

DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT
 DIVISION OF CORPORATIONS, BUSINESS AND PROFESSIONAL LICENSING

BIG GAME COMMERCIAL SERVICES BOARD

CONDENSED MINUTES OF THE MEETING HELD DECEMBER 4-6, 2023

By authority of AS 08.01.070(2) and in compliance with the provision of AS 44.62, Article 6, a scheduled meeting of the Big Game Commercial Services Board was held December 4-6, 2023, at The Lakefront Anchorage, 4800 Spenard Rd., Anchorage, AK.

Dates:	December 4-6, 2023
Time:	December 4: 9:00 a.m. (9:05 a.m.); December 5: 9:00 a.m.; December 6: 9:00 a.m. (9:02 a.m.)
Location:	The Lakefront Anchorage, 4800 Spenard Rd., Anchorage, AK
Board Members Present:	Jason Bunch, Aaron Bloomquist, Dave Lorrington, Mike Flores (day 1 and 2), Martin Boniek, Clay Nordlum, Pete Buist, Larry Kunder
Board Members Absent:	Mike Flores (excused for day 3)
Division/SOA Staff Present:	Thomas Bay (Executive Administrator), Janet Brown (Occupational Licensing Examiner), Jennifer Summers (Sr. Investigator), Lee Strout (Investigator) Alison Osborne (Regulation Specialist), Melissa Dumas (Administrative Operations Manager), Sylvan Robb (Division Director), Glenn Saviers (Deputy Director)
Present from the Public (all three days):	Aaron Frenzel (AWT), Bernard Chastain (AWT), Candy Snow (DNR), Ryan Scott (ADF&G), Million (BLM), Kathey Virgin (USFWS), Cody Smith (USFWS), Derrick Campbell, Hugh Krank, Mariana Sanchez, Matt Moskiewicz, Peter Barela, Spencer Pape, Luke Tyrrell, Jason Smith, Taj Shoemaker, Jeff Callison, Peter Barela, Al Eischens, Jeff Burwell, Dick Rohrer, Wayne Kubat, Al Barrette, Tim Nelson, Loren Karro, James Smith, Michelle Heun, Don "Smokey" Duncan, Tim Booch, Eric Decker, Josh Ellis, Mike Zweng, Cabot Pitts, Dan Montgomery, Cole Hendrickson, Mark Richards, Coke Wallace, Steve Perrins, Steve Perrins II, Jay Stanford, James "Danny" Knowles, Thor Stacey, Henry Tiffany, Mark Swift, Aaron Carter, Bailee Carter, Sam Rohrer, Rich Guthrie, (979)820-9169, (907)355-4822, (907)888-6348, Northern River Air, ABRN

Day One		
1. Review Agenda		
Brief Discussion:	No discussion to amend the agenda.	
Motion:	Move to accept the agenda as written (First: Bloomquist; Second: Flores).	
Recorded Votes: Pass	Buist - Yes	Lorrington - Yes
	Boniek - Yes	Flores - Yes
	Bloomquist - Yes	Kunder - Yes
	Bunch - Yes	Nordlum - Yes

2. Ethics Review		
Brief Discussion:	There were no ethical disclosures by any board members or staff.	
3. Review/Approve Meeting Minutes:		
Brief Discussion: -December 2022 -March 2023 -November 2023	Mr. Bay informed the board that he had copies of their December 2022, March 2023, and November 2023 meeting minutes for review. After a minor change to both the March 2023 and November 2023 meeting minutes, the board approved all three of them.	
Motion:	Move to approve the December 2022 meeting minutes as written and the March 2023/November 2023 meeting minutes as amended (First: Bloomquist; Second: Buist).	
Recorded Votes: Pass	Buist - Yes	Lorring - Yes
	Boniek - Yes	Flores - Yes
	Bloomquist - Yes	Kunder - Yes
	Bunch - Yes	Nordlum - Yes
4. State & Federal Agency Updates		
Brief Discussion: -Department of Public Safety	Major Aaron Frenzel and Colonel Bernard Chastain, from the Alaska Wildlife Troopers (AWT), introduced themselves. Colonel Chastain informed the board that AWT currently employs 90 wildlife troopers statewide, throughout approximately 37 communities. He said that there was a recruitment crisis for law enforcement nationwide and that Alaskan law enforcement numbers were as low as it they had been in 25-30 years. In addition, he said that several law enforcement officers had or were about to retire. Major Frenzel informed the board that the amount of transporting around Kodiak had risen and that there was a higher number of unlicensed transporting happening as well, which is what they were mainly focused on. He said that one of the problems they were running into was holding a transporter business's employees responsible for their actions, instead of the business itself. Another issue being licensees breaking their contracts with clients. He asked the board to continue to keep their eyes open for any unlawful actions in the field and to report them. With nothing left to discuss, the board thanked Major Frenzel and Colonel Chastain for their time.	
-Department of Fish & Game -Division of Wildlife Conservation	Ryan Scott, division director for the Division of Wildlife Conservation (DWC) through the Department of Fish and Game (ADF&G), provided an update for ADF&G. He informed the board that ADF&G's budget was good and that, if there was a problem, it was being able to spend money. Mr. Bloomquist asked how the budget was for their intensive management program, to which Mr. Scott said it was doing well. Mr. Scott informed the board that they lost a lot of their upper management and that it was affecting things. He said that he anticipated a busy Spring and that the Board of Game (BOG) already had a lot of proposals to review at their Spring meeting. He said that the Federal Subsistence Board (FSB) would be meeting in April and that ADF&G already prepared initial comments for their proposals. Mr. Bloomquist said it was difficult to find FSB proposals and asked if it was possible to have a link on ADF&G's website, to which Mr. Scott said he would look into it. Mr. Bloomquist asked if the current intensive management program for the Nalchina herd was going to continue, to which Mr. Scott said yes. Mr. Scott said their	

intensive management program for the Mulchatna caribou herd had been a rough learning experience, resulting in a lot of public outcry, public records requests, and litigation. The good news though, he said, is that he believes it had a significant effect on caribou calf survival through the summer, something they should be able to confirm after reviewing the data. He said that there was a plan to release wood bison again in the Spring. Dave Lorrington asked what Mr. Scott's opinion was on the proposals provided to the BOG, regarding removing one of the criteria for sheep. He said that he could not speak for ADF&G but said that he, personally, could see it as a positive thing. He said that, while it would remove some of the ram population, it could help keep hunters/guides out of trouble, as there has been an uptick in sublegal sheep being taken. Chairman Bunch thanked Mr. Scott and ADF&G for their help with the Guide Concession Program (GCP) throughout the summer and said they were a big help getting it done. With nothing left to discuss, the board thanked Mr. Scott for his time.

-U.S. Fish and Wildlife Service

Cody Smith, a Senior Federal Wildlife Officer from the United States Fish and Wildlife Service (USFWS), and Kathey Virgin, a regional permits coordinator for the USFWS, were in attendance to provide an update for the USFWS. Officer Smith informed the board that they had 14 wildlife officers in the state and two new officers coming in the Spring, totaling 16. He said that he appreciated all of their permitted guides that spoke up about issues they saw in the field, and that they were able to open investigations into illegal conduct because of it. He also said that there is a national anonymous tip line for people that do not want their names involved. He said that one of the bigger problems they were running into was the amount of property being abandoned on the national wildlife refuges. He said that they were trying to amend their CFR to help alleviate the problem, with the hopes that the changes would be in effect by Summer 2024. He said that letters will be going out to all registered and master guide-outfitters with information for the USFWS areas that will be coming open for application. Mr. Buist asked if he knew anything about the discussions to possibly put wolverines on the endangered species list, to which he did not. Mr. Bloomquist said that there are a lot of guides getting their professional licenses taken away for at least a year because of USFWS fees that must be paid for certain violations, such as the taking of a sublegal moose, and are more than what is allowed under AS 08.54.605. Having discussed the issue with Officer Smith previously, he asked if there was any movement on a solution. Officer Smith said that there were only three real solutions. The first being the State (BGCSB) amending their statutes and changing the amount for the unsuspended fines in AS 08.54.605(a)(1)(A). The second being a change to the USFWS fees. The third being a workaround where a person would ask a magistrate to reduce the fees. Mr. Bloomquist asked if they knew when the appeals process for the last prospectus process would be finished. Ms. Virgin said that she did not have an exact timeframe but expected it to be done fairly soon. Chairman Bunch asked if they had any plans to change their prospectus, to which she said that while there have been internal discussions, there likely would not be any changes soon. Chairman Bunch asked that, if they decide to change it, they reach out to the guiding industry and allow them to help in some form, such as being invited to a think tank session, which might help the process move along quicker. She said that it was likely a good idea and that she would relay the idea up the chain. With nothing left to discuss, the board thanked Officer Smith and Ms. Virgin. The board decided to take a break.

Off Record: 10:52 a.m.

