minimum of ten working days is required to receive this information. For more information on obtaining FAA records, you may call FAA at (405) 954-3261.

b) Information on how to obtain USCG reports may be received by calling their 17th Coast Guard District legal office at (907) 463-2050. Their address is: Commander (dl), 17th Coast Guard District, P.O. Box 25517, Juneau, Alaska 99802-5517.

Note: Any applicant who has a felony conviction, or is otherwise, prohibited from possessing, receiving or being near any firearm and ammunition in accordance with state and federal law, is ineligible for a permit. No applicant can employ a convicted felon to possess, receive, or be near any firearm and ammunition in accordance with state and federal law. In addition, any applicant or employee who individually or cumulatively has 5 or more misdemeanor convictions within the last 10 years, is ineligible for a permit.

Applicant's Name _____ Form E - Page 2

FORM F

Evaluation of Client References

Provide a complete list of all big game hunting clients that you have contracted and/or personally guided since January 1, 2010. If you need to go back prior to this date in order to have a minimum of ten clients, you may do so. Include full names; mailing addresses; home telephone and other telephone numbers, if known; species hunted; year of hunt; whether you were the contracting guide; whether it was a guided or drop off client; and whether the client was guided by you personally or by an assistant. **Do not submit copies of Alaska State hunt records.**

If you are a recently registered guide and are unable to provide the requested list for a minimum of ten clients, simply indicate that on this form.

Appendix A

Applicant's Name _____ Form _____ Page _____



Commercial Activities Special Use Permit Application

Refuge Name:

Address:

Attn: (Refuge Official)

E-Mail:

Phone #:

For Official Use Only:

Approved Permit #:

Station #:

Permit Term: from to

Note: We do not require all information for each use. See instructions at the end of the notice and contact the refuge to determine applicability of a particular item.

1a) Identify the type of Permit you are applying for: New Renewal Modification Other

1b) Have you applied, or do you intend to apply, to any other refuges for this same activity? Yes No

1c) If yes, which refuges?

Applicant Information

2) Full Name: 3) Title:

4) Business Name:

5) Physical Address:

City/State/Zip:

6) Mailing Address: (if different than above)

City/State/Zip:

7) Business Phone #: 8) Business Fax #:

9) E-mail: 10) Business Tax ID #:

11a) Within the past 5 years, has the company (entity), its owners, or any employees who have or will be expected to operate on the refuge, been convicted, pled nolo contendere, forfeited collateral, or are currently under charges for any violations of any State, Federal, or local law, or regulations related to fish and wildlife or permit activities? Yes No

11b) If you answered "YES" to question #11a, provide the individual's name, date of charge, charge(s), location of incident, court, and action taken for each violation.

12) List **known** assistants/subcontractors/subpermittees: (Only required if the assistants/subcontractors/subpermittees will be operating on the refuge without the permittee being present. If unknown at time of application we may require this under "special conditions" to permit before approval.)

Name/Business	Address	Phone #

Activity Information:

13a) Choose a Commercial Activity: **Guided Recreation** **Audio/Visual Recording** **Recreation Events** **Cabins**
Transportation Services **Agricultural Use** **Marine Salvage/Storage** **Mineral Lease** **Other**

13b) Specify Type of Activity if 'Other' was chosen:

Note: Depending on the activity for which you are requesting a permit, we may ask you for the following activity information. Please contact the refuge where the activity is being conducted to determine what information is required.

14) Describe activity by specifically identifying timing (occupancy timeline), frequency, and how the activity is expected to proceed:

15) Specifically identify location(s) and/or attach a map: (GPS location(s) preferred)

16) If drones are necessary, describe why the drone is needed and provide specifics on how it will be used:

17) For Guided Operations estimate number of clients if applicable: Per Day Per Season

18) Inquire with refuge if Plan of Operation is required. Is a Plan of Operation attached? Yes No N/A

19) Inquire with refuge if a trip schedule is required. Is a trip schedule attached? Yes No N/A

License/Insurance Coverage/Certification/Permit

Note: Contact the refuge where the activity is going to be conducted to determine if we will require any type of license(s), insurance(s), certification(s), or permit(s). We may process this Special Use Permit while the applicant obtains them.

20) List and attach a copy of any **licenses** you have for equipment operation (i.e., aviation or commercial boats), pesticide application(s), transporters, or others, if required:

License Type	Number	Expiration Date

21) List and attach any **insurance coverage(s)** you have such as general liability, aviation, grounding liability, contaminants applicator, medical evacuation, or others, if required:

Insurance Type	Carrier	Expiration Date

22) List and attach any **certifications** you have such as rat free, hull inspections, CPR/First Aid, or others, if required:

Certificate Type	Expiration Date

23) List and attach other Federal, State, or Tribal **permits**, if required:

Permit Type	Permit Number	Expiration Date

Logistics and Transportation

Note: We do not require all information for each use. See instructions at the end of the notice and contact the refuge to determine applicability of a particular item.

24a) Does the activity require personnel to stay overnight on the refuge? Yes No N/A

24b) If yes, list names of personnel involved:

List Names	List Names	List Names	List Names

25) Identify and describe all major equipment/gear and materials needed for activity, if required:

26a) Provide detailed information on the logistics for onsite, intersite, and/or ship-to-shore transportation to or on the refuge, if required:

26b) Provide descriptions, license plate and/or identification numbers of vehicles used for onsite transportation, if required:

Vehicle Type	Plate/I.D./Registration #	Vehicle Type	Plate/I.D./Registration #

26c) Provide descriptions, license plate and/or identification numbers of vehicles used for intersite transportation, if required:

Vehicle Type	Plate/I.D./Registration #	Vehicle Type	Plate/I.D./Registration #

26d) Provide descriptions, license plate and/or identification numbers of vehicles used for ship to shore transportation, if required:

Vehicle Type	Plate/I.D./Registration #	Vehicle Type	Plate/I.D./Registration #

27a) Is fuel cache needed? Yes No N/A

27b) Specific location(s) of fuel caches: (GPS Coordinates preferred)

28) Is a Safety Plan attached?
Yes No N/A

Work and Living Accommodations

29) Specifically describe onsite work and/or living accommodations, including spike camps:

30) Specifically describe on or offsite hazardous material storage or other on or offsite material storage space: (Including on and offsite fuel caches.)

Sign, date, and print this form and return it to the refuge for processing. By signing this application, I agree my operations will conform to the information I have provided in this application, and I understand that any deviations or changes to this information must receive prior written approval.

31) Signature of Applicant: _____ Date of Application: _____

NOTICES

No Members of Congress or Resident Commissioner shall participate in any part of this contract or to any benefit that may arise from it, but this provision shall not pertain to this contract if made with a corporation for its general benefit.

The Permittee agrees to be bound by the equal opportunity "nondiscrimination in employment" clause of Executive Order 11246.

PRIVACY ACT STATEMENT

Authority: The information requested is authorized by the National Wildlife Refuge System Administration Act (16 U.S.C. 668dd-ee) and the Refuge Recreation Act (16 U.S.C. 460k-460k-4).

Purpose: To collect the applicant's information to process permits allowing for commercial activities such as: guiding hunters, anglers or other outdoor users; commercial filming; agriculture; rental of cabins and trapping while on the National Wildlife Refuge System.

Routine Uses: The information will be used by the refuge's administrative office for processing Commercial Activity Special Use permits. More information about the routine uses maybe found in the Systems of Records Notice, FWS-5 National Wildlife Refuge Special Use Permits.

Disclosure: Providing the information is voluntary. However, submission of information is required to process and approve commercial activity usage on the National Wildlife Refuge System.

