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Comments For: Kodiak Brown Bear Permit Application Period for Guided Nonresidents

Dear Chairman Spraker and Members of the Board,

Thank you for providing an opportunity to share supplemental information regarding the Kodiak Brown Bear Permit Application Period for Guided Nonresidents.

The following information is to support;

1. **Maintaining two separate draw periods** as has been successfully done for many years for Non-resident Brown Bear permits on Kodiak Island (December 2018 drawing was for Spring 2019 and the separate May 2019 drawing was for Fall 2019). This method is preferred, has historical industry support and created the most effective platform for commercial hunting opportunity.

or;

2. **Provide a single drawing for all hunts taking place within a calendar year** as was done during the 2019 draw application period. This system does not have industry support and is not the most effective platform however, it is a compromise. An example of this method is (December 2019 draw application period for Spring 2020 and Fall 2020).

Until the most recent 2019 draw application period, two separate draw application periods were used. One taking place in December for the spring hunt and one taking place in May for the fall hunt. This system included both the calendar year and separate season draw opportunity. Why are these two criteria so important?

Small business viability. When a hunter sought guide services but did not win a permit for the spring, that hunter could re-apply for a fall permit. Having the draw close to the hunt date allowed Guide/Outfitters to maximize the time it takes to advertise and sell services. (More hunts sold increased viability).

Economic stability. Commercial hunting services help bring stability to a community which has historically relied on fishing. The stability of commercial fishing is becoming increasingly questionable. The "two separate draw period" system ensured the permit process best supported the industry and its value to the economy. (More hunts sold increased viability and more economic stimulus).

Consistency with Alaska Statutes. Various statutes and regulations are in place to ensure consistency and lawful operations for the provision of commercial hunting services and are aligned with a calendar year.

1. 12 AAC 75.140. All classes of guide licenses are valid for two calendar years, expiring December 31 of odd numbered years.

AS 08.54.720 (a)(6) It is unlawful for a person to guide without having a current registered guide-outfitter license.

Sec. 08.54.790. DEFINITIONS.

(9) "guide" means to provide, for compensation or with the intent or with an agreement to receive compensation, services, equipment, or facilities to a big game hunter in the field by a person who accompanies or is present with the big game hunter in the field either personally or through an assistant; in this paragraph, "services" includes (A) contracting to guide or outfit big game hunts;

2. 12 AAC 75.230 (a)(4) Land Use Authorization from US Fish and Wildlife, US Park Service and DNR are valid for a calendar year(s), expiring December 31.
3. AS 0.54.750 (a)(b)(1) Guide Use Area Registrations are valid for a calendar year(s), expiring December 31.
4. 12 AAC 75.260 (d) Unique Verification Codes are valid for a calendar year, expiring December 31 of each year.

(d) A contracting registered or master guide who is signing the hunt contract, and who intends to apply a client for a drawing hunt permit for a hunt conducted under regulations required under AS 16.05, shall obtain a unique verification code from the department before entering an application for the client. Unique verification codes will only be issued to registered or master guides who are registered in a guide use area located in the hunt area the year the application is made and the years the permit is valid.

6. 12 AAC 75.220 Mandated liability insurance as well as workers compensation requirements have 12-month policy periods.

In summary, the "two separate draw periods" within a "calendar year" system supports healthy small business and the general well-being of the Kodiak economy. Changes to the system disrupts the value of commercial hunting services at a time it is most helpful.

Using "regulatory year" instead of "calendar year" as a timeline for draw periods creates direct conflict with requirements set out in State Statute and Regulations. Placing a hunter into the draw without currently being licensed, possessing land use authorization, guide use area

registration or an updated Unique Verification Code is illegal and contrary to the intent of those statutes and regulations.

Using “regulatory year” instead of “calendar year” affects other state and federal agency programs who will likely encounter issues with their licensing and permitting systems; federal prospectus timing will require modification, DNR land use authorizations will need adjusted, BGCS may need to introduce additional regulation etc.

This subject is very important to us. As always, thank you for your consideration in these matters.

Respectfully,

Jason Bunch, Paul Chervenak, Sam Rohrer and Dick Rohrer