<p>-U.S. Department of the Interior -Bureau of Land Management On Record: 11:14 a.m.</p>	<p>Zach Million, Program Lead for recreation for the U.S. Department of the Interior, Bureau of Land Management (BLM) for Alaska, was in attendance to provide an update for the BLM. He provided an overview of the BLM’s new online reporting system called RAPTOR (Recreation And Permit Tracking Online Reporting). RAPTOR is an online system that simplifies and standardizes a faster permit process, with an average processing time of 75 days for Special Recreation Permits (SRPs). He said that the system is up and running for the Central Yukon Field Office, will be up and running for the Anchorage and Glennallen Field Offices in 2024 and will be up and running for the Arctic District Office and Eastern Interior Field Office in 2025. He provided the board with an updated fee schedule, which is updated every three years and includes a 3 percent increase for SRPs. Mr. Bloomquist asked if transporters and air taxis were required to get SRPs on BLM land. Mr. Million said yes, however, it would only be required for commercial gain exclusively on BLM land. With nothing left to discuss, the board thanked Mr. Million and moved onto the next agency update.</p>
<p>-Department of Natural Resources -Division of Mining, Land and Water</p>	<p>Candice (Candy) Snow, a natural resource manager from the Department of Natural Resources (DNR), provided an update for the board. She informed the board that DNR is committed to working with the BGCSB and guides to achieve goals related to guiding on state land. She said that one of the Southcentral Region Office’s goals is to have more field presence. She said that DNR is always looking for compliance and asked that guides reach out for noncompliance issues they see in the field. She said that DNR has noticed an issue with long-term permits being closed, specifically as to what is required. She said that there is a stipulation for a completion report to be completed when closing an authorized permit and that photographs really help. She said that there was some confusion on having to get a new permit every year in regard to a licensed registered guide-outfitter being authorized in an area. For informational purposes, a registered guide-outfitter can register for a guide use are for 3-5 years when applying. Although they are registered for 3-5 years, they still must get land use authorization for the years on the registration beyond the first, if it is a yearly permit. The problem is that some guides will get registered for 3-5 years but never follow back up with DNR to get a permit beyond the first year. In relation, Chairman Bunch said that another problem is that DNR will allow guides to backpay the years they never paid for, which does not allow an avenue to discipline the guide. He said that he has had conversations with Ms. Snow regarding the issue and that they are working on a solution. She said there had been some confusion about how visitor day-use fees work, which she said was an annual basis fee, per person per day. She said that they have a new unit called Contract Initiation and Revenue Recovery (CIRR), which is responsible for managing and administering Land Sale Contracts and contract maintenance for Regional Land Authorizations. She said that they will send out letters regarding payments for land use. She said there had been some confusion about spike camps. With a land use permit, she said, you are allowed two spike camps in conjunction with the main camp, which must be within 50 miles of the main camp or in an adjacent GMU for which the permittee is registered. If you want a spike camp outside of those two options, you must get a new land use authorization. Chairman Bunch asked her if one guide with a traveling spike camp, changing locations every night, counted as one spike camp or multiple spike camps, to which she said one. Ms. Snow said there was also some confusion with lease sites and not having the same authorizations as other permits, such as spike camps. She said that once a person leaves their lease site, they are likely</p>

	<p>going to need additional authorizations. Lastly, she said that there was some confusion with filming. She said that it is okay for guides to film their hunts themselves, but if they were to hire an outside organization, that organization would also need land use authorization. Mr. Bloomquist asked about permitting for bear baiting on state land. Ms. Snow apologized and said that it had fallen off their radar. He asked her if it was possible to have an update at their Spring 2024 meeting, to which she said yes. Chairman Bunch thanked Ms. Snow and DNR for all the time and effort they put into the GCP program. With nothing left to discuss, the board thanked Ms. Snow for her time.</p>
<p>-Mental Health Trust</p>	<p>Cole Hendrickson, the Minerals & Energy Resource Manager at the Trust Land Office for the Mental Health Trust, provided an update to the board. He informed the board that the Trust Land Office, through DNR, was created to manage the land provided to the Mental Health Trust, which generates revenue to better serve their beneficiaries. He said that their Big Game Guide Permit Program issues five year permits with the potential to renew for an additional five years. With nothing left to discuss, the board thanked Mr. Hendrickson for his time.</p>
<p>-Board of Game</p>	<p>Dave Lorrington, the designated Board of Game (BOG) representative on the board, provided an update for the BOG. He reminded the board that he had just recently been appointed to the BOG and did not have much information for the board. He asked that the board provide him with anything they found important and wanted to be addressed by the BOG, such as the problems with sheep in GUA 19C and the Mulchatna caribou herd, both of which he would keep up on. With nothing left to discuss, the board went to lunch.</p>
<p>5. Lunch Off Record: 12:17 p.m.</p>	
<p>6. Division Update: Current Fiscal Report</p>	
<p>Brief Discussion: On Record: 1:41 p.m.</p>	<p>Back from lunch, the board welcomed the division's administrative operations manager, Melissa Dumas, to the meeting. Ms. Dumas provided the board with their 2023 3rd/4th quarter fiscal reports, which ultimately came to a large surplus, something she said would be reduced over time because of their recent fee changes. Chairman Bunch asked her if the division kept an eye out for glaring changes in expenditures, such as high costs of hearings, to which she said yes, to a point. She said they review expenditures quarterly, and that the division would let the board know if there was a glaring change in expenditures that needed addressed. With nothing left to discuss, the board thanked Ms. Dumas for her time.</p>

7. Investigations Unit/Tabled Applications

Probation Monitor Report

Brief Discussion:

Back from break, the board began discussion on their probation monitor report. Investigator Lee Strout was in attendance to provide the report for the probation monitor. Mr. Strout informed the board that there were currently 22 licensees on probation, as of the date of the report, and that zero licensees were released from probation since the last report. There were a few licensees out of compliance with their probation, to which Chairman Bunch asked if they were able to renew their licenses with being out of compliance. Mr. Strout said that the information on the probation report might be out-of-date due to the probation monitor position being vacant for the past six months. He informed the board that his supervisor, Jennifer Summers, was overseeing the position while it was vacant, in addition to her other duties, and that it was possible the information was out-of-date. He also said he was unsure of whether or not a licensee could renew their license if they were out of compliance and said that he would find out and relay the information. With nothing left to discuss, the board moved onto their investigative report.

Investigative Report

Brief Discussion:

The board's investigator, Lee Strout, provided the board with their investigative report, which was for the period of March 15, 2023, thru November 27, 2023. He informed the board that there were currently 78 open cases and 28 that closed since their last report, but that there were a few more that he had opened in recent days. He informed the board that the case statuses titled, "Monitor," were cases that he had opened for law enforcement and that he was waiting on them to follow up. Chairman Bunch asked about the case statuses titled, "Complaint," on the report, to which Mr. Lee said they were initial complaints that had not moved along in the process or were reviewed by a reviewing board member and had not moved further in the investigations process due to lack of statutory/regulatory authority. Chairman Bunch said that only a small number of sublegal animals being taken actually show up on the investigative report or are reported to the investigations unit. Mr. Bloomquist said that a lot of the time ADF&G does not ticket guides for harvesting a sublegal animal and that sometimes they only ticket the hunter, not the guide. Jennifer Summers joined the meeting and apologized for missing the discussion on the probation monitor report. Chairman Bunch asked her if the report was accurate with the out of compliance probationary cases, to which she said it was as of two weeks prior. He asked her if the licensees would be able to renew their licenses if they were out of compliance. She said that she would need to check because she was not a probation monitor and was not sure of the correct procedure. She said that it is a little confusing because one of the stipulations with being on probation is that you have to keep an active license. She said she would check and get back to the board on it. With nothing left to discuss for the investigative report, the board entered into executive session to discuss confidential investigative matters.

Executive Session

Brief Discussion:

Returning from break, the board decided to go into executive session to review confidential investigative matters.

Motion:	I, Mike Flores, move that the Alaska State Big Game Commercial Services Board enter into executive session in accordance with AS 44.62.310(c), and Alaska Constitutional Right to Privacy Provisions, for the purpose of discussing subjects that tend to prejudice the reputation and character of any person, provided the person may request a public discussion; and matters which by law, municipal charter, or ordinance are required to be confidential. Board staff Thomas Bay, Janet Brown, and Lee Strout to remain during the session (First: Flores; Second: Kunder).	
Off Record: 2:39 p.m.		
Recorded Votes: Pass	Buist - Yes	Lorrington - Yes
	Boniek - Yes	Flores - Yes
	Bloomquist - Yes	Kunder - Yes
	Bunch - Yes	Nordlum - Yes
Brief Discussion: On Record: 4:17 p.m. Off Record: 4:18 p.m.	No action was taken during executive session. With nothing left to discuss for the day, the board recessed until the next morning.	
Day Two		
1. Review Agenda		
Brief Discussion:	After discussion, the board decided to amend the agenda by adding 'Legislative Priority Overview' before "Ongoing Task List Review' and an update by the Alaska Professional Hunters Association (APHA) before the 10:00 a.m. break.	
Motion:	Move to accept the agenda as amended (First: Bloomquist; Second: Flores).	
Recorded Votes: Pass	Buist - Yes	Lorrington - Yes
	Boniek - Yes	Flores - Yes
	Bloomquist - Yes	Kunder - Yes
	Bunch - Yes	Nordlum - Yes
2. Summary/Motions from Executive Session		
Brief Discussion:	Chairman Bunch informed the audience that the board would be voting on investigative matters that were discussed in executive session at the end of day one.	
Case No. 2022-000170, Case No. 2022-000441, Case No. 2022-000442, Case No. 2022-000443, and Case No. 2022-000444		
Motion:	Move to accept the consent agreement for Case No. 2022-000170, Case No. 2022-000441, Case No. 2022-000442, Case No. 2022-000443, and Case No. 2022-000444 (First: Buist; Second: Bloomquist).	
Brief Discussion:	The board considered the proposed consent agreement for Case No. 2022-000170, Case No. 2022-000441, Case No. 2022-000442, Case No. 2022-000443, and Case No. 2022-000444: Licensee did not return thousands of dollars of equipment back to their clients after an emergency pickup in the field by the USCG. The case was before the board because of the district attorney's (DA's) office not prosecuting and taking action on what the board sees as gross theft, unethical activities, and negligence. Pete Buist said that it pains him to support the consent agreement, however, he said that he would be	