PAPERWORK REDUCTION ACT STATEMENT

We are collecting this information subject to the Paperwork Reduction Act (44 U.S.C. 3501) to evaluate the qualifications, determine eligibility, and document permit applicants and to respond to requests made under the Freedom of Information Act and the Privacy Act of 1974. The information that you provide is required to obtain or retain a benefit; however, failure to provide all required information is sufficient cause for the U.S. Fish and Wildlife Service to deny a permit. False, fictitious, or fraudulent statements or representations made in the application may be grounds for revocation of the Special Use Permit and may be punishable by fine or imprisonment (18 U.S.C. 1001). According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. OMB has approved this information collection and assigned control number 1018-0102.

ESTIMATED BURDEN STATEMENT

The public reporting burden for this information collection varies based on the requested specific refuge use. We estimate the relevant public reporting burden for the Commercial Activity Special Use Permit Application form to average 4 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Service Information Collection Clearance Officer, Division of Policy, Performance, and Management Programs, Fish and Wildlife Service, Mail Stop BPHC, 5275 Leesburg Pike, Falls Church, VA 22041-3803. Please do not send your completed form to this address.

GENERAL CONDITIONS AND REQUIREMENTS

- 1) **Responsibility of Permittee:** The permittee, by operating on the premises, shall be considered to have accepted these premises with all facilities, fixtures, or improvements in their existing condition as of the date of this permit. At the end of the period specified or upon earlier termination, the permittee shall give up the premises in as good order and condition as when received except for reasonable wear, tear, or damage occurring without fault or negligence. The permittee will fully repay the Service for any and all damage directly or indirectly resulting from negligence or failure on his/her part, and/or the part of anyone of his/her associates, to use reasonable care.
- 2) **Operating Rules and Laws:** The permittee shall keep the premises in a neat and orderly condition at all times, and shall comply with all municipal, county, and State laws applicable to the operations under the permit as well as all Federal laws, rules, and regulations governing national wildlife refuges and the area described in this permit. The permittee shall comply with all instructions applicable to this permit issued by the refuge official in charge. The permittee shall take all reasonable precautions to prevent the escape of fires and to suppress fires and shall render all reasonable assistance in the suppression of refuge fires.
- 3) **Use Limitations:** The permittee's use of the described premises is limited to the purposes herein specified and does not, unless provided for in this permit, allow him/her to restrict other authorized entry onto his/her area; and allows the U.S. Fish and Wildlife Service to carry on whatever activities are necessary for: (1) protection and maintenance of the premises and adjacent lands administered by the U.S. Fish and Wildlife Service; and (2) the management of wildlife and fish using the premises and other U.S. Fish and Wildlife Service lands.

- 4) Transfer of Privileges: This permit is not transferable, and no privileges herein mentioned may be sublet or made available to any person or interest not mentioned in this permit. No interest hereunder may accrue through lien or be transferred to a third party without the approval of the Regional Director of the U.S. Fish and Wildlife Service and the permit shall not be used for speculative purposes.
- 5) Compliance: The U.S. Fish and Wildlife Service's failure to require strict compliance with any of this permit's terms, conditions, and requirements shall not constitute a waiver or be considered as a giving up of the U.S. Fish and Wildlife Service's right to thereafter enforce any of the permit's terms or conditions.
- 6) Conditions of Permit not Fulfilled: If the permittee fails to fulfill any of the conditions and requirements set forth herein, the U.S. Fish and Wildlife Service shall retain all money paid under this permit to be used to satisfy as much of the permittee's obligation as possible.
- 7) Payments: All payment shall be made on or before the due date to the local representative of the U.S. Fish and Wildlife Service by a postal money order or check made payable to the U.S. Fish and Wildlife Service.
- 8) Termination Policy: At the termination of this permit the permittee shall immediately give up possession to the U.S. Fish and Wildlife Service representative, reserving, however, the rights specified in paragraph 11 below. If he/she fails to do so, he/she will pay the U.S. Fish and Wildlife Service, as liquidated damages, an amount double the rate specified in this permit for the entire time possession is withheld. Upon yielding possession, the permittee will still be allowed to reenter as needed to remove his/her property as stated in paragraph 11 below. The acceptance of any fee for the liquidated damages or any other act of administration relating to the continued tenancy is not to be considered as an affirmation of the permittee's action nor shall it operate as a waiver of the U.S. Fish and Wildlife Service's right to terminate or cancel the permit for the breach of any specified condition or requirement.
- 9) Revocation Policy: The Regional Director of the U.S. Fish and Wildlife Service may revoke this permit without notice for noncompliance with the terms hereof, or for violation of general and/or specific laws or regulations governing national wildlife refuges, or for nonuse. It is at all times subject to discretionary revocation by the Director of the Service. Upon such revocation the U.S. Fish and Wildlife Service, by and through any authorized representative, may take possession of said premises for its own and sole use, and/or may enter and possess the premises as the agent of the permittee and for his/her account.
- 10) Damages: The U.S. Fish and Wildlife Service shall not be responsible for: any loss or damage to property including but not limited to crops, animals, and machinery; injury to the permittee or his/her relatives or to the officers, agents, employees, or any other(s) who are on the premises from instructions; the sufferance from wildlife or employees or representatives of the U.S. Fish and Wildlife Service carrying out their official responsibilities. The permittee agrees to hold the U.S. Fish and Wildlife Service harmless from any and all claims for damages or losses that may arise to be incident to the flooding of the premises resulting from any associated government river and harbor, flood control, reclamation, or Tennessee Valley Authority activity.
- 11) Removal of Permittee's Property: Upon the expiration or termination of this permit, if all rental charges and/or damage claims due to the U.S. Fish and Wildlife Service have been paid, the permittee may, within a reasonable period as stated in the permit or as determined by the U.S. Fish and Wildlife Service official in charge, but not to exceed 60 days, remove all structures, machinery, and/or equipment, etc., from the premises for which he/she is responsible. Within this period the permittee also must remove any other of his/her property including his/her acknowledged share of products or crops grown, cut, harvested, stored, or stacked on the premises. Upon failure to remove any of the above items within the aforesaid period, they shall become the property of the U.S. Fish and Wildlife Service.

INSTRUCTIONS FOR COMPLETING APPLICATION

You may complete the application portion verbally, in person, or electronically and submit to the refuge for review. Note: Please read instructions carefully as not all information is required for each activity. Contact the specific refuge headquarters office where the activity is going to be conducted to determine applicability of a particular item. We may add special conditions or permit stipulations to permit prior to approval.

1a-c) Identify if permit application is for new, renewal, or modification of an existing permit, whether or not you have or will be applying to another refuge for the same activity, and for which refuge(s). Permit renewals may not need all information requested. Contact the specific refuge headquarters office where the activity is going to be conducted to determine applicability of this requirement.

2-9) Provide applicant and/or business full name, organization or business name (if applicable), physical and mailing address, phone, fax, and e-mail.

10) Provide tax identification number of business or individual.

11a-11b) Check box answering the question regarding any violations of State, Federal, or local law, or regulations related to fish and wildlife or permit activities, if required. If **you answered yes to question 11a**, supply the detailed information requested in question 11b. Contact the specific refuge headquarters office where the activity is going to be conducted to determine if we require information on violations of State, Federal, or local law, or regulations related to fish and wildlife or permit activities.

12) Provide the names and addresses of known assistants, subcontractors, or subpermittees. We may require names and address if the assistants, subcontractors, or subpermittees will be operating on the refuge without the permittee being present. Volunteers, assistants, subcontractors, or subpermittees that are accompanied by the permittee need not be identified.

