

OUTFITTERS AND GUIDES BOARD

December 10 & 11, 1981

Boise, Idaho

At 9:00 a.m., on Thursday the Outfitters and Guides Board convened at their Boise office for a meeting, with four members present: Chairman Jim Baughman, Bill Guth, Ivolsies and Glen Foster. Enforcement Officer Randy Ross joined the meeting.

Randy mentioned the Katz guides case at Grangeville--he was advised to call for a trial date; and Randy explained the federal case against the guides. He then asked about a warrant for arrest for Richmond in the follow-up of the federal case in Salmon. He called the Prosecuting Attorney, Fred Snook, Jr., and advised a warrant for arrest will be made. The Mike Luther illegal outfitting case was discussed--he received one-year probation.

Harry Vaughn joined the board members during Randy's meeting.

Al Lewis's case on Ray Ralls was discussed. The Board being requested to certify statements becoming an important part of some cases was mentioned. The secretary was instructed to look into getting a notary seal for the office to alleviate extra expense.

Other enforcement included: a settlement check of \$150.00 received on the Steve Jordan case; the pending court cases for Jeff Bitton on an unlicensed guide, and the Phillips case at Orofino; Dave will be contacted to check into Galena Lodge's unlicensed activity, as well as the follow-up on the federal case on Stanton Miller; and Al Lockett will be requested to clean up his outfitter business.

An appointment--William P. Goggin dba The Ranch Motel, West Yellowstone came in with Gibson Bailey, who will license to guide for Mr. Goggin in his new snowmobile tours outfitting. Mr. Goggin was advised that all guides must be licensed, when he had explained that extra guides are available in the area, when needed, and that package deal advertising which included hunting available etc., should be revised to spell out what he has licensed in Idaho. There was discussion on how the area's snowmobiling should be handled, Mr. Bailey advised he felt the mechanic should be licensed, as they sometimes could be involved in the guiding. Mr. Bailey has licensed and worked for Mr. Howell & Mr. Seeley. He further said when asked by the Board, that he felt comfortable with 10 maximum for 1 guide, 2nd guide to be added at 15 machines--two people could handle 20 to 25 people, but end of group was important. Mr. Bailey said he was sent out with Artic Cat group of 40 people, and it was a "real circus."

There was information given on how the Board's investigation was received in West Yellowstone, in their check of operations the past winter season. Mr. Goggin will complete his applications for a 1981-82 license to begin his advertising. He is asking for the groomed trails plus logging roads in the Island Park area.

Outfitter Business was next, with a call from Tom Keller, Kelly Cr. Rgr. District, explained, concerning Kenny Phillips illegal operation, noted too was Askins' Hole-in-the-Wall selling out. He also discussed Everett Woodworth's operation, and the Phelp's guests complaints of other outfitters in the area where they were hunting; also the illegal activity of Gil Morgan, out of Spokane, trophy hunter in the Bruin Hill/Fish Lake area.

Paul Filer's released power boating to Sam Whitten & Mark Hinkley applications were reviewed for approval, and Merle Sheridan's area which was originally omitted will be added to her licenses without extra fee. A letter from Bob Jacklin was read, he will stop by the Board office in March to give the Board a mounted cutthroat trout for their wall.

The Board then recessed for lunch.

Outfitter Business was continued after the five members reconvened, with a letter from A. W. Angell read, requesting more of Unit 61 for Keith Rush. The maps were reviewed again, along with the licenses and files. It was determined that the Board had solid reasoning in their original decision. A letter will be written.

The extension request for bear, cougar, elk & deer hunting in Hayden Cr. drainage of Unit 29 for Dave Williams was determined that it would not be extended--therefore he will be refunded his \$10.00 extension fee which he paid in.

The Bear & Cougar Lemhi Area and the Cougar Custer Area combination hunting will have letters sent along with their applications to those outfitters involved, was determined. Tom Hansen's problems were mentioned, and that the F.S. feels the area should go to John Booker.

Rick Grunch, Hayden Lake, Idaho has submitted more maps and letter information to be considered--Ivol will write to Fish and Game. Also the Board has received a release of a portion of his area from Donald Whitecotton for Rick Grunch's use. The Board agreed that a breakup of the area was not good. Ivol mentioned that duck hunting on Lake Pend Oreille would probably be no problem, also fishing.

Boating Business was next on the agenda. Getting the rules and regulations changes completed and new applications out would be a problem. The state law library will be contacted about the deadline for submission of the rules changes to the legislature. James Henry Katz's non-response to the Board's letters for licensing on the lower Salmon River was discussed. The Board determined to forget it, and advise James L. Rennie, of the University of Idaho Alumni Association of the availability of an outfitting area for licensing. The Bureau of Land Management will be contacted first.