accepting it because it is the best it will get. He said that, when the facts become public, he hopes there will be additional comments and recognition on how bad the case was handled by the DA's office. Mike Flores agreed with Mr. Buist and said that he would be supporting the consent agreement for the same reasons, that he is really disappointed that the board lacks the authority to do the right thing in this case, and that he would do everything in his power to help the board draft the wording needed to be granted authority. He said that it is really frustrating that transporters continue to break the rules and are allowed to continue transporting. He said that it is really sad that clients are being treated this way and the board cannot do anything about it. Larry Kunder said that he would not be supporting the consent agreement. He thanked the trooper and their investigator for all the hard work they put into the case and doing such a great job. He said that he agreed that the consent agreement was not going to get any better, however, he could not get behind it. He said that something needs to be changed, that he hopes the clients get everything they can out of the situation, and that the DA's office did not drop the case because it needed to be bigger than it is. He said that he would also do everything in his power to help the board receive the authority needed to deal with such cases the right way. Aaron Bloomquist said that he would not be supporting the consent agreement. He said that this case was a perfect example of felony theft, if convicted, something that would not happen because the DA's office dropped it. He said that the consent agreement is lacking both in the fine amount, the suspension length, and should have language that would keep the transporter from doing business in any way related to transporting. He said the problem with not having that language in the consent agreement is that a license can be issued to a business, which allows the licensee to get another license under a different business. Clay Nordlum said that this situation brings to light a loophole that does not allow the board to hold licensees accountable for their actions. He said that he could not get behind the consent agreement and that it needed to be more severe. Dave Lorrington said that he agreed with everything mentioned by the other board members and that he would be supporting the consent agreement because it is the best it is going to get. He said that the best thing that can happen about the consent agreement being approved is that it becomes public, which will bring to light what happened. Chairman Bunch said that he agreed with Mr. Buist and Mr. Lorrington and would be in support of the consent agreement. Martin Boniek said that he would be in support of the consent agreement. He informed the public that there are a few things going on with this case. He said that the board does not have the authority to administer civil or criminal law, that they only have the authority to handle violations of a licensee, which is what they are stuck doing in this case. He said that the fines in this case do not match the crime, but they do fit into the board's disciplinary matrix. He said that what matters in the consent agreement is the return of the equipment to the clients, restitution satisfactory to the clients, a signed affidavit from the clients that they are happy, and the fact that the consent agreement makes everything public. He also said that he thinks their application for a transporter license does have teeth in it when a business applies for a transporter license because of Professional Fitness Question #6, which states, "Have you, as a sole proprietor, or any partner/member in a partnership, corporate entity, LLC or LLP had a professional license denied, revoked, suspended, or otherwise restricted, conditioned, or limited or have you surrendered a professional license, been fined, placed on probation, reprimanded, disciplined, or entered into a settlement with a licensing authority in

	<p>connection with a professional license you have held in any jurisdiction including Alaska, Canada, and including that of any military authorities or is any such action pending?" This question, when marked 'yes,' immediately brings it to the board's attention and will require the application to be reviewed, at which time they can decide whether or not to license the applicant. He finished by saying that the DA's office handled this situation poorly and, unfortunately, it leaves the board with minimal options, the best a mutually agreed consent agreement between the licensee and the clients.</p>	
Recorded Votes: Pass	Buist - Yes	Lorrington - Yes
	Boniek - Yes	Flores - Yes
	Bloomquist - No	Kunder - No
	Bunch - Yes	Nordlum - No
Case No. 2022-000179		
Motion:	Move to accept the consent agreement for Case No. 2022-000179 (First: Buist; Second: Bloomquist).	
Brief Discussion:	<p>The board considered the proposed consent agreement for Case No. 2022-000179: Licensee forgot to renew/reregister a GUA and provided services to clients within the GUA. Chairman Bunch said that the board, in the past, had been very hard for failure to register for GUA offenses. He said that the current board, within the last few years, had reduced the penalty because they do not want to be too aggressive for human error, which is why there was only a fine included in the consent agreement instead of also including probation or a suspension. Mr. Bloomquist said that this case was not egregious because it was a case where a licensee simply forgot to renew his GUA and was a self-turn-in. Mr. Lorrington said he was in full support of the consent agreement. Chairman Bunch also said that he would be supporting the consent agreement.</p>	
Case No. 2021-000315, Case No. 2022-000176, Case No. 2023-000415		
Motion:	Move to accept the voluntary surrender of license for case No. 2021-000315, Case No. 2022-000176, and Case No. 2023-000415 (First: Buist; Second: Bloomquist).	
Brief Discussion:	<p>The board considered the voluntary surrender of license for Case No. 2021-000315, Case No. 2022-000176, and Case No. 2023-000415: Registered guide-outfitter took on clients during COVID but did not provide services although a contract was signed, and deposits were taken. The licensee rescheduled the clients but decided, because of COVID, he could not stay in business. He asked for an extension to provide remuneration to the clients, which the board approved, but was unable to provide it, so he decided to forfeit his license. Mr. Bloomquist said that it is an unfortunate situation because the board will no longer have authority over the licensee, who still owes money to his clients, when the license is surrendered. However, he said that it sounded like the licensee paid back what he could, so he would be accepting the voluntary surrender of license. Chairman Bunch said that he would also be accepting it. He said that the case is a product of working/living out of deposits, which, when life happens and you cannot provide services, you can get into a big hole very quickly. He said that it is a good lesson for young registered guide-outfitters and that they should use it as an example when they are deciding on whether or not to do the same. Mr. Lorrington said that he agreed with both Mr. Bloomquist and Mr.</p>	

	Bunch and would be approving it as well. He said that this is just another example of how COVID has really affected a lot of people in a lot of different ways, and that the licensee's situation got out of control, but that he tried to pay back his debts the best he could.	
Recorded Votes: Pass	Buist - Yes	Lorrington - Yes
	Boniek - Yes	Flores - Yes
	Bloomquist - Yes	Kunder - Yes
	Bunch - Yes	Nordlum - Yes
Brief Discussion:	With nothing left to discuss, the board moved onto public comment.	
3. Public Comment		
Brief Discussion:	Mr. Bay created a list of attendees that wanted to provide public comment. The board began public comment.	
-Tim Booch	<p>Tim Booch, a master guide-outfitter, provided his background as a guide. He said that he has been guiding since 1992 on Kodiak, the Alaskan Peninsula and the Aleutian Islands. As a previous APHA member, he attended and participated in their meetings for 13 years, attended the annual BOG meetings and was fully engaged in the previous guide concession project (GCP), which he said has readied him for the current GCP. He said that he has read all of the files from the previous GCP and the current GCP workgroup minutes, with the combination of all of it being what he felt was similar to the federal style prospectus application for the limited commercial use of competing guides operating in the federal management areas. He did not believe that DNR should be heading the GCP, which is the recommendation from the workgroup. He said that he has had issues with DNR in the past, including permits being issued, to other guides, very close to his already established camps. This issue disallowed him to guide in that area. The board thanked Mr. Booch for his testimony.</p>	
-Mark Richards	<p>Mark Richards, Executive Director of the Resident Hunters of Alaska (RHAK), said that he would be testifying later in the day, but wanted to speak on a few brief topics. He said that the December 2022 meeting minutes had misquoted him. He said that the minutes stated that RHAK wanted 19C closed and would be making a proposal to the BOG to do so. He asked that the minutes be corrected and said that RHAK has never asked to eliminate nonresident sheep hunters or completely close 19C. He said that RHAK, after the BOG submitted their own proposal to close 19C to everyone, proposed to change the unit to a draw permit system for nonresidents, and if they were not going to do that, then do not close it to residents. He said they also have a proposal to the BOG that again asks to put 19C on draw hunts only for nonresident sheep hunters and open it. The board thanked Mr. Richards for his testimony.</p>	
-Derrick Campbell	<p>Derrick Campbell, a registered guide-outfitter, said it would be great in the future if the board could work with ADF&G to remedy bear problems around the state. He said he hates seeing bears as pests instead of biological wealth. He said that when animals are not managed properly, they become pests and lose their value. He said he would like the problem to be dealt with by guides, instead of ADF&G, and said it would be nice to receive an extra GUA and a portion of land to take care of such problems through guided</p>	

