



Alaska Department of Fish & Game – Division of Sport Fish

Guide Licensing and Logbook Meetings – Kodiak Meeting Summary

The Alaska Department of Fish and Game Division of Sport Fish (division) held a public meeting December 16th, 2015 in Kodiak. The purpose of the meeting was to engage in a dialogue with sport fishing business owners, guides and others (stakeholders) about the guide registration and logbook programs and solicit input on how they might be improved. House Bill 41 (HB 41), introduced during the 2015 legislative session, was also discussed at the meeting. If adopted, HB 41 would re-establish sport fish business and guide license and vessel registration requirements and modify fees that sunset in December 2014.

Stakeholder attendance included five sport fishing guides and three big game/sport fishing guides. Those present received a brief overview of program history and general requirements, importance of data collected through the logbook program, and the benefits of an established guide licensing program. The purpose of this document is to summarize the general concepts and ideas that were presented by the stakeholders during the public meeting held in Kodiak.

Licensing Program

Passage of HB 41 will result in an increased fee for a sport fishing operator/business license from \$100 to \$200 and a guide license from \$50 to \$100. The increased fees are projected to generate approximately \$411,000 in revenue for the division. No fees were collected in 2015 as Alaska Statutes do not require or authorize fees. For 2015, the department established the guide and guide business registration and logbook program in regulation through delegation of authority from the Alaska Board of Fisheries so that data collection could continue for guided sport fisheries. The guide registration and logbook program will continue in 2016. If HB 41 is adopted during the upcoming legislative session, a likely implementation date of January 1, 2017 would be set by the legislature.

Some stakeholders suggested a higher fee for nonresidents, consistent with how other states have implemented licensing fee programs. This has been discussed at some of the previous meetings when legislators or legislative staff were present. Changes to the currently proposed licensing fee would require an amendment to HB 41.

Stakeholders inquired as to what the fees will fund and if other funding sources have been sought. All license fee revenues will be spent to fully fund the administration of the guide licensing and logbook programs, which currently costs approximately \$383,000. Federal agencies that rely on guide licensing and logbook data do not provide annual funding to offset the cost of program administration. However, the division has received funding from federal entities in the past to help implement an electronic reporting program and National Oceanic and Atmospheric Administration (NOAA) contributed \$100,000 in 2015 to offset some program costs in the absence of a licensing fee.

Some licensing requirements prescribed in HB 41 may be duplicative of other entities' licensing requirements (U.S. Coast Guard, State Parks, U.S. Fish and Wildlife Service). To the extent possible, HB 41 was modified from the original statutory language so the division's licensing requirements would not be duplicative. The U.S. Coast Guard 6-pack license requirement was removed for this reason, as it is required by federal regulations.

Logbook Program

One reason the logbook program was implemented was to obtain more accurate and timely information on effort and harvest for Chinook salmon and halibut at a time when guided effort was increasing. The



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Board of Fisheries and North Pacific Fisheries Management Council (NPFMC) were both interested in logbook reporting as a means to provide more accurate and timely guided fishery information.

The division provides logbook data to the NPFMC and it has become the primary data used for management decisions impacting the guided sport fishery by the International Pacific Halibut Commission, NPFMC and National Marine Fisheries Service. Chinook salmon guided use data has also been used in Chinook salmon treaty discussions and domestic allocations in Southeast Alaska fisheries. Stakeholders expressed a solid understanding of the value of collecting logbook data, but the timeliness of the data and how it is used remained a point of conversation.

Stakeholders inquired whether the logbook data was used for inseason management. The area fisheries management biologist explained that logbook sheets were reviewed as they were submitted to the area office. The logbook data provided the fisheries manager an index of effort and harvest that was used in conjunction with other assessment data to make inseason management decisions (emergency orders) for conservation or to provide additional sport fishing opportunity.

There was considerable discussion on the reporting timeline for logbooks. The current reporting requirement of one week was difficult for guides to comply with while on long trips in remote areas. Staff explained that a waiver on the reporting deadline could be granted in special circumstances and on a case-by-case basis in a given year. Stakeholders suggested implementing more lenient reporting timelines. A stakeholder inquired as to why freshwater logbook sheets could not be completed shortly after the guide departs the fishing location, particularly during inclement weather or unsafe conditions. Staff explained that logbooks must be completed before the guide and clients depart their fishing location for accuracy and enforcement reasons. However, enforcement has discretion in certain situations where there is a good faith effort to comply. There was a comment for better communication and coordination with other enforcement entities (ie. – federal, DNR) to ensure this policy is consistent among all enforcement staff. Citations are generally issued for chronic or excessively late logbook reports submitted by a relatively low number of guides.

