



STATE OF ALASKA
DEPARTMENT OF
COMMERCE
COMMUNITY AND
ECONOMIC DEVELOPMENT

Office of the Commissioner

Sean Parnell, Governor
Susan K. Bell, Commissioner

March 9, 2012

State of Alaska Legislative Offices
State Capitol
Juneau, AK 99801-1182

Dear Legislator,

Attached is a Game Management Unit 23 Investigation and Enforcement Services report prepared by the Department of Commerce, Community, and Economic Development, Division of Corporations, Business and Professional Licensing.

Members of the legislature are invited to review the report. Questions may be directed to Don Habeger, Division Director for the Division of Corporations, Business, and Professional Licensing at 465-2536 or don.habeger@alaska.gov.

Sincerely,

A handwritten signature in cursive script that reads "Susan K. Bell".

Susan K. Bell
Commissioner

Enclosure

Department of Commerce, Community, and Economic Development

BIG GAME COMMERCIAL SERVICES BOARD
GMU 23 Working Group
Investigation and Enforcement Services
Report to the Legislature



March 2012

Division of Corporations, Business and Professional Licensing

Big Game Commercial Services Board

www.commerce.alaska.gov/occ/pgui.htm

EXECUTIVE SUMMARY

Wildlife resource management in Alaska is accomplished through the cooperative efforts of Alaska's Departments of Commerce, Community, and Economic Development (DCCED); Fish and Game; and Public Safety. Collaboration between these state departments, as well as with federal wildlife management agencies and other stakeholders, is an important part of the stewardship of Alaska's wildlife.

The Big Game Commercial Services Board (Board), administered through DCCED, regulates and licenses the big game commercial services industry in Alaska. The Board also enforces its regulations through investigative and possible disciplinary action against commercial operator licensees who may violate licensing laws.

The Division of Corporations, Business and Professional Licensing (Division) monitors compliance with Board regulations through investigative and enforcement efforts conducted by an investigative unit. One permanent investigator assigned to the Board is responsible for investigation and enforcement efforts in Alaska's 26 game management units (GMUs).

In 2008, the Board was invited to participate in a 21-member¹ working group established to address hunting and game management concerns in the area encompassing Kotzebue Sound and the Chukchi Sea, known as Game Management Unit 23 (GMU 23).²

The 26th Alaska State Legislature allocated \$63,000 to the Board for the purpose of hiring a second, seasonal investigator for FY2011, to provide additional investigation and enforcement services within GMU 23. With the passage of the FY2012 operating budget, the Legislature allocated \$65,000 to the Board to provide the additional investigative and enforcement services within this unit.

Investigator John Clark was hired as the seasonal investigator, and worked for a term of six months. Clark spent time both in the field and in the Division's Anchorage office. He and the Division's permanent investigator, Lee Strout, spent a total of 32 days traveling within GMU 23. With 117 interviews conducted, and 72 field inspections made, Clark opened 14 investigations of violations of Board statutes and regulations within GMU 23.

¹ See Appendix A, GMU 23 Working Group

² See Appendix B, GMU 23 Map

OBJECTIVES

1. Conduct field inspections within GMU 23 to verify licensees' compliance with statutes and regulations related to big game commercial services.
2. Interview hunters to determine if any transporter violations, game animal waste, or other illegal activity occurred and review the quality of their hunting experience in Alaska.
3. Investigate, enforce, and report any violation of statutes and regulations relating to big game commercial services.
4. Cooperate with state and federal wildlife management agencies, permitting agencies for commercial operations on public lands, and regional organizations.

RESULTS

OBJECTIVE 1: Conduct field inspections within GMU 23 to verify licensees' compliance with statutes and regulations related to big game commercial services.

Clark spent a total of 25 days traveling within GMU 23, compared to 22 days spent traveling within the area during the previous year. A total of 62 camps were inspected. Some of the camps were inspected from the air due to their remote locations. In addition, Strout spent seven days traveling to Kotzebue, Coldfoot, and Happy Valley, and conducted 10 additional field inspections within these areas.

Clark was able to increase the number of field inspections conducted, and to travel deeper into GMU 23 by using an air taxi service to fly to camps in remote locations previously unreachable when traveling with the Alaska State Troopers.

Minor violations observed in the field, such as failure to keep a camp up to state or federal requirements, were enforced and corrected by licensees with no further license action required.