- 13) Activity type: identify commercial activity type (such as, guided recreation, audio/visual recording, recreational events, agriculture activities such as haying, grazing, crop planting, logging, beekeeping, and other agricultural products, building or occupying cabins, or other commercial uses). Describe other commercial uses if not one of the listed categories. Applicants in Alaska should contact the specific refuge headquarters office where the activity is going to be conducted if you have questions regarding commercial or subsistence activities.
- 14) Describe Activity: provide detailed information on the activity, including timing and occupancy timeline, frequency, how the activity is expected to proceed, etc. Permit renewals may not need activity descriptions if the activity is unchanged from previous permit. Most repetitive activities do not require an activity description for each visit. Contact the specific refuge headquarters office where the activity is going to be conducted to determine applicability of this requirement.
- 15) Location: identify specific location (GPS coordinates preferred) if not at a named facility, and/or attach a map with location. Most repetitive activities may not require identification of a location. In addition, permit renewals may not require a location if the activity is essentially unchanged from the previous permit. Contact the specific refuge headquarters office where the activity is going to be conducted to determine if a location is required.
- 16) If a drone will be used for this activity, describe in detail why the drone is necessary to complete the activity and provide specifics on how the drone will be used.
- 17) Estimate number of clients per day or per season.
- 18) Attach a Plan of Operation, if required. Most repetitive activities do not require a Plan of Operations for each visit. In addition, permit renewals may not require a Plan of Operations if the activity is essentially unchanged from the previous permit. Contact the specific refuge headquarters office listed where the activity is going to be conducted to determine if a Plan of Operations is required.
- 19) Attach trip schedule, if required. Most repetitive activities will require trip schedules for each visit. Contact the specific refuge headquarters office where the activity is going to be conducted to determine if trip schedules are required.
- 20) Specifically identify types and numbers of licenses and attach a copy, as required. Contact the specific refuge headquarters office where the activity is going to be conducted to determine the types of licenses required, and to coordinate the simultaneous application for multiple types of licenses. We may process this Special Use Permit while licenses are being sought, but we may or may not issue the Special Use Permit until appropriate licenses are obtained.
- 21) Specifically identify names, types, carriers of insurance, and attach copies if required. Contact the specific refuge headquarters office where the activity is going to be conducted to determine the types of insurance required, and to coordinate obtaining several types of insurance simultaneously with this permit. We may or may not issue this Special Use Permit while other types of insurance are being obtained.
- 22) Specifically identify types and numbers of other certifications and attach copies if required. Contact the specific refuge headquarters office where the activity is going to be conducted to determine the types of certifications required, and to coordinate the simultaneous application of multiple certifications. We may or may not issue this Special Use Permit while other certifications are being obtained.
- 23) Specifically identify types and numbers of other State, Federal or tribal permits and attach copies, if required. Contact the specific refuge headquarters office where the activity is going to be conducted to determine the types of permits required, and to coordinate the simultaneous application of multiple State, Federal or tribal permits. We may process this Special Use Permit while other State, Federal or tribal permits are being sought, but we may or may not issue the Special Use Permit until other appropriate State, Federal or tribal permits are obtained.
- 24a-24b) Provide name(s) of any personnel required to stay overnight, if applicable.
- 25) Identify all equipment and materials that will be used, if required. Most repetitive activities do not require a list of equipment. In addition, permit renewals may not require a list of equipment if the event is essentially unchanged from the previous permit. Contact the specific refuge headquarters office where the activity is going to be conducted to determine if a list of equipment is required.
- 26a-26d) Describe and provide vehicle descriptions and license plate or identification numbers of all vehicles, including boats and airplanes, if required. Motor vehicle descriptions are only required for permittee vehicle, and/or if the vehicle will be operated on the refuge without the permittee being present. Motor vehicles that are accompanied by the permittee as part of a group (convoy) activity need not be identified if cleared in advance by refuge supervisor. Specifically describe ship-to-shore, intersite (between islands, camps, or other sites) and onsite transportation mechanisms, and license plate or identification numbers, if required.
- 27a-27b) Identify specific location(s) of fuel cache(s) (GPS coordinates preferred), if required.
- 28a-28b) Attach safety plan if required. Contact the specific refuge headquarters office where the activity is going to be conducted to determine if we require a safety plan.
- 29) Specifically describe onsite work and/or living accommodations, if required. Include descriptions and locations (GPS coordinates preferred) of spike camps or other remote work and/or living accommodations that are not part of the base of operations. Contact the specific refuge headquarters office where the activity is going to be conducted to determine if we require descriptions of on-site work and/or living accommodations.

30) Specifically describe onsite or offsite hazardous material storage, or other material storage space (including on and offsite fuel caches), if required. Contact the specific refuge headquarters office where the activity is going to be conducted to determine if we require descriptions of hazardous material storage or other on-site material storage.

31) Print the application (if using the fillable version). Date and sign the application and return to refuge for processing. By signing this application, you agree your operations will conform to the information you have provided in this application, and understand that any deviations or changes to this information must receive prior written approval. The refuge official will review and, if approved, fill out a Special Use Permit, sign, and return a copy to you for signature and acceptance.

**SUPPLEMENTAL INSTRUCTIONS FOR USE OF FORM 3-1383-C FOR
APPLICATIONS FOR COOPERATIVE AGRICULTURE OPPORTUNITIES ON THE NWRS**

14) Describe how your proposed activity, based on your background, knowledge and experience, meets the objective criteria by which the Service will evaluate your application as outlined in the Service's Notice of Cooperative Agricultural Opportunity (Notice). In addition, if applicable, please identify how your proposed activity is different from the description of the cooperative agricultural opportunity outlined in the Notice.

18) Does not need to be filled out at time of application. However, this section must be filled out, in coordination with the Service, after the opportunity is awarded and before applicant begins any cooperative agricultural on the NWRS.

Logistics and Transportation

24a-30) Do not need to be filled out at time of application. However, these sections must be filled out, in coordination with the Service, after the opportunity is awarded and before applicant begins any cooperative agricultural on the NWRS.

**THIS APPLICATION FORM IS NOT VALID AS A PERMIT
BUT MAY BE USED AS A REFERENCE DOCUMENT ATTACHED TO THE OFFICIAL PERMIT.
ONLY OFFICIAL REFUGE PERSONNEL MAY ASSIGN A VALID PERMIT NUMBER AND PERMIT TERM
TO THIS APPLICATION FORM AFTER THE PERMIT HAS BEEN APPROVED.**

Region 7-Special Use Permits Standard Conditions (revised version)

1. Failure to abide by any part of this special use permit; violation of any refuge related provision in Titles 43 (Part 36) or 50 (Subchapters B and C) Code of Federal Regulations; or violation of any pertinent state regulation (e.g., fish or game violation) will, with due process, be considered grounds for immediate revocation of this permit and could result in denial of future permit requests for lands administered by the U.S. Fish and Wildlife Service. This provision applies to all persons working under the authority of this permit (e.g., assistants). Appeals of decisions relative to permits are handled in accordance with 50 Code of Federal Regulations 36.41.
2. The permittee is responsible for ensuring that all employees, party members, aircraft pilots, and any other persons working for the permittee and conducting activities allowed by this permit are familiar with and adhere to the conditions of this permit.
3. The permittee may not sublet any part of the authorized use area and is prohibited from subcontracting clients with any other guide. The permittee may hire an assistant guide to conduct the contracted hunt but the permittee must be in the Game Management Unit (GMU) in which the hunt is taking place, or in a GMU that is adjacent to and sharing a common border with the GMU in which the hunt is taking place, or a location that is not greater than 50 miles from the nearest boundary of the GMUs in which the hunt is taking place except during times of emergencies or as specified in state statutes and regulations.
4. Any problems with wildlife and/or animals taken in defense of life or property must be reported immediately to the refuge manager and Alaska Department of Fish and Game, and be salvaged in accordance with State regulations.
5. The permittee and permittee's clients do not have the exclusive use of the site(s) or lands covered by this permit, except for the authorized camp facilities.
6. This permit may be cancelled or revised at any time by the refuge manager in case of emergency (e.g., high fire danger, flooding, unusual resource problems, etc.).
7. The permittee shall notify the refuge manager during refuge working hours in person or by telephone before beginning and upon completion of annual activities allowed by this permit.
8. The permittee shall maintain comprehensive general liability insurance (\$300,000 each occurrence, \$500,000 annual aggregate) throughout the use period specified on the permit, with the Fish and Wildlife Service named as coinsured.
9. Annually, prior to beginning any activities allowed by this permit, the permittee must provide the refuge manager with: 1) list of all aircraft and other vehicles or vessels to be used, with identification information; 2) names of assistant guides and other employees, or any person providing services to clients on refuge lands; and 3) any other changes in information provided in the original permit/proposed operations plan.
10. The permittee is responsible for accurate record keeping. By December 31 each year, the permittee must provide the refuge manager with a client use report showing the number of

