

OUTFITTERS AND GUIDES BOARD

Boise, Idaho

February 13, 14 & 15, 1978

The Outfitters and Guides Board meeting convened at 8:40 A.M., with Chairman Rex Lanham, Vice-Chairman James Baughman, Lon Jarvis, William Guth and Ivol Sies present.

The minutes of the January meeting were read. Bill Guth motioned they be approved, Lon seconded, and they were approved, as read.

At 9:00 A.M., David Mills and his wife, Shiela, of Pocatello met with the Board regarding their purchase of Vladimir Kovalik's float boating business. Mr. Mills, who has been associated with the ISU recreation program for the past seven years, said he has floated on an individual basis with Bob Sevy, Eldon Handy, Bill Bernt, John Lym, and Paul Allred. Bill suggested that he would need a log, for him to be able to guide personally. Mr. Mills said he had contacted Kovalik's guides, and they will be working for him, with Eugene Jansak, Hamilton, MT as his Lead Boatman. He submitted reference letters. The Board gave him all his application papers for corporation license, and said he would have to submit a signed log of at least one trip/^{additional} on each river he is acquiring, before he would be considered for personally guiding.

At 9:45 A.M., the Board heard the Bureau of Land Management's letter read regarding no increase of licenses on the lower Salmon River during their management plan study. The Board agreed to send a letter advising that as of this time, the number licensed is regulated by law, and no change is anticipated.

Robert Volpert, San Francisco met with the Board regarding taking over the river business of River Adventures West, John Dorr, M.A. Mr. Volpert explained to the Board that he has been conducting his Outdoor Adventures river operation in California and Canada. He mentioned that Canada is becoming nonreceptive to non-Canadians. Rex brought up that we are in process of changing our law to accept foreigners. Mr. Volpert has hired Loyd Evan Ellis, LaCanada, California, as Lead Boatman guide. He answered Lon's inquiry that he did plan to guide personally, and discussion followed on requirements. The Board saw no problems as long as he operates as planned and all applications are complete.

At 10:30 A.M., Jerry Hughes, Cambridge, met with the Board regarding operating on the Bruneau & Jarbidge, and Owyhee Rivers. He said these rivers are not being used by all the outfitters holding permits, and that he would "use the river--not set on it to sell it back out". He told the Board that Wally Meyer of BLM said he saw the moritorium flexible as to the use, if the number of outfitters licensed are the same. The Board said that the Bureau of Land Management would be the key, and we needed input from them. Rex pointed out it is the Board's decision finally.

At 11:00 A.M., Dick Lingnaw representing Seven Investors, Inc. of Twin Falls, met with the Board. He said Seven Investors, Inc. had purchased the business of Martin Capps, on the Middle Fork of the Salmon River. Seven Investors, Inc. will be doing business as Idaho River Co., with Richard H. Lingnaw, as managing agent. Mr. Lingnaw said he has

guided since 1965, licensed since 1970--(the records show some of these years as unlicensed). The Board said a new outfitter test would be required, a release letter from Martin Capps and all forms to be completed. They advised they would mail the test to Mr. Lingnaw.

After Mr. Lingnaw's appointment, a newspaper article regarding the Forest Service seeking control of rivers was read and discussed.

A letter from Richard Linford, M.A. of ECHO: The Wilderness Co., Oakland, CA, was read, regarding expediency in getting guides licensed, and one guide in particular. It was determined a letter should be mailed to him regarding the delay in this guide, being the log not received, and to enclose the new rules & regulations, showing how he could handle his applications for more expediency.

The Board recessed at noon for lunch.

At 1:00 P.M., the Board members reconvened with the exception of Rex Lanham.

Manford Isley, President of Oregon Outfitters & Guides Association joined the meeting. He had a number of questions which the Board attempted to clarify, regarding how the Board is appointed, how areas are set out, where the operating revenue came from, and how the secretary & assistant's wages were paid etc.