Sport fishing licenses can now be purchased online. Stakeholders expressed interest in the division's progress towards electronic reporting and logbooks. Development of electronic logbooks and reporting capabilities is in progress. Electronic reporting was tested by Kenai River freshwater guides in 2015 and a pilot program is planned in 2016. The department will be soliciting volunteers from among freshwater and saltwater guides to pilot electronic logbooks in 2016.

When fully implemented, the electronic logbook program should allow guides to use a downloadable program and mobile device in conjunction with electronic sport fishing licenses that can be scanned by the guide to upload angler information into the program. The program will upload data via the web. Paper logbooks will still be made available where electronic logbooks would be problematic and for operators who prefer that method. Only one method (paper or electronic) will be required. Stakeholders inquired whether there would be cost savings to the logbook program once electronic logbooks are fully implemented. Staff responded that any savings cannot be determined until the process is in place. While there may be savings in data entry, there may also be higher programming costs.

There was discussion about Statewide Harvest Survey (SWHS) data and logbook data. The SWHS is a household survey estimate, and individual logbook data is a census which is more accurate by design. A stakeholder inquired whether the logbook data has aligned with the SWHS data for the same water bodies. When the logbook program was initially implemented, the department identified one benefit of



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the logbook data was as a means to assess accuracy of the SWHS. Staff stated that, in general, in fisheries with high participation rates and good SWHS response rates that generate statistically significant estimates of catch and effort there is agreement in the guided angler data. In fisheries with low participation the SWHS may not capture the limited number of anglers, making the logbook data the sole source of information the department has on those fisheries.

Penalties and Enforcement

A stakeholder inquired whether saltwater guides were responsible for ensuring that clients recorded all halibut harvested on the back of their license (or harvest record card) as required by regulation. Staff responded that guides are responsible for recording halibut harvested by their clients in the logbook and also ensuring that their clients do not exceed the halibut bag limit while under their guidance. The angler, not the guide, is responsible to record any fish with an annual limit on their sport fishing license or harvest record card. This is the same for all freshwater and saltwater species that have annual limits. It is also the angler's responsibility to be sure they do not harvest more than the annual limit.

Representatives from the Department of Public Safety, Alaska Wildlife Troopers (AWT) attended the meeting and heard stakeholder concerns over possible citations from not complying with logbook completion and reporting requirements. Some stakeholders expressed concerns with the severity of the penalties prescribed by HB 41 and suggested they have the potential for inflicting considerable hardship if enforced, particularly on sport fishing guides operating within state or federal management areas who could lose their federal concessionaire permits with 2 violations within a 3-year period. A primary concern was the 7-day reporting requirement and the difficulty for even sport fishing guides on the road system to meet the deadline. Staff explained the goal of the logbook program is to collect accurate and timely information and not generate additional enforcement opportunities. Each potential violation scenario is handled on a case-by-case basis and specific offenses must be committed "knowingly". Similarly, operators/guides are only responsible for violations committed by a client if they aid in the commission of that violation.

Sport Fishing Activities by Big Game Clients

There were concerns that hunting guides with clients that brought their own sport fishing gear on hunting trips and fished on their own could be perceived as providing sport fishing services based on the current bill language. In addition, hunting trips by nature are longer than 7 days and the current reporting timeframe is not reasonable for big game guides that are also sport fishing guides. It was requested to exempt big game hunting guides from the sport fishing guide license requirements.

At least one stakeholder expressed opposition to exemptions for any scenario where sport fish guiding services are being provided to paying clients.

General comments

The Kodiak Charter Operators Association (KACO) formally supports continuation of the licensing and logbook programs for both charter vessels and freshwater sport fishing guiding operations.

Stakeholders asked whether there has been significant opposition to re-instituting the sport fish guide license requirement. Staff responded that the majority of input the department has received has been positive and supportive. Saltwater and freshwater guides that have attended the other scoping meetings



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have expressed little or no opposition to the re-implementation of the licensing program, although some freshwater operators have questioned the need and utility of continuing the logbook program.