clients; the dates each client was on the Refuge; the species each client hunted; and the number of each species harvested. The permittee must also provide a legible copy of the State's "Hunt Record" for each client. This report shall be certified by the permittee as being complete and accurate.

11. The Permittee will remit all required annual fees (e.g., client use day, reserved land site) within 30 days after receiving a bill for collection.
12. This permit authorizes use on State selected lands. If any of these lands are conveyed during the term of this permit, the permittee will no longer be authorized to use those State lands, and must seek authorization from the Alaska Department of Natural Resources. For permits issued for multiple years, it is the responsibility of the permit holder to re-check land status with the permitting office to ensure selected lands authorized for use under this permit continue to remain under the jurisdiction of the U.S. Fish and Wildlife Service.
13. This permit authorizes use of the Native selected lands. If any of these selected lands are conveyed during the term of this permit, the permittee will no longer be authorized to use those lands. For permits issued for multiple years, it is the responsibility of the permit holder to re-check land status with the permitting office to ensure selected lands authorized for use under this permit continue to remain under the jurisdiction of the U.S. Fish and Wildlife Service.
14. In accordance with the Archaeological Resources Protection Act (16 U.S.C. 470ee), the removal or disturbance of archeological or historic artifacts is prohibited. The excavation, disturbance, collection, or purchase of historical or archaeological specimens or artifacts on refuge lands is prohibited.
15. Permittees shall maintain their use areas in a neat and sanitary condition. Latrines must be located at least 150 feet from springs, lakes, and streams to avoid contamination of water resources. All property (except cabins and/or tent frames) and garbage associated with the permitted activity must be removed from refuge lands upon departing for the season.
16. The construction or clearing of landing strips or pads is prohibited. Incidental hand removal of rocks and other minor obstructions may be permitted.
17. The use of off-highway vehicles is prohibited unless specifically authorized in writing in this permit.
18. The operation of aircraft at altitudes and in flight paths resulting in the herding, harassment, hazing, or driving of wildlife is prohibited. It is recommended that all aircraft, except for take-off and landing, maintain a minimum altitude of 2,000 feet above ground level (AGL).
19. Aircraft use must be conducted in accordance with the authorized plan of operation, and in compliance with FAA regulations. All aircraft being used in a commercial guiding operation must have 12 inch identification numbers in easily visible contrasting colors.
20. Construction of cabins or other permanent structures is prohibited.
21. The permittee's operation plan, as amended and accepted by the U.S. Fish and Wildlife Service, is hereby incorporated in its entirety as a special condition. All deviations from the operations plan must receive prior written approval by the Refuge Manager or his designee.
22. Any action by a permittee or the permittee's employees which unduly interferes with or harasses other refuge visitors or impedes access to any site is strictly prohibited. Examples of prohibited acts include, but are not limited to, low flights over camps or persons at less than 500 feet (unless landing), parking aircraft or placing other objects (rocks, tents, etc.) on any

6/1/2018

area so as to restrict landing use by other aircraft or persons, and the placement of ghost camps (i.e., unoccupied tents) to falsely indicate the use of an area.

23. Fuel storage sites must be approved in advance by the Refuge Manager. Preparations to prevent and respond to a fuel spill must be fully adequate at all sites for the amount of fuel stored on site.
24. All food and garbage will be secured in a manner that minimizes attraction to wildlife and must be removed from the field before vacating the site for the season.
25. As soon as practicable, but in no case to exceed 30 days, the permittee shall notify the refuge manager of any state or federal fish or wildlife related violations by the permittee or persons employed by the permittee as a guide or assistant guide (if known to the permittee), who have been convicted, pled nolo contendere, forfeited collateral, or had a guiding license suspended or revoked. Notification is required for violations without regard to where they occurred.
26. As soon as practicable, but in no case to exceed 30 days, the permittee shall notify the refuge manager of any accidents or other safety related incidents associated with permitted activities on the refuge. Reportable incidents include those that result in a death or physical injury requiring immediate medical attention beyond basic first aid, or that involve significant property damage or loss.

EXHIBIT 11

Economic Impacts and Contributions of Sportfishing in Alaska, 2007 at ix, xvii and 108
(Alaska Dept. of Fish & Game and Southwick Associates, Inc., 2008)

Professional Publication No. 08-01

Economic Impacts and Contributions of Sportfishing in Alaska, 2007

by

Southwick Associates, Inc.

and

William J. Romberg

Allen E. Bingham

Gretchen B. Jennings

Robert A. Clark

December 2008

Alaska Department of Fish and Game

Division of Sport Fish



EXECUTIVE SUMMARY

In 2007, 475,534 resident and nonresident licensed anglers fished 2.5 million days in Alaska and spent nearly \$1.4 billion on licenses and stamps, trip-related expenditures, pre-purchased packages, and equipment and real estate used for fishing. An input-output model of Alaska and the study regions was used to estimate the total economic contributions that the spending created through the economic multiplier effect. The \$1.4 billion of angler spending in Alaska supported 15,879 jobs in Alaska and provided \$545 million of income (Table E1). As the anglers' dollars moved from business to business in the Alaska economy, government revenues were generated through personal income taxes, local property taxes, sales taxes, business taxes, and excise taxes. In total, \$123 million in tax revenues were generated for state and local governments in Alaska and \$123 million for the Federal government.

Table E1.—Economic contributions of sportfishing in Alaska, 2007.

	Resident Anglers	Nonresident Anglers	All Anglers
Licensed anglers	190,644	284,890	475,534
Days fished*	1,459,380	1,080,438	2,539,818
Angler purchases:			
<i>Licenses and Fees</i>	\$6,627,558	\$16,536,955	\$23,164,513
<i>Trip-related (non-package)</i>	\$219,829,151	\$347,358,999	\$567,188,150
<i>Packages</i>	NA**	\$137,519,700	\$137,519,700
<i>Equipment</i>	\$433,693,104	\$41,385,450	\$475,078,554
<i>Real Estate (construction & repair)</i>	\$73,139,537	\$109,697,619	\$182,837,156
Total dollars spent	\$733,289,349	\$652,498,723	\$1,385,788,072
Total economic contribution, including multiplier effects:			
<i>Industry output</i>	\$668,729,829	\$938,863,856	\$1,607,593,685
<i>Income provided</i>	\$223,373,937	\$321,882,151	\$545,256,088
<i>Jobs supported</i>	6,442	9,437	15,879
<i>Taxes contributed</i>	\$123,142,404	\$123,172,709	\$246,315,114

* Totals reported here do not exactly match published statewide and regional totals from the 2007 SWHS due to the fact that it is not possible to identify the water type or guided/unguided status of some Statewide Harvest Survey (SWHS) responses. The totals reported in this table reflect the summary of all days fished within a region that could be assigned to a specific residency, water type, and guided/unguided category. Approximately 4,177 days fished (0.16% of 2.5 million days) could not be assigned to a stratum and were not included in these totals.