At 2:30 P.M., Rex Lanham joined the meeting again. Also, Timothy Gardiner of Sun Valley met the Board for his appointment. Manford Isley sat on through some of the afternoon meeting, to observe.

Mr. Gardiner asked for additional area for day and overnight trailrides and fishing. He said he is a substitute teacher for junior high & high-school students and plans to take children, age 16 and under, in small (15 to 20 size) groups on overnight trailrides to Baker Lake. He said the F.S. said his plans would be approved, but they might require help with the trails.

Mr. Gardiner said he plans to teach a fly fishing school on Elkhorn private property, and the fishing at Baker Lake would be incidental to the trailrides and schooling being taught. And, as Kenneth Kimball would not be outfitting, as his private area was sold out from under him, Mr. Gardiner said he expects to "hire Ken's guides, and each fishing guide to have no more than 3 or 4 kids each".

Mr. Baughman suggested the fishing would need to be investigated. Ivol suggested that the Fish & Game Department might contact Mr. Gardiner. A map of the area requested and all 1978-79 application forms except bond, were submitted.

The balance of the afternoon the Board reviewed unfinished business. Stanton Miller hearing continuation was discussed and additional float trip complaint letters were read.

Forester, Art Seamons', phone call about Stan Miller; Jerry Spear and new associates, Jerry Wise & Doug Davis, taking back his area from Ronald Chandler; and about Richard Norris, Bill White/Tom Drinville and Arnie Oswald areas, was discussed.

Letters were read that the Board had written to Duane Beale and Lyle Phelps. All members agreed they were good, direct and to the point.

Also letters from and in answer to James Kruckeberg, Parker, Colorado, regarding Colorado setting up a state licensing system similar to Idaho, were read.

Bill Guth brought up discussion of Dale Ney's hunting area. The Board checked the roaded condition of this area on the map, and all agreed that the nonuse of his area was "not bad".

The legislation on our bill, H504, was discussed. Also Grand Canyon Dorries' managing agent, Curtis Chang's statement on the witness stand during the trial, that he was tax exempt with the state of Idaho was brought up, and Ivof stated that Mr. Ross, State Tax Commission says he is not exempt. Mr. Chang lives in Lewiston.

At 4:00 P.M., Rex left the meeting.

Bruce Minter of Big Creek Recreation Unlimited and his operation was the next item brought up. Mr. Baughman asked if the rest of the Board felt as he did, that Mr. Minter was operating as an outfitter personally and should be checked out. The Board all agreed we should go ahead on investigating this case.

Lon brought up discussion on changing the outfitter applications to include a form to read "same as last year", to be devised to expedite the renewal process of the outfitters who do not change from year to year. There was a question as to whether the Forest Service and/or BLM land managers signatures were needed each year--it was unanimously agreed it was needed. The signature of Fish and Game being needed on outfitters applications only, was decided it could be handled by this office. The Board agreed a form is to be composed on a "same as last year" outfitter application, filling out sections A, C & I, and space for notarization of the signature.

Larry Walker's request for extension for Bear/Cougar hunting area, in with Phillip Bub Smith's area, was reviewed. He had called to say 2 big toms had been taken out of Smith's area this past month. After a short discussion, the Board tabled action until the next day, and recessed at 5:00 P.M.

FEBRUARY 14, 1978 (Tuesday)

The board meeting reconvened at 8:30 A.M., with Mr. Baughman, Bill Guth, Lon Jarvis & Ivol Sies present.

Discussion of Larry Walker's extension for bear/cougar hunting was resumed. Fish & Game Conservation Officer, Bill Webb, Jerome, was called. The Board's decision, following this call and discussion, was to allow extension for this year's spring hunt only in Unit 54, for bear and lion.

At 9:00 A.M., Rex Lanham arrived.

The check Alvin Abram of Weiser submitted for a guide's license renewal, sent with the Association membership fee, was brought up, as he is advertising as "Outfitter & Guide" on his checks. The secretary was instructed to write a letter.

Ralph Dawson, Clarksfork, court case results, and him wanting to outfit in that area legally, was discussed.