	<p>hunts. He said it is against fair chase, but another idea would be to have clients take the bears by helicopter, instead of the state. Chairman Bunch and Mr. Bloomquist informed him that there are already statutes in place that allow for an extra GUA for predator control. He thanked them for the information. The board thanked Mr. Campbell for his testimony.</p>
<p>-Dick Rohrer</p>	<p>Dick Rohrer, a master guide-outfitter, commented on the previous day's discussion regarding fines for guides. He said that the fees in AS 08.54.605, Eligibility for Licenses, were created about 20 years ago and asked that the board update them. He asked that they be increased and likely needed doubled, with the justification being that hunts have gone up in price two or three times then what they were 20 years ago. He said he understands that it would require a legislative change, something that would need to be discussed, and he hoped it would be discussed during this board meeting, to which Chairman Bunch said it would. The board thanked Mr. Rohrer for his testimony.</p>
<p>4. Alaska Professional Hunters Association (APHA)</p>	
<p>Brief Discussion:</p>	<p>Thor Stacey, a registered guide-outfitter and the Director of Government Affairs for the APHA, provided an update to the board. He said that APHA views the board as an essential entity for the guiding industry, and that the board's reauthorization and sunset is important to them. He thanked the board and previous boards for getting the BGCSB in the healthy position that it is, especially as volunteers. He said that APHA was tasked with creating an economic report in regard to what hunting guides bring to Alaska. He said that the task was difficult because of all the data around the state. He said that hunting guides generate around 90 million dollars of economic activity in the state annually, with around 70 million dollars of new money into the state. He said that Alaska ownership of guide businesses is at about 86%. About 60% of the money generated is captured in rural Alaska. He said that close to 70% of the money generated for wildlife conservation is attributed to the guiding industries' customer basis. He said that, while the numbers sound big, the customer basis only counts for about 3% of all hunting licenses in the state, which is a challenge when it comes to dealing with the BOG, public perception, and the legislature. He said that APHA has their own council and are currently supporting the state with Castle vs. State, a contest over Kodiak brown bear management, which is an important case for the BOG and hunting guides. He said the big challenges right now are wildlife declines, federal land managers on their view of conservation decisions, and, this last one is his personal opinion, subsistence. He said that APHA has, in the past, strongly supported a solution to the state land issue, which is not having concessions. He said there are two paths when a wildlife population gets low and is needed to be managed: The first being managed through concessions and the second being managed by draw. Ultimately, the APHA now supports being managed through concessions instead of by draw because drawing does not encourage stewardship, predictability, or have a tether for social license. He said that the APHA supported the initial sheep working group, as it relates to sheep decline, in 2013, which was a time of abundance for sheep. He said that the sheep issue in 19C is different, and they do not agree with the BOG closing the unit for nonresident hunters. He said there is a better way forward, such as the BOG being empowered through some sort of a management plan. He said that the BGCSB's workgroup effort on the GCP was unbelievable. He said the amount of time and effort, public testimony and engagement, and division/department support from ADF&G, DNR,</p>

and Commerce was incredibly collaborative. Mike Flores informed him that the board was looking into getting legislation passed and asked him what he thought about the legislature not being able to pass many bills recently. Mr. Stacey said that COVID just happened and that it is still affecting the legislature. He also said that there are a lot of politics and administrative changes involved. He said the legislature was kind of put on pause during COVI and that they dealt with the big problems that were on the table and immediate, which created a backlog of things. He said the key to the legislature is to partner with them and bring them a problem that needs solved. He told the board that, when it comes to the topics they want to bring to the legislature, they need to really understand the problem they are trying to solve. He said that, while the legislature can be frustrating, they can be amazingly helpful if you bring them a problem and get their interest. He also said that they need to have a lot of follow-through and stay in the mix, which is hard for a board. Mr. Kunder said he thought the guiding industry had a bigger footprint in Alaska. He asked Mr. Stacey how many of the residents and guides in 19C are in the 3%, to which he replied that the 3% was an overall number for the entire state, which construes the numbers. He said that 19C is remote, which is where guides generally thrive, and that the area has a valuable animal in sheep, which inflates the number quite a bit. He said that, before the closure of 19C, guides and their hunters allocated for about 80% of the sheep harvested, with just over 50% of the hunter effort being guided hunters. He said that, leading up to the population decline, guides and their hunters allocated for about north of 60% of the sheep harvested, with around 40% of the hunter effort being guided hunters. He said that the number of guides in the area, around 26, ultimately aided in the decline. Mr. Buist said that he used to guide in 19C and that he gets frustrated when he hears that guides are taking all of the animals there, instead of resident hunters. He said that the area is totally different than most hunting areas in the state, with it being difficult to reach without the correct transportation, and that resident hunters rarely go there, which is why guides take most of the animals in the area. Mr. Lorrying said there is going to be a proposal before the BOG to enlarge the controlled-use area in Anaktuvuk Pass, that he thinks it might be because of the transporter traffic in the area, and that he does not want to see it because the animals were doing good in the area. He asked Mr. Stacey if he had an opinion, to which he said that he thinks people in the area truly believe that airplanes are disrupting caribou migration, even though the data does not really support it. Mr. Lorrying asked him if APHA put in a request to be on the working committee for 19C, to which he said no, APHA is concerned that such a request would be divisive and that they are hoping for a non-divisive outcome. Chairman Bunch apologized to Mr. Stacey for not having them at their meetings in the past and said that he thinks they should have an APHA update at their meetings moving forward. With nothing left to discuss, the board thanked Mr. Stacey for his time and took a break.

Off Record: 10:49 a.m.

5. Workgroup Updates/Formation of New Committees

**Brief Discussion:
On Record: 11:11 a.m.**

Back from break, the board began discussion on current workgroups and the formation of new committees/workgroups. Chairman Bunch began discussion on the exams workgroup and said that updating their exams is the most time-consuming task for the board. He said that their workgroup had been working on the GMU exams and that they were thinking of creating new exams where every GMU exam had the same questions, versus the current version, which has random questions for each exam. He said that the

goal was to have the GMU exams updated for the March 2024 exams and that they would try and have the RGO exam updated by the December 2024 exams. Mike flores said that the transporter workgroup had no plans to update any regulations until the current regulation projects get through the Department of Law review. Chairman Bunch said that he would not be discussing the guide concession program because there would be a discussion on it later during their meeting. With nothing left to discuss, the board moved onto their next agenda item.

6. Ongoing Task List Review

Brief Discussion:

Chairman Bunch reminded the board that they had previously discussed creating a transporter informational letter, to inform transporters of pending changes to the regulations. Mike Flores said that he would write something and have it ready to provide transporters. Aaron Bloomquist said that he was tasked with writing an education letter for hunt planners and booking agents. He said that, while it fell off his plate, it would be difficult to write the letter and it having any teeth because the board does not have statutory authority over hunt planners or booking agents. He said that the board needs to add the issue to their list of requested statutory changes. Chairman Bunch said that the division was working with their IT department to create online self-service tools for licensees, such as being able to input their own hunt records into their files, requesting new hunt records without having to contact the division, and submitting GUA registration applications. He said that the plan was to implement the changes to myAlaska, specifically into their MY LICENSE files within myAlaska. He informed the board that the reason they could not get specific information from the hunt records, such as the number of animals taken in a specific GUA, was because the system the division uses to input the information was not updated when the last hunt record was updated, so the information was not being captured the way they thought it was. He said that the updates would save time for staff in the future and help them get out from under their current workload. Mr. Bay informed the board that they had about 600 batches in their inbox, with half of them being hunt records, which could have up to 50 hunt records in each batch, and transporter activity reports, which could have up to 150 transporter activity reports in each batch, meaning that there was likely six or seven thousand documents to manually process. He informed the board that they likely noticed that certain supporting documentation was now required for renewals. He said that the reason for that was because their regulations required it, but that it was not being required in past renewals. Chairman Bunch said that the guide number system request from some licensees, to provide a license number to registered and master guides like they used to do (GUIR####) instead of the current only number system, has not fallen off the board’s radar, just that it was very low on the priority list because of how busy staff is. Aaron Bloomquist began discussion on the board’s legislative priorities. He said that the board has three priorities outside of the GCP, which was their sunset, to give the commissioner of the Department of Commerce, Community, and Economic Development (DCCED) emergency authority similar to the commissioner of ADF&G, if possible, and board authorities they do not currently have, such as the ability to require a transporter to be a natural person, regulate air transporters and water transporters separately, change their suspension triggers in regulation, regulate hunt planners and booking agents, have the authority to require continuing education, have the authority to provide for survivorship and emergencies,