** Package expenditures refer specifically to purchases of travel packages made by nonresidents prior to departing on their trip to Alaska.

These findings are the result of a study undertaken in 2007 and 2008 to measure the economic contribution that sportfishing makes to the state of Alaska and its regional economies. The development and management of sustainable recreational fisheries requires decision-makers to integrate both biological and socio-economic information associated with use of fishery

resources. In late 2006, the Alaska Department of Fish and Game's Division of Sport Fish (DSF) issued a request for proposals to conduct a study of the economic impact of sportfishing in Alaska that would cover the 2007 calendar year. This report presents the detailed results of that assessment, including estimates of angler spending and the associated economic activity that provides jobs and income for the residents of Alaska. The results are presented for the entire state of Alaska, with regional breakdowns for the three primary DSF management regions (Southeast, Southcentral and Interior) and for two subregions (Cook Inlet and Southeast marine¹). The locations of the primary study regions are shown in Figure E1.

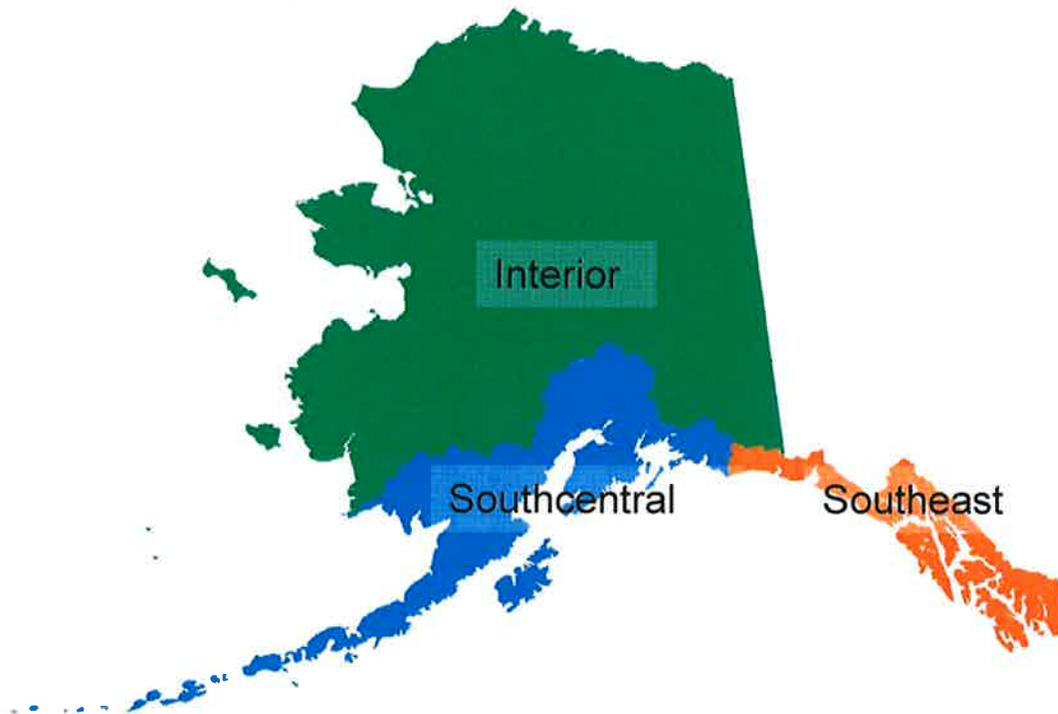


Figure E1.—Primary study regions.

The objectives of the study were accomplished by conducting mail surveys of anglers and sportfishing guide businesses. During 2007 and 2008, licensed resident and nonresident recreational anglers were surveyed to estimate the expenditures that they made related to their sportfishing activities in 2007. The results of that survey were coupled with counts of licensed anglers and estimates of fishing activity (angler-days) provided by the DSF Statewide Harvest Survey (SWHS) to estimate the total amount of fishing-related spending by anglers, the specific goods and services purchased, and the regional locations of the spending. A survey of sportfishing guide businesses was done to accurately account for the money spent by anglers on guided fishing trips. Input-output models of the regional and statewide Alaska economies were then used to estimate the economic multiplier effects of anglers' spending (Figure E2).

¹ Defined as all saltwater sportfishing areas within ADF&G-DSF's Southeast region.

Statewide Spending and Economic Contributions

In total, residents and nonresidents spent nearly \$1.4 billion on sportfishing activities, including licenses, trip and package spending, fishing and fishing-related equipment, and real estate construction and maintenance used primarily for sportfishing. More than one-third (\$567 million) of the total was non-package trip spending. When combined with fishing packages, trip-related spending accounted for one-half (\$705 million) of all sportfishing expenditures. Spending on fishing equipment and fishing-related equipment was \$475 million, and anglers spent a total of \$183 million on maintenance and construction of real estate that was used primarily for sportfishing (Table E6).

Table E6.—Statewide expenditures by resident and nonresident anglers, 2007.

	Resident Anglers		Nonresident Anglers		All Anglers	
	Total	Per angler-day	Total	Per angler-day	Total	Per angler-day
Licenses and stamps	\$6,627,558	\$4.54	\$16,536,955	\$15.31	\$23,164,513	\$9.12
Trip Expenditures	\$219,829,151	\$150.63	\$347,358,999	\$321.50	\$567,188,150	\$223.32
Package Expenditures	NA*	NA*	\$137,519,700	\$127.28	\$137,519,700	\$54.15
Trips & Packages	\$219,829,151	\$150.63	\$484,878,699	\$448.78	\$704,707,849	\$277.46
	Total	Per angler	Total	Per angler	Total	Per angler
Equipment Expenditures	\$433,693,104	\$2,274.88	\$41,385,450	\$145.27	\$475,078,554	\$999.04
Real Estate Expenditures	\$73,139,537	\$383.64	\$109,697,619	\$385.05	\$182,837,156	\$384.49
Equipment & Real Estate	\$506,832,641	\$2,658.53	\$151,083,069	\$530.32	\$657,915,710	\$1,383.53
Total Expenditures	\$733,289,349		\$652,498,723		\$1,385,788,072	

*Package expenditures refer specifically to travel packages purchased by nonresidents prior to departing on their trip to Alaska.

Generally, residents spent a higher proportion of their fishing dollars on equipment, compared to nonresidents, while nonresidents spent more of their money on trip-related purchases. This is true both in total dollars and on average. Overall, residents accounted for \$733 million of sportfishing spending in Alaska in 2007, compared to \$652 million of spending by nonresidents.

The nearly \$1.4 billion of spending by anglers in Alaska in 2007 directly generated \$354 million of income to 11,080 full and part time employees and proprietors who worked in the Alaska businesses whose products were purchased by anglers. Spending by nonresidents accounted for 6,549 of the jobs and \$208 million of income (Table E7). In addition to the economic activity directly attributable to spending by anglers are the economic multiplier effects (indirect plus induced effects) of that consumer spending. Including both direct and multiplier effects, the nearly \$1.4 billion of spending by anglers produced \$545 million of income, supported 15,879 full and part-time jobs, and provided \$246 million of tax revenues to local, state and federal governments.

Table E7.—Statewide economic contributions of all spending for sportfishing, by residency, 2007.

