



Alaska Department of Fish & Game – Division of Sport Fish

Guide Licensing and Logbook Meetings – Anchorage Meeting Summary

The Alaska Department of Fish and Game Division of Sport Fish (division) held a public meeting December 14th, 2015 in Anchorage. 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 four sport fishing guides (3 freshwater and 1 saltwater), a big game hunting guide, a local Advisory Committee member, a legislator and legislative staff member. 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 presented by stakeholders during the public meeting held in Anchorage.

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.

Several stakeholders inquired as to why transporters and booking agents were not included in the fee structure to share the financial burden of the program. The guide licensing program was not designed to include transporters and booking agents and the definition of sport fishing services does not include these services. Since HB 41 intends to re-implement the program as structured when it sunset in 2014, the bill language does not include the additional elements. Enforcement and management to include transporters and booking agents may be difficult, as booking agent businesses can be located in other states and even countries. Reporting on certain data such as harvest and released fish, would present some challenges. Some stakeholders suggested a higher fee for nonresidents, consistent with how other states have implemented licensing fee programs. Changes to the currently proposed licensing fee, and/or including transporters or booking agents, 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 would be spent to fund the administration of the guide licensing and logbook programs, which currently cost 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 this year to offset some program costs in the absence of a licensing fee.

There was discussion on the terminology within HB 41, specifically whether sport fishing operator and sport fishing business were the same. The language within HB 41 is the same wording that was in the original legislation and operator and business are one and the same. “Business” is referenced in



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department registration documents and on the website and “operator” is referenced in legislation and regulation. A request was made by stakeholders to maintain consistency in language in the legislation and the guide registration materials.

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 Board of Fisheries and the 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.

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 could 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 the actual savings cannot be determined until the process is in place. While there may be savings in data entry, there may be higher programming costs.

The Statewide Harvest Survey (SWHS) data and logbook data were also discussed. The SWHS is a household survey estimate. Individual logbook data is a census which is more accurate by design. Additionally, there was discussion on why the department did not require the angler or client to directly report their harvest and released fish (i.e. – angler logbook issued with the license). A program of this magnitude would be more costly and likely less timely than the existing guide logbook and SWHS programs.

Penalties and Enforcement

Some stakeholders expressed concerns with the severity of the penalties prescribed by HB 41 and suggested they hold the potential for inflicting considerable hardship if enforced, particularly on the sport fishing guides operating on the Kenai River or other areas within state or federal management areas. 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



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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 the offense or permit the offense to occur without attempting to prevent it and then not reporting the violation.

There was discussion about the certification statement on the logbook sheets. There were concerns regarding a guide unintentionally exceeding bag limits or “falsifying” logbook records as grounds for revocation of a guide’s license according to the penalty section of the bill. Staff clarified that revocation of the license was only possible through failure to submit logbook reports and operating without a guide license. Honest and accurate reporting is appropriate in all situations and that particular offenses must be committed knowingly. Stakeholders requested making the logbook more user-friendly and less likely to result in guides unintentionally committing violations. This included changing the certification statement from “certify” to “to the best of my knowledge”. Additionally, stakeholders requested an increase in the reporting time and to remove unnecessary information such as number of fish released. These elements are currently implemented under regulatory authority, and not specific to HB 41.

Sport Fishing Activities by Big Game Clients

Stakeholders expressed 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.

Stakeholders discussed a Sport Fish Guide Licensing Board. HB 41 does not contain provisions for such a board. A cautious approach was recommended should such a board be considered, to examine the issues facing the Big Game Licensing Board, including increased fees to address the costs associated with investigations, and that the fees fully fund the program.