	<p>and to have a lot of the statutes moved back into regulation. He reminded the board that a lot of their statutes were previously in regulation and that the legislature moved them into their statutes after the board was reestablished after their previous sunset many years ago. He also said that he would like the board's makeup updated to include two additional guides. Having finished with their ongoing task list review, the board decided to add a discussion on the GCP after their discussion with Director Sylvan Robb and a discussion regarding investigative matters after the education seminar at the end of the day.</p>	
Motion:	<p>Move to amend the agenda by adding a discussion on the Guide Concession Program after their discussion with Director Sylvan Robb and another discussion regarding investigative matters after the education seminar at the end of the day (First: Buist; Second: Kunder).</p>	
Recorded Votes: Pass	Buist - Yes	Lorring - Yes
	Boniek - Yes	Flores - Yes
	Bloomquist - Yes	Kunder - Yes
	Bunch - Yes	Nordlum - Yes
Brief Discussion:	<p>With nothing left to discuss, the board went to lunch.</p>	
<p>7. Lunch Off Record: 12:07 p.m.</p>		
<p>8. Discussion with Director Robb</p>		
<p>IT Request</p>		
Brief Discussion: On Record: 1:05 p.m.	<p>The board welcomed Director Sylvan Robb to the meeting. Chairman Bunch had already met with the division to discuss the IT request, so the board moved onto their next agenda item.</p>	
<p>Legislation for EA Position</p>		
Brief Discussion:	<p>The board began discussion with Director Robb regarding their goal of seeking legislation to create a full-time executive administrator position dedicated to their program instead of splitting time with the Board of Marine Pilots. Director Robb reminded the board that they received funding for the position in the budget at the end of the legislative session in 2023 but that it was not attached to a bill. She informed the board that, for the 2024 legislative session, they would again need to vote on the record to pursue legislation to create their own executive administrator position and find a sponsor to add the position to a bill. Deputy Director Glenn Saviers provided the board with a document outlining the process of getting an executive administrator. The document also provided the board with suggested statutory language the board could use to lobby for the position. She informed the board that the language mirrored other boarded programs that have an executive administrator. After reviewing the document and discussing their options, the board decided to table the discussion until the next day and moved onto the next agenda item.</p>	

Regulations Process

Brief Discussion:

Director Robb provided the board with an overview of the regulations process. She reminded the board that the Department of Law (DOL) changed the order in the regulations process by moving the DOL review ahead of the public comment period instead of having the DOL review afterwards, in an attempt to ensure that the intent of the regulation project is legal. She said that, while board members might remember regulation projects moving quicker in the past, the Department of Law was seeing a lot more regulation projects than they used to, which is why regulation projects were moving slower, and that their division is only one of eighty-five in the state. She said that typical regulation projects take between six months and a year. The timeline is dependent on various obstacles along the way, such as beginning a regulations project (e.g., having all of the required documents to send to the DOL), the amount of regulation projects in line to be reviewed by law, and staffing. Mr. Bloomquist thanked Director Robb for helping get their recent emergency regulations through so quickly. He asked her if there was a way to streamline the regular regulations process because, in his opinion, the current process was taking longer than any other regulations process he had ever been a part of. She said that, unfortunately, there was no current way to streamline the process more than it already was. She reminded the board that, until recently, they only had one regulations specialist working for the division and that vacancies and turnover does slow down the process. Director Robb had to leave the meeting, and the board thanked her for her time. Chairman Bunch reminded the board that in order to get a regulations project to the DOL they have to have written minutes of the discussion, an FAQ sheet for each regulations project, and the drafted language (something close enough for the regulations specialist to work with) for the requested regulation change(s). He reminded the board that during the time of creating their regulation projects two years ago they had a very last minute new executive administrator, no licensing examiner at that time, a new division director, a new regulations specialist, a massive meeting that had 20 pages of meeting minutes for proposed regulations, an idea of what they wanted adopted, but that it was his opinion that not all of them were as precise as they needed to be. He also reminded the board that all of this took place during renewals and that their executive administrator worked for the Board of Marine Pilots and had exams and a board meeting shortly after their meeting, which is why they needed their own executive administrator that does not share a board with another board. He said that one of these variables could easily delay the regulations process but having them all happen at the same time had definitely delayed the process. He informed the board that he talked with their executive administrator almost daily, that he was swimming in work, and that he was struggling. He said that he told him to not worry too much about their meeting minutes or regulation projects until he could catch up to a point where he could breathe. He said that any of the frustration with the regulations process they were going through was partially on him, along with the variables he mentioned earlier. Deputy Director Saviers said that it was also on the division, apologized for any delays in the process, and said that they would do their best moving forward, now that they were better staffed. She agreed with Chairman Bunch, that their current executive administrator was extremely busy with running two boarded programs, and that this was a big reason why the board needs their own executive administrator. She suggested they use this as one of the main reasons for needing their

<p>Off Record: 1:53 p.m.</p>	<p>own executive administrator when they pursue legislation for one. With nothing left to discuss, the board thanked Deputy Director Saviers for her time. The board decided to take a break.</p>
<p>9. Agenda review for 12/06/2023</p>	
<p>Brief Discussion: On Record: 2:10 p.m.</p>	<p>The board discussed changes to the agenda for the following day. They agreed to replace the Alaska Wildlife Troopers discussion with a discussion to create a motion to pursue legislation to create an executive administrator position. Chairman Bunch informed the board that the GCP had recommended that either DNR or DCCED institute an office for concessions, with DNR having the most transparent process compared to DCCED. The decisions for concessions would include proposals from anyone to the BOG, and that, during those meetings, their executive administrator or a board member would be there representing the board and a DNR permitter would be in attendance to provide data about land use in that specific area. Any proposals the BOG wanted to move forward with would be recommended to an appointed advisory committee that would include the permitting officer from DNR, the wildlife biologist from that area, and a licensed guide that is not associated with that area. These people would figure out if the boundaries were accurate, how many full-time/part-time/limited guides should be in the area providing services, along with a number of others. He said that it would be a public process and that a recommendation would then be provided to the office for concessions (DNR or DCCED), with the office for concessions putting out an offer for unlimited permits, which would be a competitive process, and limited permits, which would be by random draw and include possible limits to the number of clients being taken out and possibly the number of animals taken, depending on the issue that was trying to be resolved. He said that the GCP had drafted language into a bill and were seeking a legislative sponsor to carry it.</p>
<p>10. Public Comment</p>	
<p>Brief Discussion:</p>	<p>Mr. Bay created a list of attendees that wanted to provide public comment. The board began public comment.</p>
<p>-Tim Booch</p>	<p>Tim Booch asked if the intention of creating an executive administrator was to have that person administer the guide concession program, to which the board said no. He said that he thinks that DNR should limit commercial permits by considering his recommended changes to the existing DNR guidelines that create overcrowding and conflict. He said that he was surprised to hear from the board that no remedy exists for addressing an emergency situation where a contracting guide, due to an emergency, needs to leave the state. He said that he does not agree that the board cannot regulate transporters, and that they need to also regulate hunt planners. He suggested the following changes to the DNR commercial land use permitting guidelines:</p> <ol style="list-style-type: none"> 1. The elimination of the no cause revocation clause that applies to all of DNR's current commercial recreation land use permits (CRPs). 2. Restrict the tent camp use of any DNR CRP by an Alaska resident or nonresident or any other commercial users during the permitted term of use.

	<ol style="list-style-type: none"> 3. The elimination of the one-day duration current CRP that does not require a LAT/LONG GPS or township in range location device and does not go to public comment prior to its use. 4. The elimination of the 14-day use period mandate that applies to all current recreation land use permits and specifies at that use period, that the camp be moved for a period of time before it can be redeployed. 5. The elimination of non-transferability clause for all CRPs. 6. The adoption and application of a spatial separation distancing stipulation of 5-10 miles between existing recreation land use permitted camps, whose permittees are in good standing, and any/all new land use permits. 7. Require a LAT/LONG GPS or township in range location device applied to the maximum of two spike camps that are currently allowed for CRP permitted base camps.
<p>-“Smokey” Don Duncan</p>	<p>“Smokey” Don Duncan, a retired master guide-outfitter, said that he had comments on the black bear baiting issue. He said that he wanted to remind DNR and ADF&G about the McGrath predator control they did a few years back, which costed the state about \$4,500 per bear. He said that black bear was proven to be a major predator on moose calves in the interior, and that baiting is the only public control option, which may be effective but is not profitable, and is a management tool that is beneficial to the state and the public. He said that DNR must acknowledge that the major interior native corporation, BLM, and the USFWS typically does not allow public hunting or guiding on their lands. He expressed his frustration with the division requiring licensees to print their own licenses and the fee of a retired guide license. He said that there is no reason that the division cannot mail out licenses and lower the fee for a retired guide license. In regard to the GCP, he reminded everybody that all permits from the state states that the permittee has no long-term agreement with the state, so nobody is accruing anything during the lifespan of their permit. He agreed that the makeup of the board seats should change and suggested removing one transporter and adding one more registered guide-outfitter who is not a member of APHA. He said that, while he is not against a GCP, he is against any system that gives preferential treatment. He said that if you wanted to get a GCP established passed quickly and defensibly, then identify the problem area, put up for bid what is going to be included in the concession, and put it up for bid. Lastly, in regard to legal moose, he said the one thing that is not covered in the <i>Is this Moose legal?</i> video that ADF&G created, is the moose that has cupped antlers toward the nose or are parallel to the nose. The board thanked Mr. Duncan for his testimony.</p>
<p>-Steve Perrins II</p>	<p>Steve Perrins II, a registered guide-outfitter, said that he liked the idea of having more guides on the board, which would help spread out the workload, that the board still intended to create a list of registered and master guide-outfitter license numbers that would correlate to what number those registered and master guide-outfitters got licensed as, such as GUIM001, GUIM002, etc., and that an executive administrator would be beneficial for the industry. He also said the mentioned GCP was one of the more appealing versions that he had heard in prior years. Some of his concerns included any financial costs that might be associated with a unit being included in the GCP and having DNR doing the scoring system again because the previous time they did not listen to what the majority of the guides provided. The board Mr. Perrins II for his testimony.</p>

