

Meeting Information

- Meeting is being recorded
- Please silence or turn off your cell phone
- Handouts are available at the front table
- If you wish to speak tonight, please sign in and check the appropriate box
- Comments may be submitted in the comment box at the front table



Guide Concession Program

Department of Natural Resources
Division of Mining, Land and Water
March 2012

Who we are:

- The Division of Mining, Land & Water – Regional Offices consists of 66 professional staff
- Managing over 100 million acre of state owned upland as well as tide, shore and submerged lands



History

- In 1973 the Alaska Legislature created the Guide License and Control Board
- The intent of the Board was to “protect fish and game management”, and “to get competent people as guides in Alaska”
- In 1974 the Board established an area system limiting guides within Exclusive Guide Areas
- By 1976 the program was extended statewide

Owsichek Decision

- In 1988 the Alaska Supreme Court found the Exclusive Guide area system to be unconstitutional
- The court cited 4 primary reasons in its decision:
 - Not subject to competitive bidding and were exclusive
 - Assignments were not based on wildlife management
 - Provided no remuneration to the state
 - Of unlimited duration and were not subject to any other contractual terms or restrictions

Purpose for Program

- Is to address the issues identified by the guide industry, the Big Game Commercial Services Board and the Alaska Board of Game related to the ongoing problems identified in the field.
 - Decreased incentive to practice wildlife conservation
 - Decreased quality of experience for guided clients
 - Conflicts between user groups
 - An overall lack of land stewardship
 - Difficulties enforcing game laws

Efforts prior to February 15, 2012

- Whitepaper distributed 2009
- Informational meetings were held in Anchorage, Fairbanks, Juneau, Tok, Dillingham, Kodiak, Kotzebue and Little Rock, Arkansas
- The public and agency comment period was open from December 8, 2009 through March 31, 2010
- DNR staff continues to work with other agencies:
 - ADF&G, DOL, DPOR, DCCED, BLM, USFWS, NPS, USFS and others

Proposed Decision Issued

- Proposed decision released February 15, 2012
- The public and agency comment period is open February 15, 2012 through April 23, 2012
- DMLW will host statewide public meetings in Juneau, Fairbanks and Anchorage
- DMLW will also host several online web based meetings – Times and dates to be determined

Aspects of the Program

- Application
- Scoring process and evaluation panel
- Fees (application, annual and per client)
- Full and limited guide opportunities
- Limit on the number of assistant guides
- Apply for and be awarded a maximum of two areas
- Maps
- Duration of the permit
- Transferability and vacancies

Application

- Minimum requirements
- Application fee (\$250 proposed)
- Complete application including scoring criteria
- Supporting documentation including – hunt records, violation reports, criminal history, etc.
- Must be submitted as directed prior to published deadline
- Initially only two applications may be submitted
 - May apply for full and limited in same area

Scoring Process and Evaluation Panel

- Panel will be made up of agency staff only
- May need more than one panel
- Panel members will use a standardized scoring system
- Points will be awarded on a 300 point scale
- Minimum scores for each concession type:
 - Full 230
 - Limited 35
- Ties

Fees

- All fees must be established by regulation
- Application fee - \$250
- Annual fee -
 - Full - \$4000 per year
 - Limited - \$2000 per year
- Client fee -
 - Guide required species - \$750
 - Non-guide required species - \$500
- Bonding and insurance may apply
- All other land owner fees still apply

Types of Concession Opportunities

- Full concessions will be the primary type of concession (215)
 - Will allow access to state land to conduct big game guiding
 - Will allow use of "short term, portable camps" for up to 14 days in the same location
 - Other permits will be required for additional improvements
 - Limited to 3 assistant guides in one GCA, no limit on other non licensed staff
 - Review and renewal required at 5 years (non competitive)
- Limited concessions will be the secondary type of concession (85)
 - Will allow access to state land to conduct big game guiding
 - Will allow use of "short term, portable camps" for up to 14 days in the same location
 - Other permits will be required for additional improvements
 - Limited to 1 assistant guide in one GCA, no limit on other non licensed staff
 - Review and Renewal required at 5 years (non competitive)

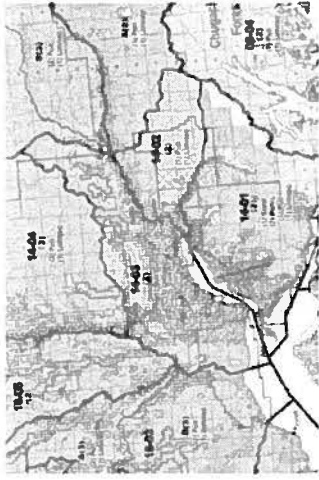
Apply for Two, Receive Two

- Administratively feasible
- Creates more opportunities for guides
- Applicants may only be awarded one permit within a single concession area

Proposed Area Maps



GCA Map Close-up



Staggered Start

- In order to aid in making the program administratively feasible
- Using ADF&G regional boundaries
 - Regions I, II, and V will be offered for 4 years (appr 66)
 - Region IV will be offered for 7 years (appr 118)
 - Region III will be offered for 10 years (appr 116)
- See FAQ on the GCP web site for specific information regarding the stagger for the area you are interested in.

Duration of the Permit

- Permits will be granted for 10 years
- Permits will be subject to review and renewal at five years
- Review and renewal will be non-competitive

Transferability and Vacancies

- Concession areas will not be allowed to be transferred, sold or exchanged.
- Vacancies
 - Underutilized areas (areas not applied for)
 - Will be held until next scheduled offering
- Awarded area then vacated within one year
 - May be offered to next highest scoring applicant from previous scoring result
- Awarded area then vacated after one year
 - Will be held until next scheduled offering

Authority

- Alaska Statute 38.05.020 – Authority and duties of the Commissioner
- Alaska Statute 38.05.035 – Power and duties of the Director
- Alaska Statute 38.05.850 – Permits

The Commissioner of DNR has broad statutory authority to manage and dispose of land and any interest in them.

Limited Enforcement Authority

- DNR-MLW has limited enforcement authority in specific areas
- Having the authority allows MLW to create enforceable regulations which can be carried out by any peace officer of the state (including state troopers)
- This creates an additional level of compliance with permit holders and allows MLW to address violations without the need to revoke authorizations

Program Receipt Authority

- The guide concession program is being designed to pay for itself, while returning additional revenue to the state.
- Specific legislative authority will be needed to grant DNR the ability to utilize the funds generated from the program on an annual basis.

Timeline

- February 15, 2012 – Public and agency notice released
- April 23, 2012 – Comment period closes at 5:00 pm Alaska standard time
- Summer 2012 – Draft final decision and program regulations (if appropriate)
- January 2013 – Brief legislature, acquire necessary budget, personnel, limited enforcement authority and program receipt authority
- January 2014 – Applications available
- Summer 2014 – Award notifications
- January 2015 – Guide concession areas effective

Public and Agency Comment

- February 15, 2012 - Public and agency notice released
- Public meetings
 - March 6, 2012 - Juneau
 - March 14, 2012 - Fairbanks
 - March 20, 2012 - Anchorage
- Web based meetings - dates to be determined
- April 23, 2012 - Comment period closes
- Comments must be submitted in writing prior to the comment period deadline.

Making Your Comments Count

- Comment period ends April 23, 2012
- Comments must be submitted in writing
 - E-mail, fax, letter, online submission
- If you have an idea that may affect the outcome of the program - be specific in your comments
- Feel free to contact office staff to get clarification
- Review the DNR/GCP website for up to date info
- Get involved - Stay involved

Contact Information

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****Comments must be received by April 23, 2012****