	Resident Anglers	Nonresident Anglers	All Anglers
Direct effects			
Income	\$146,134,921	\$208,000,960	\$354,135,881
Employment	4,531	6,549	11,080
Multiplier effects			
Income	\$77,239,016	\$113,881,191	\$191,120,207
Employment	1,911	2,888	4,799
Total effects			
Income	\$223,373,937	\$321,882,151	\$545,256,088
Employment	6,442	9,437	15,879
Tax revenues			
Local and state	\$56,509,573	\$66,632,831	\$123,142,404
Federal	\$50,923,959	\$72,248,750	\$123,172,709

Angler Spending and Economic Contributions in the Southeast Region

Residents and nonresidents visiting Alaska spent nearly \$274 million in the Southeast region on sportfishing activities (these numbers do not include spending on license and stamps because those purchases are made from state government and are not attributed to any specific place). Approximately 41% (\$112 million) of the total spending in the region was non-package trip spending. When combined with fishing packages, trip-related spending accounted for more than one-half (55.6%) of all sportfishing expenditures. Spending on fishing equipment and fishing-related equipment was \$68 million, and anglers spent a total of \$54 million on maintenance and construction of real estate that was used primarily for sportfishing (Table E8).

Generally, residents spent a higher proportion of their fishing dollars on equipment, compared to nonresidents, while nonresidents spent more of their money on trip-related purchases. This is true both in total dollars and on average. Nonresident fishing is especially important in the Southeast region where they accounted for more than 85% of all trip-related spending. Overall, nonresidents spent \$175 million for sportfishing in the Southeast region in 2007, compared to \$99 million of spending by residents.

Table E8.—Expenditures in the southeast region by resident and nonresident anglers, 2007.

	Resident Anglers		Nonresident Anglers		All Anglers	
	Total	Per angler-day	Total	Per angler-day	Total	Per angler-day
Trip Expenditures	\$22,467,571	\$102.54	\$89,857,056	\$279.80	\$112,324,626	\$207.91
Package Expenditures	NA*	NA*	\$39,866,502	\$124.14	\$39,866,502	\$73.79
Trips & Packages	\$22,467,571	\$102.54	\$129,723,558	\$403.94	\$152,191,129	\$281.70
	<i>Total</i>	<i>Per angler</i>	<i>Total</i>	<i>Per angler</i>	<i>Total</i>	<i>Per angler</i>
Equipment Expenditures	\$56,606,233	\$296.92	\$10,871,728	\$38.16	\$67,477,961	\$141.90
Real Estate Expenditures	\$19,540,190	\$102.50	\$34,295,525	\$120.38	\$53,835,714	\$113.21
Equipment & Real Estate	\$76,146,422	\$399.42	\$45,167,253	\$158.54	\$121,313,675	\$255.11
Total Expenditures	\$98,613,993		\$174,890,811		\$273,504,804	

*Package expenditures refer specifically to travel packages purchased by nonresidents prior to departing on their trip to Alaska.

The \$274 million of spending by anglers in the Southeast region in 2007 directly generated \$71 million of income to 2,243 full and part time employees and proprietors who worked in the Alaska businesses whose products were purchased by anglers. Spending by nonresidents accounted for 1,662 of the jobs and \$51 million of income (Table E9). In addition to the economic activity directly attributable to spending by anglers are the economic multiplier effects (indirect plus induced effects) of that consumer spending. Including both direct and multiplier effects, the \$274 million of spending by anglers produced \$99 million of income, supported 3,063 full and part-time jobs, and provided \$44 million of tax revenues to local, state and federal governments.

Marine recreational fishing is particularly important in the Southeast region, where 80.6% of all angler-days were in saltwater. Equipment and real estate spending were not allocated by type of water fished, but 86.5% of all trip and package spending in the Southeast region was geared toward saltwater fishing trips. Trip and package spending for saltwater fishing in the Southeast region contributed \$54 million of income, supported 1,897 jobs, and contributed \$26 million of tax revenues. These represent 54.3%, 61.9%, and 60.6% of angler-supported income, jobs and tax revenues in the Southeast region, respectively.

Table 75.—Tax revenues generated by saltwater sportfishing trip spending in Southeast Alaska, 2007.

	State and Local Tax Revenues	Federal Tax Revenues	Total tax Revenues
<u>RESIDENT ANGLERS</u>			
Trip Expenditures (non-package)	\$2,713,584	\$2,077,440	\$4,791,024
Package Expenditures			\$0
Equipment & Real Estate Expenditures	NA	NA	NA
Subtotal	\$2,713,584	\$2,077,440	\$4,791,024
<u>NONRESIDENT ANGLERS</u>			
Trip Expenditures (non-package)	\$7,624,199	\$6,583,477	\$14,207,676
Package Expenditures	\$3,849,158	\$3,520,701	\$7,369,858
Equipment & Real Estate Expenditures	NA	NA	NA
Subtotal	\$11,473,357	\$10,104,178	\$21,577,534
<u>ALL ANGLERS</u>			
Trip Expenditures (non-package)	\$10,337,783	\$8,660,917	\$18,998,700
Package Expenditures	\$3,849,158	\$3,520,701	\$7,369,858
Equipment & Real Estate Expenditures	NA	NA	NA
Total	\$14,186,941	\$12,181,618	\$26,368,559

SUMMARY AND DISCUSSION

This study was conducted to provide current information regarding the economic contributions made by sportfishing to Alaska and its regional economies. Natural resource managers typically need to include economic considerations when planning land and water resource management or providing input to regulatory and policy decision-makers. Effective management requires accurate information at a level of analysis that enables decision-makers to address specific issues that affect a particular population or region. This study (ADF&G Sportfishing Economic Study, 2007, by Southwick Associates Inc, subsequently referred to as ADF&G Economic Study 2007) addresses that need by measuring the economic contributions of sportfishing in key regions of Alaska, broken down by residency of the anglers, the type of water they fished, and whether the fishing was guided or unguided.

MAJOR FINDINGS

In 2007, a total of 475,534 resident and nonresident licensed anglers fished 2.5 million days in Alaska and spent \$1.39 billion on licenses and stamps, trip-related expenditures, pre-purchased packages, and equipment and real estate used for fishing. An input-output model of Alaska and the study regions was used to estimate the total economic contributions that the spending created through the economic multiplier effect. The \$1.39 billion of angler spending in Alaska supported 15,879 jobs in Alaska and provided \$545.3 million of income (Table 76). Although residents spent more than nonresidents (\$733.3 million compared to \$652.5 million), it was the nonresident spending that made a larger economic contribution (more jobs and income). This was the result of differences in the kinds of expenditures made by residents and nonresidents. Resident anglers spent more of their money on equipment that is manufactured primarily outside of Alaska while nonresidents spent most their money on trip-related purchases and pre-arranged packages that include services such as guides, lodging and meals produced by Alaska businesses.

As anglers' dollars move from business to business in the Alaska economy, government revenues are generated by local property taxes, sales taxes, business taxes, excise taxes, etc. In total, \$123.1 million in tax revenues were generated for state and local governments in Alaska and \$123.2 million for the Federal government.

Detailed fishing activity, spending and economic contributions are provided in the report for each study region. Some of the highlights include:

- Approximately three-quarters of all fishing and spending in Alaska took place in the Southcentral region. The \$988.6 million spent by anglers in that region:
 - Provided \$386.5 million of income
 - Supported 11,535 jobs
- In Cook Inlet, located within the Southcentral region, anglers spent \$733.0 million that:
 - Provided \$278.8 million of income
 - Supported 8,056 jobs
- Approximately one-fifth of all fishing and spending took place in the Southeast region. The \$273.5 million spent by anglers in that region:
 - Provided \$99.1 million of income
 - Supported 3,063 jobs
- Saltwater fishing is particularly important in the Southeast region. The \$131.6 million that was spent by marine anglers in that region:
 - Provided \$53.8 million of income
 - Supported 1,897 jobs
- Approximately 8% of all fishing and spending took place in the Interior region. The \$100.6 million spent by anglers in that region:
 - Provided \$28.6 million of income
 - Supported 923 jobs
- The regions of Alaska vary markedly in the types of fishing that they offer:
 - The Southeast region is dominated by saltwater fishing – 81% of all fishing days were in saltwater.
 - The Interior region is dominated by freshwater fishing – over 99% of all fishing days were in freshwater.
 - The Southcentral region offers a more balanced mix of fishing – 66% freshwater and 34% saltwater.
- Most fishing in Alaska is unguided, although the use of guides ranges from 10% of angler days in the Interior to 34% in the Southeast.
- Guides are more likely to be used by nonresidents (43% of nonresident angler days compared to 9% of residents), and by anglers who fish saltwater (33% of angler days in saltwater compared to 16% in freshwater).