Smoking during meetings was brought up. Because of lack of ventilation and smoking irritates some of the members, it was agreed by Ivol and Bill to step outside to smoke.

The phone call to Doug Anderson, M.A. for Streamside Adventures was brought up. He was advised he would be approved for fishing on Silver Cr. if he gets his applications all completed as required and he meets all the qualifications.

At 9:30 A.M., the Board started their review of the Association's boating committee recommended changes of the rules & regulations: Changes on Rule #26 (b), page 9--Alternate #1, unanimously denied, Alternate #2--adding recommended change "ANY EXCEPTIONS...BY APPROVAL OF THE BOARD...(45) DAYS IN ADVANCE...DOES NOT APPLY TO GROUPS OF KAYAKERS...FOR BAGGAGE AND/OR FOOD." was unanimously approved; Rule 27 (a), page 10--recommended addition: "DUE TO THE PHYSICAL CHARACTERISTICS OF SOME RIVERS, THE GUIDE TRAINING SECTIONS MAY DIFFER..." was approved to be No. C of Rule 27; Rule 27-*3--recommended change "Slate Creek to CHALLIS.", and add "GUIDE TRAINING AREA RED FISH LAKE CREEK TO SLATE CREEK." was denied unanimously; Rule 27 (a)-*6--recommended change, Alternate #1 and Alternate #2, of training sections on the Main Salmon, to break at Mackay Bar, was also denied unanimously; Rule 27 (a)-*7--recommended addition: "TRAINING AREA: WHITE BIRD TO _____" was approved to "TRAINING AREA: SKOOKUMCHUCK CREEK TO SNAKE RIVER."; Rule 27 (a)-*8--Alternates #1 and #2 were revised by the board to "SNAKE RIVER FROM HELL'S CANYON DAM TO PITTSBURG LANDING." and "SNAKE RIVER FROM PITTSBURG LANDING TO A POINT IN IDAHO OPPOSITE HELLER BAR.", and was approved unanimously.

Rule 28, paragraph 2, was recommended to be changed from notification of training trips to the board to just 2 (from the 3 trips) notification. The Board were unanimous in disapproval of this recommendation.

Rule 29, items 1, 2 & 3 (pages 12 & 13), was approved to have added in each item where it reads: "(Complete trips means the total section of river designated" etc.), add "OR TRAINING SECTIONS OF RIVER AS APPROVED FOR EACH RIVER SECTION."

Rule 30, also was approved to add training sections of rivers as in Rule 29. Also Rule 30, regarding a Lead Boatman requirement to have six (6) complete trips within the 48-month period next preceding, was changed and approved to be "ONE (1) TRIP MUST HAVE BEEN WITHIN THE TWELVE (12) MONTHS PRECEDING THE DATE OF APPLICATION, ON EACH OF THE CLASSIFIED RIVERS APPLIED FOR."

Rule 31, and 32, (item 1 & 2), was also approved to add: "OR TRAINING SECTIONS OF RIVER AS APPROVED FOR EACH RIVER SECTION."

Bill Guth mentioned that all these changes should be checked with our attorney and the Board agreed that they would check to see if these rules' changes could be made effective immediately.

During the review of the rules' changes, the Board was interrupted by Statesman newspaper reporter, John Accola, for an interview for information on a river running article his newspaper will be printing.

The Board recessed for lunch at 12:15 P.M.

At 1:15 P.M., the Board reconvened, with all members present, plus enforcement officer, Phil Swanstrum.

A "notice of hearing" on Stanton C. Miller arrived from Paul S. Boyd, and was read by Vice-Chairman James Baughman.

Sam Slavin's application was reviewed for float boating on the Main Salmon River, Iron Creek to Corn Creek. It was incomplete and a letter was requested to be sent with an outfitter application for corporation license.

Outfitter complaint letters were read and discussed. William J. Gillespie, Jr. and Ken Smith are to be sent letters to meet with the Board before their licenses are issued, Rex says to describe their complaints to them. Also a letter was requested to be written for acknowledgement of Ken Smith's complaintant, Steve Taylor's letter.