<p>-Mark Richards</p>	<p>Mark Richards (RHAK) said that, in 2008, APHA stated that unlimited guides on state land was causing biological harm to wildlife populations, more restrictive drawing hunts for all, and widespread conflicts in the field. Since that time, he stated, the BGCSB, BOG, and the guiding industry only considered one solution, a GCP that was not supported by the legislature and had many legal hurdles. He said that, realistically, a GCP on state land was not going to happen any time soon. He suggested that the board lobby for changes to Title 8 statutes, which would give the board authority to limit guides in specific areas that have known problems. He reminded the board that RHAK had proposed, to the BOG, for limits on nonresident sheep hunters in 19C to draw only hunts in numerous years due to the decline in numbers over the years, and, after being denied multiple years, the BOG closed all of 19C for five years, which is something RHAK never pushed for. He asked if a complete closure of an area was better than draw hunts. He stated that the numbers of animals taken from nonresident hunters was a lot larger than the number provided by APHA. He said that RHAK should not have to fight the guide industry, in regard to what every other state has, on limits on nonresident hunting that prioritize resident hunting opportunities. With nothing left to discuss, the board thanked Mr. Richards for his testimony.</p>
<p>-Steve Perrins</p>	<p>Steve Perrins, a master guide-outfitter, said that he agreed with Steve Perrins II's opinions earlier during public comment. He suggested the board needs to clean up transferability of businesses, to not limit commerce and continue to provide good services that create good revenue for the state. He also asked that the board consider trying to help guides out with insurance policies getting raised, which is based on gross revenue. He said that his business, which had never had a claim, was increased by 40% in the past year. The board thanked Mr. Perrins for his testimony.</p>
<p>-Al Barrette</p>	<p>Al Barrette, a master guide-outfitter, thanked the board for the review on the regulations process, but said that he would have appreciated the statutes and regulations the process was representing. He said that he did not understand why board proposed regulations would have to go back out for public comment, if they were amended after they came back from already being out for public comment, because they were board proposals. He said that his confusion comes from the fact that the Board of Fisheries and the BOG do not do a second round of public comment for board proposals and said that not doing so might help streamline the process. He said that it would be nice to know if the flowchart presented by the division represented division statutes and regulations or other sections of state statutes and regulations. Chairman Bunch said that he would pass on his thoughts to the division and get back to him. The board thanked Mr. Barrette for his testimony.</p>
<p>-Ralph Greene</p>	<p>Ralph Greene, a current registered guide-outfitter applicant at the time, said that it is very difficult to become a registered guide-outfitter in Alaska and that the game management unit exam he just finished was not an accurate exam. He said that he understood updating the exams were high up on the board's task list, but that he just wanted the board to know that he was disappointed with the exam. Pete Buist informed him that the board used to have a better system set up for the RGO exams but that they had to come up with a system that was the same for everybody. The board thanked Mr. Greene for his testimony. With nobody else to provide public comment, the board took a break.</p>
<p>Off Record: 3:31 p.m.</p>	

11. Education Seminar		
Brief Discussion: On Record: 3:42 p.m.	Back from break, Mark Swift, an assistant guide, provided a presentation on ‘What is a legal moose, what should be done in the case of a sublegal harvest, and the biological effects of a sub-legal harvest.’ After the presentation, the board went into executive session to discuss investigative matters.	
12. Investigations Discussion		
Motion:	I, Pete Buist, move that the Alaska State Big Game Commercial Services Board enter into executive session in accordance with AS 44.62.310(c), and Alaska Constitutional Right to Privacy Provisions, for the purpose of discussing subjects that tend to prejudice the reputation and character of any person, provided the person may request a public discussion; and matters which by law, municipal charter, or ordinance are required to be confidential. Board staff Thomas Bay and Lee Strout to remain during the session (First: Buist; Second: Boniek).	
Recorded Votes: Pass	Buist - Yes	Loring -Yes
	Boniek - Yes	Flores - Absent
	Bloomquist - Yes	Kunder - Yes
	Bunch - Yes	Nordlum - Yes
Brief Discussion: Off Record: 4:03 p.m. On Record: 4:52 p.m.	No action was taken during executive session. Mr. Buist said that new information came to light regarding a consent agreement the board voted on earlier in the day, which may just be a typographical error but that it was important to make sure the board got it right. Mr. Buist requested to reconsider one of his motions from earlier in the day. Mr. Loring said that he would be voting in support of the motion because of the new information provided regarding the consent agreement.	
Motion:	Move to reconsider the motion from earlier in the day regarding the consent agreement for Case No. 2022-000170, Case No. 2022-000441, Case No. 2022-000442, Case No. 2022-000443, and Case No. 2022-000444 (First: Buist; Second: Bloomquist).	
Recorded Votes: Pass	Buist - Yes	Loring -Yes
	Boniek - Yes	Flores - Absent
	Bloomquist - Yes	Kunder - Yes
	Bunch - Yes	Nordlum - Yes
Motion:	Mr. Buist motioned to accept the consent agreement for Case No. 2022-000170, Case No. 2022-000441, Case No. 2022-000442, Case No. 2022-000443, and Case No. 2022-000444 (First: Buist; Second: Bloomquist).	
Brief Discussion:	Mr. Buist said that he would not be supporting the consent agreement because of a typographical error that changes the intent of the consent agreement. Chairman Bunch and Mr. Loring also said that they would not be approving the consent agreement because of the typo. The board asked Mr. Strout to change “either/or” to “and” in the consent agreement, which will require the licensee do both of the things in the consent agreement.	

Recorded Votes: Pass	Buist - No	Lorrington - No
	Boniek - No	Flores - Absent
	Bloomquist - No	Kunder - No
	Bunch - No	Nordlum - No
Brief Discussion: Off Record: 5:01 p.m.	With nothing left to discuss for the day, the board recessed until the next morning.	
Day Three		
1. Review Agenda		
Brief Discussion:	After discussion, the board decided to amend the agenda by replacing 'Alaska Wildlife Troopers' with 'EA Discussion' at 10:00 a.m. and 'Legislative Priorities' under Board Business.	
Motion:	Move to accept the agenda as amended (First: Bloomquist; Second: Flores).	
Recorded Votes: Pass	Buist - Yes	Lorrington - Yes
	Boniek - Yes	Flores - Absent
	Bloomquist - Yes	Kunder - Yes
	Bunch - Yes	Nordlum - Yes
2. Public Comment		
Brief Discussion:	Mr. Bay created a list of attendees that wanted to provide public comment. The board began public comment.	
-Jeffrey Callison	Jeffrey Callison, a transporter, said that if the board decides to separate air transporters from water transporters, when regulating over them, they will also need to separate freshwater transporters from saltwater transporters. If that happened, he said that they would get a lot of outcry from water taxis. Mr. Callison and the board discussed navigable waters as it relates to having a USCG license. The board thanked Mr. Callison for his testimony.	
-Aaron Carter	Aaron Carter, a registered guide-outfitter, did not agree with the emergency regulation changes to 12 AAC 75.260(d), which allows a new concessionaire to receive a Unique Verification Code (UVC) and apply clients in the annual drawing for their concession area before they are registered in the GUA. He said that it is not fair to the rest of the guides who have had to wait to put their clients in the drawing the following year, which loses a full year of work, only because they could not change GUAs until January 1 st of the next calendar year. Chairman Bunch said that he would be discussing the topic later in the day. The board thanked Mr. Carter for his time. With nobody else providing public comment, the board took a break.	
Off Record: 9:27 a.m.		

3. EA Discussion

Brief Discussion:
On Record: 9:45 a.m.

The board began a second discussion on their goal of seeking legislation to create a full-time executive administrator position. They asked Thor Stacey if he could answer some questions about pursuing legislation for an executive administrator, to which he said he would. The board asked him if it would make sense to include the EA position in their upcoming sunset bill or to have it as a separate bill, to which he said that it is his opinion that the legislature prefers a clean sunset bill, meaning that there are no other requests tied to the sunset bill. The board thanked Mr. Stacey for his time.