EXHIBIT 12

Tourism and Its Effects on Southeast Alaska Communities and Resources: Case Studies from Haines, Craig, and Hoonah Alaska, pp. ii, iii and viii (U.S. Forest Service, 2005)



United States
Department of
Agriculture

Forest Service

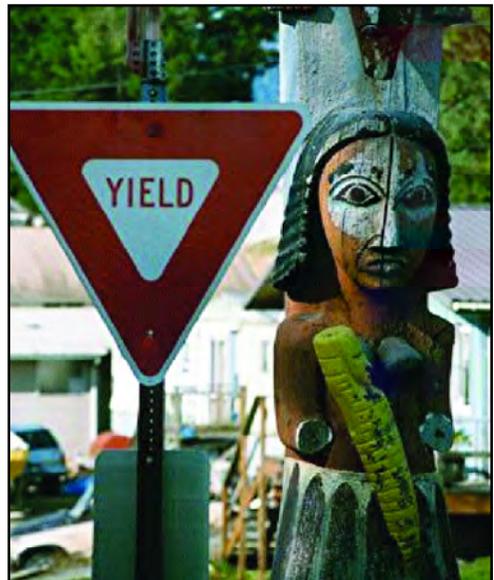
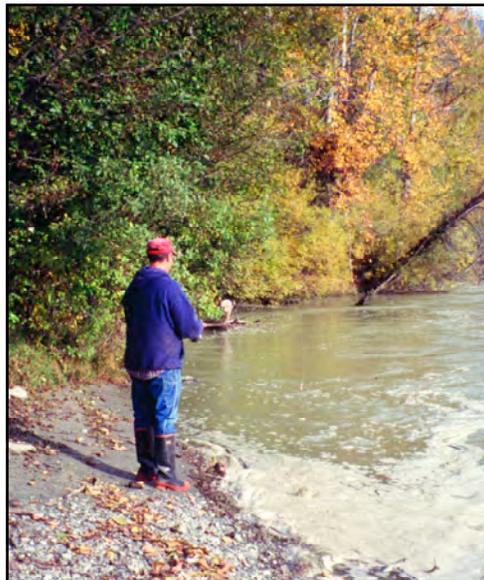
Pacific Northwest
Research Station

Research Paper
PNW-RP-566
July 2005



Tourism and Its Effects on Southeast Alaska Communities and Resources: Case Studies From Haines, Craig, and Hoonah, Alaska

Lee K. Cervený



Summary

Tourism has become integral to the economy of southeast Alaska and has resulted in changes to the social and cultural fabric of community life as well as to natural resources used by Alaskans. This study examines tourism development in Haines, Craig, and Hoonah and is based on field research conducted between 2000 and 2001 and followup research through 2004. In each site, data were collected through indepth interviews with key informants and a representative sample of community residents. These three communities were selected as case studies because they represent the range of tourism experiences occurring in southeast Alaska. The communities selected are of similar size, demographic composition, and economic structure, with historical reliance on timber and fishing. Despite these similarities, tourism has developed along very different paths. Moreover, the perceived effects of tourism on community life and the surrounding natural resources have also differed.

Tourism to southeast Alaska grew rapidly in the late 20th century, with the number of visitors doubling from 473,000 in 1985 to nearly 700,000 in 2001 (McDowell Group 2002). (By 2004, this number had exceeded 900,000.) By 2001, cruise passengers accounted for 75 percent of visitors to southeast Alaska. To meet surging demand, cruise lines expanded their capacity by increasing the size and quantity of ships. Larger ships have meant larger impacts, both to the environment and to host communities. Other forms of tourism in southeast Alaska include packaged tourism and independent travelers. In 2001, more than 188,000 visitors participated in guided commercial tours in the Tongass National Forest. Between 1982 and 2001, the number of charter fishing boats in southeast Alaska swelled from 139 to 1,343. As charter fishing grows in popularity, charter fishing guests increasingly compete with commercial fishers for salmon and halibut. Independent travelers are those who plan their own itineraries and rely to a greater extent on local accommodations and visitor services. They may fly to Juneau and then visit the region by ferry, or sail to southeast Alaska on their own vessel and stop in at port cities for supplies as they sightsee and fish. It has been estimated that the number of independent travelers to southeast Alaska has declined in the last 10 years.

Tourism growth has created new opportunities for communities struggling for survival as resource extraction industries decline. Many workers who lost their timber industry jobs turned to tourism for economic survival. Commercial fishermen also have turned to charter fishing to supplement their income amidst declines

in fish prices. Yet, with renewed economic vigor come other unwanted and unplanned social consequences and impacts to the surrounding environment. This study explores the effects of tourism development on the economy, the culture, and human uses of natural resources through the perspective of local residents in Haines, Craig, and Hoonah.

Haines is located on the main tourism corridor in the region, and cruise-based tourism grew rapidly there through 2000. Craig is more remote and has cultivated a tourism industry based on charter fishing. Hoonah is also located on the main cruise ship corridor. At the beginning of this study, Hoonah had not developed a tourism infrastructure. However, the development of a cruise destination in Hoonah in 2004 portends important changes to community life. These three case studies illustrate the variety of experiences faced by southeast Alaska communities involved with tourism. Haines leaders invited large cruise ships into their community and experienced a significant growth in business activity as well as an increased economic dependence on the cruise industry between 1994 and 2000. Consequently, when the cruise lines altered their itineraries in 2001 and docked less frequently in Haines, the local economy suffered. Tourism in Craig was largely based on consumptive activities, fishing and hunting, with potential to expand into nonconsumptive tourism, such as wildlife viewing and cultural tourism. Local and nonlocal entrepreneurs led the tourism industry in Craig with little proactive involvement by public agencies. Meanwhile, Hoonah residents and city leaders were initially cautious about tourism development, and the community mainly attracted independent hunters, boaters, and anglers. However, the cruise destination created by Hoonah's village corporation in partnership with the cruise lines and cooperation from the tribal government has radically transformed the tourism landscape.

Visitor volume and visibility differed significantly among the three study communities. The more visitors appearing in town, the more opportunities there were for visitor-resident interactions in the shops, streets, or favorite recreational areas. Cruise visitors to Haines were highly visible because they arrived in volumes that exceeded the population, and because their activities were confined to specific areas. In Craig, visitor volume was moderate, with roughly 4,000 to 6,000 visitors annually, most of whom were associated with fishing lodges. Visitors to Craig were far less visible, as most of their time was spent fishing or relaxing in the lodge. Visitor volume to Hoonah was modest in 2001, with pleasure travelers likely numbering fewer than 2,000. Although visitors were few, they were highly visible because of the compact nature of downtown. The arrival of thousands of cruise passengers in 2004 brought new opportunities for resident-visitor interaction.