Evaluation replies to hunting guests of Bobby Crick were read. It was determined that Mr. Crick should have a letter sent to him to meet with the Board during their April meeting at Sun Valley.

Chuck Overland's complaint was read. The Board said to call him in again prior to licensing. Travis York's complaint letter copy written to him, was reviewed, and the Board requests a copy of his answer to his complaintant.

Steve Jordan's complaint of a shooting incident on the Oregon side of the Snake River, was read and a letter to Oregon Wildlife, inquiring into their disposition of this case, was ordered.

New business was brought before the meeting: Dick Crain, Cabinet Mtn. Outfitters, Plains, Montana, wanting outfitting in Coeur d'Alene National Forest; and Phil gave a report of his investigation on skiing at McCall: Backside Ski Tours, Bill Altork at Brundage and outfitter forms requested to be sent to Bill Timms, Vinegar Hill Ski Shop.

At this time the skiing requirements for our rules and regulations was brought up. The qualifications required for Lead Guide, Guide and Apprentice Guide or Trainee, as set out in the letters submitted by Joe Leonard, Bob Krumm, and Joe Tonsmeier were read. Lon made a motion that their requirements be incorporated into our rules and regulations be adopted, it was seconded by Rex, and passed.

Sawtooth Mountaineering extension requests for several new areas for mountain climbing, ice & snow climbing, cross-country skiing and backpacking, were reviewed and attempted to locate on the maps. It was decided that the backpacking request in the SNRA would be denied and a letter to be sent, requesting maps of areas for each extension for the Board's consideration.

Another telephone with a non-listed number, or multi-button equipment, was discussed, and the costs involved. Rex motioned that another telephone with a non-listed number be installed, Bill seconded, with Lon's approval.

Mr. Baughman brought up discussion on outfitter use and non-use permits on the Selway River.

Illegal snowmobiling in eastern Idaho report was discussed, and the Board's decision was to call the Forest Ranger in the Targhee National Forest.

The Board recessed at 5:15 P.M.

FEBRUARY 15, 1978 (Wednesday)

At 8:45 A.M., Board Members, Jim Baughman, Ivol Sies and Bill Guth reconvened.

The subject of illegal snowmobiling in Fremont County was brought up again, and Forester Steve Rushton, Rec. & Lands Branch Chief, of Targhee N.F., in St. Anthony (Ph. 624-3151) was called. He said they are already investigating and will report back to the Board.

The snowmobiling guide license application of Larry Hultz, West Yellowstone, to guide for Clinton Bob Smith, was reviewed and approved.

Cecil's field form revision was looked over and Bill suggested the license number should show on the form, as well as Mr. Baughman suggested that the number of boats checked, guests, etc. should be worked in. Ivol suggests more study be given to the form at a later time.

At 9:15 A.M., Donald Waller, Cascade, met with the Board, regarding buying Tom Richardson's big game outfitting business. He said he planned 15 guests over the 5 week season. Bill told him of problems of overbooking, and all three board members advised him of problems resulting from using booking agencies.

At 9:30 A.M., Rex joined the meeting, and reported on the Board's bill H504 being in committee now.

Mr. Waller was advised further by Rex that he would need a financial statement, equipment list etc. Mr. Baughman told him of his management responsibilities. He was also advised to study the rules & regulations and law, as a test would be conducted. He was instructed to complete and get all required management signatures on his application forms prior to the Board taking any action.

Larry Jarrett's extension for cougar hunting was reviewed. The two area requests involving Rotthoff and Walker areas will need release letters for him to hunt their areas, but the Owyhee area requested will be checked out with Fish and Game.

A telephone call from Bill Mitchell, Sula, Montana, and his written request for trail riding in to Idaho's Alan Lake for his children's camp operation, was discussed. It would be outfitting and an Idaho outfitter license is required, thus a letter is to be written.