The board reconsidered the pay range for the position, however, after discussing it, the board decided to stick with a range 23. The board agreed to pursue legislation in their effort of attaining an executive administrator solely for the Big Game Commercial Services Board.

Motion:

Move to pursue legislation to create a range 23 executive administrator position for the Big Game Commercial Services Board and move forward with the division’s suggested statutory language. Pete Buist and Jason Bunch will be the board’s liaisons and spokespersons. (First: Buist; Second: Bloomquist).

Recorded Votes: Pass	Buist - Yes	Lorring - Yes
	Boniek - Yes	Flores - Absent
	Bloomquist - Yes	Kunder - Yes
	Bunch - Yes	Nordlum - Yes

Brief Discussion:

The board agreed to have Jason Bunch find a legislator and provide an update to the board through the division.

Motion:

Move to have Jason Bunch find a legislator and provide an update to the board. (First: Bloomquist; Second: Kunder).

Recorded Votes: Pass	Buist - No	Lorring -No
	Boniek - No	Flores - Absent
	Bloomquist - No	Kunder - No
	Bunch - No	Nordlum - No

Brief Discussion:
Off Record: 10:15 a.m.

With nothing left to discuss, the board took a break.

4. Board Business

New Business: Legislative Priorities

Brief Discussion:
On Record: 10:40 a.m.

The board discussed and provided the following list of legislative priorities:

1. Main priorities
 - a. Sunset Bill
 - b. Guide Concession Program
 - c. Executive administrator position
 - d. Survivorship emergencies
 - e. Board composition
 - f. Suspension triggers in AS 08.54.605
 - g. Continuing education
2. Secondary Priorities
 - a. Removing the board's previous regulations from statute and putting them back in regulation
 - b. The need to have a transporter as a natural person
 - c. Marine transporters being separated from aviation transporters
 - d. Being able to regulate booking agents and hunt planners
 - e. Regulatory process

Mr. Boniek suggested that, in regard to board composition, instead of adding more registered guide-outfitter seats on the board, which had been the discussion, maybe the board should think about spreading the investigative workload that goes to registered guide-outfitters on the board to other board members. He said that while he understood that the other board members might not be subject matter experts, they could learn the process. Mr. Buist said that while the concept was sound, a working guide would not want a non-guide determining their future, which is why the conversation began with adding another registered guide-outfitter to the board.

New Business: Complaint Matrix

Brief Discussion:

Chairman Bunch said that many of the complaints the board receives pertain to conflicts in the field. He suggested that maybe arbitration be used as a solution. He said that he knew this was an out of the box idea compared to precedent but said that something needed to be done to alleviate the number of complaints coming in, which are normally accusations that are difficult to prove and hard to enforce. Mr. Strout, the board's investigator, agreed with his statement. Mr. Bloomquist suggested having a complainant try and get something on video. He also said that his biggest concern is when licensees get into arguments with other licensees while in the field, which leads to both hunts being ruined. Chairman Bunch said that he was going to work with Mr. Strout and craft a warning letter that would be sent to licensees who persistently have conflict in the field with each other. The letter would be a warning that a licensee's guide use area, the one where the conflict arises from, is taken away for a certain amount of time. With nothing left to discuss, the board went to lunch.

5. Lunch
Off Record: 12:24 p.m.

6. Regulation Projects

12 AAC 75.200: REGISTERED GUIDE-OUTFITTER PROVIDING SERVICES; 12 AAC 75.230(g): GUIDE USE AREA REGISTRATION; 12 AAC 75.400(a): TRANSPORTER ACTIVITY REPORT

Brief Discussion:

On Record: 1:32 p.m.

The board welcomed Alison Osborne, one of the division’s regulations specialists, to the meeting.

The board began discussion on the board’s regulation projects, first starting with an amendment to **12 AAC 75.200. REGISTERED GUIDE-OUTFITTER PROVIDING SERVICES**. Chairman Jason Bunch explained that the changes to the regulation were in response to a request from the Alaska Wildlife Troopers; to amend the regulations so they allow registered guide-outfitters to provide transportation services through guide use areas (GUAs) they are not registered in, as long as the transportation services originate or terminate in a guide use area for which the guide-outfitter is registered.

The board moved onto another regulation project, a repeal of **12 AAC 75.230(g). GUIDE USE AREA REGISTRATION**. The board stated that the intent of the regulation was for the purpose of guide-outfitters being able to have a Spring brown bear season in Game Management Unit (GMU) 9 in 2021 instead of 2020 and was only created because of guiding/hunting complications due to COVID-19.

The board moved onto another regulation project, an amendment to **12 AAC 75.400(a). TRANSPORTER ACTIVITY REPORT**. The board stated that this was merely an update to the transporter activity report (TAR), changing some of the required information that is provided by a transporter when they are transporting clients. After discussion, the board decided to change the type of services provided (#2 on the form), located at the top of the new form, to read as:

- **You Must Check all that Apply: Drop Off, Pick Up, Marine Drop Off & Pickup w/ Overnight**

Ms. Osborne informed the board that, because the form is adopted by reference, they only need to change the revised date on the form, and that the form could be used immediately. She also said that the revised date must be in advance of their public notice. The board discussed using the form immediately. Mr. Bay informed the board that they had roughly 3,000 TARs left, and suggested moving over to the new form when they start running low. Chairman Bunch asked Ms. Osborne if they could still use the TARs they have left if they decided on a revised date of December 2023, to which she said yes. The board agreed to a revised date of December 2023 for the new form and would move forward with it when they run low on the number of TARs they currently have. Mr. Bay asked Ms. Osborne if the board should have a motion for each regulation project or do them separately, to which she said it depended on whether or not the board would be substantially changing the presented regulations she drafter or not. The board decided to create a motion for each of their regulation projects, unless there was no discussion to amend any of the drafted language Ms. Osborne drafted. Ms. Osborne informed the

	board that they would need to have two motions to move forward with their revised TAR, the first being a motion to revise the proposed TAR as amended and the second being a motion to adopt the TAR as revised for the purposes of going to public comment.	
Motion:	Move to revise the proposed transporter activity report form as amended (First: Lorrington; Second: Flores).	
Recorded Votes:	Boniek - Yes	Kunder - Yes
	Buist - Yes	Nordlum - Yes
	Bunch - Yes	Lorrington - Yes
	Flores - Yes	Bloomquist - Yes
Motion:	Move to adopt the transporter activity report form as revised for the purposes of going to public comment (First: Lorrington; Second: Flores).	
Recorded Votes:	Boniek - Yes	Kunder - Yes
	Buist - Yes	Nordlum - Yes
	Bunch - Yes	Lorrington - Yes
	Flores - Yes	Bloomquist - Yes
Brief Discussion:	Mr. Bloomquist reminded the board that they still needed to motion to amend the regulation itself, not just the form.	
Motion:	Move to approve the language regarding 12 AAC 75.400(a) as amended for public comment, unless substantive changes are made by the regulations specialist or Department of Law (First: Bloomquist; Second: Flores).	
Recorded Votes:	Boniek - Yes	Kunder - Yes
	Buist - Yes	Nordlum - Yes
	Bunch - Yes	Lorrington - Yes
	Flores - Yes	Bloomquist - Yes
Brief Discussion:	Mr. Bay reminded the board that they still needed to create motions for their earlier discussions regarding 12 AAC 75.200 and 12 AAC 75.230(g).	
Motion:	Move to approve the language of the proposed regulation change regarding 12 AAC 75.200 as presented for public comment, subject to approval by Department of Law (First: Buist; Second: Flores).	
Recorded Votes:	Boniek - Yes	Kunder - Yes
	Buist - Yes	Nordlum - Yes
	Bunch - Yes	Lorrington - Yes
	Flores - Yes	Bloomquist - Yes
Motion:	Move to approve the repeal of the proposed regulation change regarding 12 AAC 75.230(g) as presented for public comment, subject to approval by Department of Law (First: Bloomquist; Second: Lorrington).	