Economic Effects

The three study communities have approached tourism at different rates and welcomed tourism growth to different degrees. In communities with higher visitor volume, residents were more likely to observe additional economic benefits, such as new business growth, tax contributions, and the secondary effects of tourist spending. Tourism dollars filtered through the local economies with direct and indirect spending. Nearly everyone interviewed agreed that tourism led to job creation and allowed many displaced timber workers and fishermen to continue working and living in their home communities. Tourism provided a range of employment opportunities for both residents and seasonal workers; however, many of these jobs tended to be low-wage positions without benefits or advancement opportunities. Few families relied on tourism as a sole source of year-round income. Tourism also allowed existing business to grow and contributed to new business growth. Four emerging trends in business ownership are noteworthy.

1. Respondents in all three communities expressed concern that outside corporations would eventually dominate the local tourism scene. At the time of this study, locally owned enterprises were most prevalent, but in more developed cruise ports, there was a tendency toward increased outside investment. Corporate decisions by the international cruise corporations to change the number of dockings in a community had penetrating repercussions throughout the local economy.
2. Native corporations created as a result of the 1971 Alaska Native Claims Settlement Act had invested significantly in tourism. These investments resulted in jobs and potential dividends for corporation shareholders. Although there was some debate among residents about whether these corporations made decisions that extended benefits community-wide, most agreed that their involvement in tourism was a positive step toward asserting local control of tourism development.
3. There was an expansion in capacity of many tourism businesses with local roots. Some respondents worried that if current business owners sold their businesses, there would be a great likelihood that nonlocal entrepreneurs would assume ownership; few local residents would be in a position to afford the enterprise. Many respondents worried that the next generation of business owners might not share the same sense of commitment to the community.

2. The expansion of tourist activity into more remote areas meant that Alaskans using these areas for subsistence harvest had to share these spaces with visitors. Although tourism had not impeded access to subsistence resources to a great extent, some active subsistence users wondered about the quality and integrity of these resources, given cruise ship pollution. Because subsistence is considered both an economic activity and a cultural practice, changes in subsistence patterns will provoke discussion.
3. Tourism resulted in shifted patterns of local recreation use. Residents frequently reported that they had curbed their use of some high-volume areas and shifted to less desirable sites to escape tourists. Those who continued to use these high-volume areas reported a diminished experience. In some cases, the development of tourism facilities in remote areas resulted in the perceived loss of natural spaces and the encroachment of civilization into the natural realm.
4. Some residents resented the commoditization of natural spaces, namely the packaging, marketing, and sale of “developed wilderness” to visitors. In Haines, a local kayak destination and a goat-hunting ground became a “wilderness safari” tour. The imposition of the tourist landscape, with an entirely new set of definitions and activities, onto these natural areas conflicted with use and perception of these spaces by local residents.
5. The expansion and proliferation of tourism providers throughout the region resulted in user conflicts (a) among tour operators with different group sizes, (b) among tour operators engaged in different types of activities (e.g., whale-watching, fishing, bear hunting), and (c) operators using different means of transportation. Public agencies are beginning to apply tools for establishing optimal carrying capacity of recreation sites.

The expansion and proliferation of nature-based tourism providers had implications for public land and resource managers, who saw increases in permit activity by commercial providers. State and federal agencies overseeing fish and game activities saw an increase in license requests and harvest levels. In some cases, public agencies were not equipped to manage the changes experienced. Resource managers often lacked capacity to monitor recreation activity over vast areas or to regulate commercial recreation use. Some regulations and policies for resource

management were based on outdated assumptions. The heterogeneous nature of tourism makes the industry more difficult to manage than previous resource-based industries, such as timber, and requires new tools and expertise.

Management Considerations

Study results suggest a variety of implications for resource managers.

1. The economic benefits of tourism could outweigh the costs associated with the industry for many more people if local workers were trained and employed and local households directly benefited from the industry. Providing opportunities for year-round employment and training for entry-level and middle-management positions in the local tourism industry might encourage the disbursement of economic benefits throughout the community.
2. The desire for local control over the process of tourism development echoed throughout each of the research sites. Large-scale tourism growth typically was sparked by private corporations and nonlocal actors with little public involvement or planning at the outset. Communities were forced to react to shifts in the use of public spaces and local resources. Residents sought greater control over the pace of tourism development, the type of tourism being pursued, and the process of managing tourism growth.
3. Understanding that the benefits and costs of local tourism may not be evenly distributed within the community enables community leaders to develop mechanisms that minimize any undesirable effects associated with the industry as perceived by various stakeholders and social groups.
4. Research has shown that involving stakeholders during the planning process promotes social equity and maximizes local control over tourism development. Local planning efforts that are initiated and supported in a proactive fashion so as to influence and shape future tourism developments, rather than reacting to existing problems, will likely be more satisfying to those involved. Some stakeholders may need extra assistance from state and federal agencies to be effectively involved.
5. Resource management agencies at the federal and state levels may consider ways to cooperate, to ensure that tourism growth does not outpace capacity to manage this growth. Agencies can strive to improve awareness of their own policies and programs as they affect tourism, and how these programs complement the efforts of other agencies. Coordination among governmental

EXHIBIT 13
Economic Impacts of Guided Hunting in Alaska,
pp. 2-3 (McDowell Group, Feb. 2014)

The Economic Impacts of

Guided Hunting in Alaska

PREPARED FOR
**Alaska Professional
Hunters Association**

PREPARED BY
 **McDowell**
G R O U P

February 2014



Guided hunters purchased nearly \$2 million in hunting license and game tags.

Revenues from the sales of license and tags are an important source of funding for Alaska Department of Fish & Game (ADF&G) and sales are part of the funding formula used to allocate Pittman-Robertson Act funds. ADF&G's Fish and Game fund provides a source of matching funds for wildlife management-related projects. In addition to the total economic activity mentioned above, guided hunters spent **\$361,500** on hunting licenses and **\$1.6 million** on game tags in 2012.

Guided hunting operations provided \$13 million in wages and guide income and \$12 million in spending for goods and services in areas outside urban Alaska.

Nearly nine out of ten guides are Alaska residents. They live in communities throughout the state, with about half living outside urban communities. A significant portion of the assistant guides, packers, camp staff, pilots and boat captains also reside in the state, many in small communities. Guides spent **\$12 million** for goods and services and accounted for **\$13 million** in wages and income in outlying areas of the state. This **\$25 million** in economic activity is especially important in rural areas where opportunity for cash income is limited.

Guides provide significant non-monetary support to rural communities in the form of donated meat and other contributions.

In addition to the economic impact associated with jobs, payroll, and spending for goods and services, hunting guides provide a significant level of non-monetary support to residents of rural Alaska including distributing tens of thousands of pounds of game meat each year.

The table on the following page summarizes the highlights of guided hunting impacts.

Summary of Guided Hunting Economic Impacts in Alaska, 2012

	Impacts
Guided Hunting Industry Related Employment	
Direct employment	1,620 jobs
Indirect and induced employment	590 jobs
Total employment (direct, indirect, and induced)	2,210 jobs
Guided Hunting Industry Related Labor Income	
Direct labor income (payroll and guide income)	\$21 million
Indirect and induced labor income	\$14 million
Total labor income (direct, indirect, and induced)	\$35 million
Guided Hunting Industry Direct Spending for Goods and Services	
Guide spending on goods and services with Alaska-based vendors	\$24 million
Hunter and companion pre/post hunt spending	\$3.5 million
Indirect and induced spending	\$15.5 million
Total direct, indirect, and induced non-payroll spending	\$43 million
Total Guide Industry-Related Output	\$78 million
Guided Hunter License and Game Tag Spending	
License sales	\$361,500
Game tag sales	\$1.6 million
Guided Hunters	
Alaska residents	152
Nonresident US citizen	2,599
Foreign nationals	456
Total Hunters	3,207

Sources: Registered Guide Survey, ADF&G, and McDowell Group Estimates.