Also other telephone calls were reported: an Arkansas lady's inquiry into Ray Rall being a legal outfitter; Harry Lewies call regarding his effort to obtain a license on the South Fork of the Snake and the Teton rivers; and Terry Beeler regarding obtaining Al Tice's permit on the river, and if he still had launch privileges.

At 10:00 A.M., Wally Meyer, Bureau of Land Management and Jerry Hughes, outfitter, met with the Board regarding use of the Bruneau, Jarbidge and Owyhee rivers. Wally Meyer said about half of the outfitters holding licenses on these rivers are using their permits. Also he explained, that the BLM has based their moritorium on the total use permits issued, not on the number of those holding licenses. He further pointed out that outfitters, Eldon Beam, Stanton Miller and James Campbell of Wilderness Encounters, do not use their permits, and he gave the Board a copy of a letter BLM had written in reply to Jim Campbell's request to sell his permit. As BLM sees it, Mr. Meyer pointed out, Mr. Campbell has nothing to sell.

Bill suggested that BLM write a letter to the Board regarding the use and their recommendations on these rivers.

Jerry Hughes asked for first consideration on the Owyhee, then would appreciate consideration on the Bruneau and Jarbidge, with Bruneau first of these two rivers.

Jerry says he guarantees small groups on all trips which forces him to spread his season to six or seven months.

Jerry also mentioned to the Board, he would like to speak for Bob Sevy, of Sevy Guide Service also, with first consideration the Bruneau River, but requesting both the Bruneau and Jarbidge rivers. (Bob Sevy called during the meeting with this same request).

Bill suggested that the Board would need to talk with their attorney regarding our non-use outfitters licensed. Wally Meyer said that he appreciated the opportunity of talk to the Board, and plans to involve the Board with their plans on allocation and future problems on these rivers. Rex explained that the outfitter is also representing the public, and the Board appreciated Mr. Meyers time and consideration.

More telephone calls that have been received by the office were discussed: Fish & Game Conservation Officer, Howard Carroll of Jerome regarding an illegal Nevada outfitter, Terry Hansen and the FBI is now investigating; Sam Slavin's new outfitter application for the Salmon River, Iron Cr. to Corn Cr.; Gladys York, Bud Lilly and Quentin Selby's calls about their outfitter licenses; Roy Martin of Lake Oswego, Oregon attempting to locate Dale Ney in regard to his area; Chuck Webb, Oregon State Marine Brd. and their approval of Idaho's law; Doug Stewart and brother of Stanley regarding a backpacking license; the F.S. Geothermal Environmental Study meeting at Rexburg; the Governor's invitation to a meeting in Boise on Assessing Idaho's Economical Developement--Rex advised that he will attend; and Annie Noyes call from North Fork, to locate John Vail to sign her log and that she heard he had declared bankruptcy. The Board agreed that prior to licensing, both John Vail and Gladys York would be required to submit new financial statements.

At 11:00 A.M., Maxwell Bitton and his son, Jeffrey Bitton, who will manage his outfitting business this coming season, both met with the Board with a request for an additional area for trophy deer hunting. The Board's decision was more investigation was needed, and Mr. Baughman said a check with Fish & Game would probably be the criteria, as to the abundance and harvest in the area requested, as the public uses the area quite extensively.

An attached list of licenses considered for approval, extended or denied are a part of these minutes.

The meeting adjourned at 11:30 A.M.

Edythe D. Balle
Sr. Clerk

James G. Baughman

Licenses approved, extended and denied from January 12, 1978 through February 15, 1978

APPROVED

OUTFITTERS

(None)

GUIDES

Hultz, Larry E.

EXTENDED

OUTFITTERS

Filer, Paul O. -- license extended to "Qualified to guide, YES," all licensed boating and fishing activities.

GUIDES

Petrillo, Rick -- license is extended to include: CROSS COUNTRY SKIING (DAY TOURS ONLY), when guiding for outfitter, Joe Leonard.

DENIALS

OUTFITTERS

(None)

GUIDES

(None)