Recorded Votes:	Boniek - Yes	Kunder - Yes
	Buist - Yes	Nordlum - Yes
	Bunch - Yes	Lorrington - Yes
	Flores - Yes	Bloomquist - Yes
12 AAC 75.405: MARKING OF AIRCRAFT AND BOATS USED BY GUIDES AND TRANSPORTERS		
Brief Discussion:	Moving along, the board motioned to approve a regulations project to create new regulations for the marking of aircraft and boats used by guides and transporters, specifically under 12 AAC 75.405. MARKING OF AIRCRAFT AND BOATS USED BY GUIDES AND TRANSPORTERS , with a discussion to follow.	
Motion:	Move to approve the language of the proposed regulation change regarding 12 AAC 75.405 as presented for public comment, subject to approval by Department of Law (First: Bloomquist; Second: Buist).	
Recorded Votes:	Boniek - No	Kunder - Yes
	Buist - Yes	Nordlum - Yes
	Bunch - Yes	Lorrington - Yes
	Flores - Yes	Bloomquist - Yes
Brief Discussion:	The board reviewed the drafted language and found that it did not match what they approved at their previous meeting. After discussion, the board decided to change the term 'boats' to vessels in the title and terminology within the regulations. They decided to change the length of the vessel required to have 12-inch numbers in subsection (b) to 16 feet instead of the drafted 24 feet. They decided to change the language in subsection (c) to simply state that a guide or transporter shall display an authorized sticker on a vessel used for the purposed of transportation and provided a copy of the board approved design that must be used. The board agreed that they should provide a first round of stickers to their licensees and that, after finding out how much of a cost it is to the board, follow up with a fee for additional stickers. The board decided to change subsection (d) to read that an authorized sticker or more may be provided to the licensee. Having amended the drafted language in their previous motion, the board followed up with a subsidiary motion.	
Motion:	Move to amend the previous motion by approving the language of the proposed regulation change regarding 12 AAC 75.405 as revised for public comment, subject to approval by Department of Law (First: Bloomquist; Second: Buist).	
Recorded Votes:	Boniek - No	Kunder - Yes
	Buist - Yes	Nordlum - Yes
	Bunch - Yes	Lorrington - Yes
	Flores - Yes	Bloomquist - Yes

12 AAC 75.440: PROFESSIONAL ETHICS STANDARDS FOR PROVIDERS OF TRANSPORTATION SERVICES

Brief Discussion:	Moving along, the board motioned to approve a regulations project to create new sections under 12 AAC 75.440. PROFESSIONAL ETHICS STANDARDS FOR PROVIDERS OF TRANSPORTATION SERVICES , with a discussion to follow.	
Motion:	Move to approve the language of the proposed regulation change regarding 12 AAC 75.440 as presented for public comment, subject to approval by Department of Law (First: Bloomquist; Second: Nordlum).	
Recorded Votes:	Boniek - Yes	Kunder - Yes
	Buist - Yes	Nordlum - Yes
	Bunch - Yes	Lorrington - Yes
	Flores - Excused	Bloomquist - Yes
Brief Discussion:	Mr. Bloomquist reminded the board that this regulation mirrored the language the board already has in place for guides regarding the inability to advertise or sell big game services to be conducted solely on tidelands or below mean high water mark in fresh water, except for those lands that are immediately adjacent to uplands on which the licensee's clients are legally permitted to hunt. With nothing to change, the board moved onto their next regulations project.	

12 AAC 75.455: Helicopter Use

Brief Discussion:	Moving along, the board motioned to approve a regulations project to create new regulations for prohibiting any type of helicopter use for the purposes of guiding or transporting, specifically under 12 AAC 75.455. HELICOPTER USE , with a discussion to follow.	
Motion:	Move to approve the language of the proposed regulation change regarding 12 AAC 75.455 as presented for public comment, subject to approval by Department of Law (First: Bloomquist; Second: Buist).	
Recorded Votes:	Boniek - Yes	Kunder - Yes
	Buist - Yes	Nordlum - Yes
	Bunch - Yes	Lorrington - Yes
	Flores - Yes	Bloomquist - Yes
Brief Discussion:	The board discussed the drafted language and told Ms. Osborne they wanted to amend it with the intention of making it so licensees cannot use a helicopter in any manner, outside of an emergency rescue operation in a life-threatening situation or to remove a wrecked aircraft from the field. The board tabled discussion on this topic until later in the meeting, to allow Ms. Osborne time to draft the language, with the intent to have a subsidiary motion to follow and moved onto their next regulations project.	

12 AAC 75.655: BOAT-BASED TRANSPORTERS WITH LIVING ACCOMMODATIONS ON SALTWATER

Brief Discussion:	Moving along, the board motioned to approve a regulations project to create new regulations for providing overnight accommodations to big game hunters on a boat with permanent living quarters located on saltwater, specifically under 12 AAC 75.655. BOAT-BASED TRANSPORTERS WITH LIVING ACCOMMODATIONS ON SALTWATER , with a discussion to follow.
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Motion:	Move to approve the language of the proposed regulation change regarding 12 AAC 75.655 as presented for public comment, subject to approval by Department of Law (First: Bloomquist; Second: Buist).
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Recorded Votes:	Boniek - Yes	Kunder - Yes
	Buist - Yes	Nordlum - Yes
	Bunch - Yes	Lorrington - Yes
	Flores - Yes	Bloomquist - Yes

Brief Discussion:	After discussion, the board amended the drafted language to include a definition for ‘captain’ as related to the section. With nothing left to discuss the board approved the amended language.
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Motion:	Move to amend the previous motion by approving the language of the proposed regulation change regarding 12 AAC 75.655 as revised for public comment, subject to approval by Department of Law (First: Bloomquist; Second: Kunder).
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Recorded Votes:	Boniek - Yes	Kunder - Yes
	Buist - Yes	Nordlum - Yes
	Bunch - Yes	Lorrington - Yes
	Flores - Yes	Bloomquist - Yes

Brief Discussion: Off Record: 3:45pm	Before moving onto their next agenda item, the board decided to take a short break.
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12 AAC 75.455: HELICOPTER USE

Brief Discussion: On Record: 3:57pm	Back from break, Ms. Osborne informed the board that she had finished drafting language for their helicopter regulations, and it was ready for review. After reviewing the language, the board decided to add a licensee and entity license holder as the providers of services under the section, instead of an individual. They also changed the language at the end of section (a) from “...for the purposes of providing those services,” to, “for the purposes of providing, assisting, or enabling those services.” With nothing left to discuss the board approved the amended language.
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Motion:	Move to amend the previous motion by approving the language of the proposed regulation change regarding 12 AAC 75.455 as presented and amended for public comment, subject to approval by Department of Law (First: Bloomquist; Second: Buist).
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Recorded Votes:	Boniek - Yes	Kunder - Yes
	Buist - Yes	Nordlum - Yes

	Bunch - Yes	Lorrington - Yes
	Flores - Yes	Bloomquist - Yes
12 AAC 75.240: SUPERVISION; 12 AAC 75.250: PARTICIPATION IN A HUNT		
Brief Discussion:	Moving along, the board motioned to approve a regulations project to amend, repeal, and readopt current regulations, while also adding a new section, specifically under 12 AAC 75.240. SUPERVISION and 12 AAC 75.250. PARTICIPATION IN A HUNT , with a discussion to follow.	
Motion:	Move to approve the language of the proposed regulation changes regarding 12 AAC 75.240 and 12 AAC 75.250 as presented for public comment, subject to approval by Department of Law (First: Bloomquist; Second: Nordlum).	
Recorded Votes:	Boniek - Yes	Kunder - Yes
	Buist - Yes	Nordlum - Yes
	Bunch - Yes	Lorrington - Yes
	Flores - Yes	Bloomquist - Yes
Brief Discussion:	After discussion, the board amended the drafted language in 12 AAC 75.240(i) by changing 'may' to 'shall.' With nothing left to discuss the board approved the amended language.	
Motion:	Move to amend the previous motion by approving the language of the proposed regulation changes regarding 12 AAC 75.240 and 12 AAC 75.250 as revised for public comment, subject to approval by Department of Law (First: Bloomquist; Second: Buist).	
Recorded Votes:	Boniek - Yes	Kunder - Yes
	Buist - Yes	Nordlum - Yes
	Bunch - Yes	Lorrington - Yes
	Flores - Yes	Bloomquist - Yes
Brief Discussion:	In addition to written public comment, the board decided to have an oral hearing, scheduled for their March 2024 board meeting, for all of the regulation projects approved to go out for public comment.	
Motion:	Move to have oral testimony for the board's regulation projects at the board's March 2024 meeting (First: Bloomquist; Second: Buist).	
Recorded Votes:	Boniek - Yes	Kunder - Yes
	Buist - Yes	Nordlum - Yes
	Bunch - Yes	Lorrington - Yes
	Flores - Yes	Bloomquist - Yes

7. Task List	
Brief Discussion:	Mr. Bay provided the board their task list from the meeting: <ul style="list-style-type: none"> 1. Investigator will get amended consent agreement to licensee (Strout) 2. Updates to RGO/GMU exams (Bunch) 3. Legislative priorities (Bloomquist) 4. Transporter Information Letter (Flores/Boniek) 5. Education letter for hunt planners and booking agents (Bloomquist) 6. Legislation for executive administrator (Bunch/Buist) 7. Get regulation projects ready for DOL (Bay/Osborne) 8. FAQ worksheets (board) 9. Fee structure (Boniek/Strout)
Brief Discussion:	Mr. Bloomquist asked if they could have board representatives travel to Juneau for in-person testimonials for their legislative sunset hearings, to which the board agreed.
Motion:	Move to approve travel funding for up to four board members to represent the board for the board’s legislative sunset hearings (First: Bloomquist; Second: Flores).
Recorded Votes:	Boniek - Yes
	Kunder - Yes
	Buist - Yes
	Nordlum - Yes
	Bunch - Yes
	Lorring - Yes
	Flores - Yes
	Bloomquist - Yes
8. Adjourn	
Brief Discussion:	Having nothing left to discuss, the board adjourned.
Adjourn:	5:02 p.m.

Date Final Minutes Approved by the Board:	November 29, 2024
<input type="checkbox"/> Meeting <input checked="" type="checkbox"/> OnBoard	