OBJECTIVE 2: Interview hunters to determine if any transporter violation, game animal waste, or other illegal activity had occurred during their hunt, as well as to review the quality of their hunting experience in Alaska.

Compared to 75 the previous year, Clark conducted approximately 100 interviews within GMU 23, and Strout conducted 17 interviews. In an effort to avoid conflict between communities and hunters, guides, and operators who visit the region each fall, the GMU Working Group recommended improving communications by, not only questioning interviewees about transport and harvest methods, and providing them with information and regulations as needed, but by also giving them an opportunity to ask questions or discuss concerns related to their hunting experience.

Overall, hunters expressed satisfaction with their Alaska hunting experiences. However, as in the previous hunting season, they voiced their need for meat-processing facilities in Kotzebue and concern with the high cost of transporting trophies.

OBJECTIVE 3: Investigate, enforce, and report any violation of statutes and regulations relating to big game commercial services.

Clark and Strout traveled a total of 32 days within GMU 23, conducted at least 117 interviews, and completed 72 field inspections. Some minor violations were corrected in the field, without further enforcement actions. In an effort to educate and prevent violations, both Clark and Strout reviewed regulations with licensees. Due to increased and more extensive field inspections, the investigators were able to speak with licensees who had not been contacted in previous years. A total of 14 new investigations were opened as a result of field inspections and interviews conducted during FY12.

The following is a summary of investigations opened by Clark; several were closed with advisory letters, and the remaining investigations are pending final resolution.

- Two investigations of operating in the field without licenses on person were closed with advisory letters to licensees³
- One investigation into operating on Bureau of Land Management (BLM) land without proper permitting was investigated but closed - insufficient evidence; advisory letter was issued⁴
- One investigation for operating in an area for which guide was not registered, and for operating without written contracts; investigation pending⁵
- One investigation of sub-legal horn size and not having a current harvest tag; investigation pending⁶
- One investigation of a guide operating in the field without a licensed assistant guide; investigation pending⁷

³ AS 08.54.720(a)(6)

⁴ AS 08.54.720(a)(8)(A)

⁵ AS 08.54.720(a)(5)

⁶ AS 08.54.720(a)(8)(A)

- Multiple violations by a licensee of submitting false hunt records and failure to file hunt records; investigation pending⁸
- One investigation involving wasted moose and guiding outside of registered area; investigation pending⁹
- One investigation of trespass on Native land; investigation pending¹⁰
- One investigation involving an assistant guide directing client to shoot illegal sheep; investigation pending¹¹
- One investigation of a master guide trespassing on private lands; investigation pending
- Two investigations of horns being harvested before meat; investigation pending¹²
- One investigation of failure to report a federal offense conviction on an application; investigation pending¹³

OBJECTIVE 4: Coordinate with state and federal wildlife management agencies to investigate big game hunting violations, and with agencies involved in issuing permits for commercial operations involving hunting on public lands, and with other regional organizations.

Clark and Strout continued to work with representatives from the State of Alaska Wildlife Enforcement, State of Alaska Fish and Game, US Fish and Wildlife, Bureau of Land Management, The Northwest Arctic Borough, and the NANA Regional Corporation on investigations and issues of concern within GMU 23. Specifically, Clark coordinated with the BLM and several Native organizations to investigate trespass issues by operators registered with the State of Alaska.

A new cooperative relationship with the National Park Service was developed during FY12. The Division has been invited to accompany the Park Service on river patrol for nine days in July of 2012. Acceptance of this invitation is contingent upon continued funding of the temporary investigative position.

⁷ AS 08.54.720(a)(8)(A)

⁸ AS 08.54.720(a)(5); AS 08.54.760; 12 AAC 320(a)(2)(D)

⁹ AS 08.54.720(a)(15); AS 08.54.720(a)(5)

¹⁰ AS 08.54.720(a)(4)

¹¹ AS 08.54.720(a)(8)(A)

¹² AS 08.54.720(a)(8)(A)

¹³ AS 08.54.720(a)(3)

SUMMARY

The \$65,000 allocation provided additional investigative and enforcement services to the Big Game Commercial Services Board, administered through the Division of Corporations, Business and Professional Licensing, for the purpose of focusing on commercial services providers' conduct and regulatory compliance within GMU 23. The allocation also allowed increased coordination between state, federal, and regional entities to effectively manage Alaska's wildlife resources.