

devils lake

Tourism

Date: March 10, 2023

To: Senator Patten

Senate Energy and Natural Resources Committee

Re: HB1538

Dear Chairman Patten and members of the Energy and Natural Resources Committee,

I am the Tourism Director for Devils Lake, North Dakota. To provide a quick background, since 1984, the North Dakota Game and Fish Department (NDGF) has charged fishing contests 10% of tournament entry fees as a conservation fee. In 2000, the conservation fee was capped at \$5,000 to allow for national tournaments in the state that gained us national media exposure. In the summer of 2020 while everything was shut down due to COVID, the NDGF Department decided to remove the cap via an administrative rule hearing and the new rule went into effect in October of that year. This doubled, or even tripled the conservation fee into the \$10,000-20,000 range for the largest tournaments, including the ones that created national media attention for North Dakota. With this new administrative rule comes a decline in economic revenue to our communities.

Destination marketing associations became involved in this debate in the fall of 2020, when we began receiving comments and concerns from resident tournament anglers along with complaints from traveling anglers claiming state policy was increasingly negative towards them. National Tournaments were removing North Dakota from consideration to the point that they canceled insurance that covers events in North Dakota. This led us to engage in discussions with NDGF. In our involvement, our goals were to:

- Make the application fee more reasonable to again host national tournaments
- Disconnect entry fees paid by anglers from the application fee paid by organizations; the amount an angler pays to enter a contest does not correlate to the impact on the resource
- The Game & Fish Director would still have the authority to approve or deny tournament applications
- Tournament fees would be brought into alignment with neighboring states
- Avoid changing the rule in a way that would hurt smaller family, local and charity contests
- Retain a way to fund fishing access and infrastructure projects

This began two years of meetings and discussions that proposed changes to the rule and a mediation session was set between destination marketing organizations that wanted to reinstate the \$5,000 cap or change the fee, and a group of anglers selected by NDGF that supported keeping the 10% conservation fee. I was a part of this mediation process. Both sides came to an agreement that we all thought was fair to everyone and proposed the change. In the end, NDGF decided to take no action and left the uncapped 10% conservation fee in place that has limited our opportunity to host certain tournaments.

The state held 6 National Walleye Tour tournaments in 8 years; 2013, 2015, 2017, 2018, 2019 and 2020, and none since. Devils Lake was lucky to host 4 of those. All our lodging, restaurants and bait shops haven't been able to benefit from tournaments since they were here in 2019. We are looking to host the National Walleye Tour again in September of 2023, pending permit approval, but there is a debate as to what the conservation fee should be, even though based on current legislation the amount should be set. Hosting a larger tournament of this size can bring in well over \$250,000 of direct expenditures into our county over the timeframe of the tournament. This provides a big impact to our community.

As it sits now, only tournament anglers are tasked with providing the conservation fee that is used in communities to reinvest back into our resource. These typically include developing fishing opportunities, construction, upgrading and/or maintenance of fishing infrastructure (e.g. boat ramps, courtesy docks, fishing cleaning stations, vault toilets, access road and parking lots, etc) and/or educating the public (especially youth) about fishing. These projects are vital to the future of our lakes, but I ask, why are only tournament anglers assessed the fees for the infrastructure used daily by all anglers and boaters? The current structure is unfair to our tournament anglers and makes it impossible for communities to host national tournaments that highlight our state. These are often the most influential anglers that have the voices on social media and beyond that help spread the word about protecting all our resources against aquatic nuisance species and teaching our younger generations about fishing, etiquette, and safety. It also begs the question why tournaments with a higher entry fee pay way more than tournaments that have more anglers participating but have a lower entry fee – these tournaments are using more resources based on numbers that a smaller, bigger entry fee tournament uses. Cities try and work as much as possible with these tournaments to bring them in during the shoulder seasons making it easier to release fish back into the system, the boat ramp areas aren't as busy with resident weekend anglers and our lodging facilities have the space.

Fishing contests are not just about winning prize money and competition. They are tools to educate and recruit new young anglers. They also highlight communities and recreation opportunities to potential new residents. These events get people together to engage in the sport of fishing. We use tournaments and tournament anglers to access a very committed niche tourism audience and through their advocacy we gain credibility for our marketing efforts.

In my opinion, the financial burden placed on tournaments that are held in our state our much too restrictive. We are losing economic impact to our surrounding states that charge a minimal tournament fee to participate when the conservation fee in our state can be thousands of dollars. It is also harming the state's reputation and image and has hurt the reach and impact of our marketing efforts. With our workforce shortage around the state, highlighting North Dakota as an outdoor mecca is just one of the tools in our tool chest to help recruit workforce and families into the state.

It is for these reasons that I support and ask for a **do pass** on HB1538. The bill revising the language in the current legislation is important to our local communities and fishing clubs in which these events are held. Thank you for your consideration.

Respectfully,



Suzie Kenner
Executive Director