Complaints were next worked on. A Texas Sportsman magazine was looked which Glen had brought it--ads were wrong. Ramshorn Guest Ranch will be contacted--other ads were Cox, Powell, Ron Malone and Leo Crane. The complaint against Doug Kindt & Dick Knudson dba KD-Bar-K Outfitters and the Ramshorn Lodge was read--legality was questioned. It was suggested that the outfitters be notified to change the ad, if they are involved with Ramshorn. Glen said booking agents give a false impression too of what to expect. Dave may be called to check on this.

Gladys York's complaints from Paul A. Duplissie, San Juan Bautista, CA and Robert W. Doran, Norfolk, NJ will be answered; also her guide's letter (Skipp Lane), where he refers to the operation as "York and Manes".

The Board then recessed at 5:20 p.m.

FRIDAY, DECEMBER 11, 1981

At 11:00 a.m., following the public hearing held at the Idaho Department of Fish and Game meeting room, at 600 S. Walnut St., Boise, the Board reconvened to finish their business.

A telephone call came in from Steve Haslip, Priest River, Idaho, concerning an area for deer hunting--Two Mtn., Long Mtn. and Hoodoo in Game Unit #2. His application will be considered.

Enforcement Business was continued--a letter with an ad sent in by Art Seamons was discussed. It involved Ken Colson as outfitter, but indicated a Charley Thompson was conducting the power boat fishing on the rivers, out of Grangeville. The Board determined that the advertising was not legal, and will advise enforcement to investigate.

The Board discussed using reward money as a bait.

The morning's hearing on the rules changes was discussed. Bill advised he was against licensing a cook. The Board then recessed for lunch.

After lunch, the five men reconvened, and discussed a complaint about Lee Bridges, an old outfitter, outfitting now without a license. The Board agreed to cooperate with Fish and Game, and will pay the expense of bringing the client back to Idaho to testify.

The Board took a call from Al Lewis from Sandpoint, in his investigation in that area. They discussed outfitter complaints against Jerry Meyers, Salmon, in a charge against his outfitter business which included a float trip access and egress from his Middle Fork hunting area. He will be asked to come in to meet with the Board. Also the complaint by clients, husband & wife who are both attorneys of Pennsylvania, who have written to the O. & G. Assn. concerning the Beamers; and finally a letter from Carly M. Carlson, Wisconsin guest of an unlicensed outfitter--J. D. Hobart--their letter will be answered.

The Board then looked at a letter written by the Managing Agent, Tom Briten, of Mackay Bar Corp., Boise, was discussed at length. Tom has been talked to by Jim Baughman on the telephone on the various points. Their one point, that boats should be better defined, will be changed at the next rules hearing, was agreed.

The Board then adjourned at 3:15 p.m.

A list of licenses issued, extended, amended or denied since the last meeting is a part of the minutes.

Respectfully submitted,


Secretary to the Board

Chairman of the Board

1981 EXPENDITURES	Paid:	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	TOTALS
Office Salaries		\$3,030.40	\$3,030.40	\$3,057.24	\$4,545.60	\$13,663.64
Enforcement Salaries		1,416.48	1,285.44	3,166.80	1,921.92	7,790.64
Board Salaries		700.00	262.50	910.00	717.50	2,590.00
Mileage (7903/7913)	Board/Office	267.12	389.96	360.18	782.26	1,799.52
	Enforcement	862.02	1,206.10	611.46	1,176.84	3,856.42
Travel Expense (7901/7911)	Board/Office	180.65	290.65	412.20	932.70	1,816.20
	Enforcement	838.00	1,185.86	333.77	582.86	2,940.49
Misc. Enf. Expense	Horse Hire/Trls./Tk./Airflight/Tel	66.60	976.20	644.04	71.40	1,758.24
	Evidence/Trip Deposits	254.12	100.00	258.00	110.50	722.62
Group Insurance/Life		37.76	37.76	37.76	37.76	151.04
Retirement		326.14	287.90	350.32	476.74	1,441.10
State Insurance Fund/Accd.--Health		126.44	126.44	126.44	126.44	505.76
Unemployment Compensation			102.26			102.26
Social Security		342.29	304.49	474.42	477.85	1,599.05
Legal Notice Publication					59.28	59.28
Notarization				13.00	11.00	24.00
Attorney Fees		116.00	551.60	72.00	28.52	768.12
Office Rent - Paid in Advance		352.00	352.00	(not billed)	(not billed)	704.00
Telephone -- Local		47.47	47.47	47.47	47.61	190.02
Telephone -- Long Distance		151.38	88.31	203.14	124.17	567.00
Office Supplies		121.41	9.08	56.71	112.96	300.16
Printing -- Xeroxing		33.00	26.40	22.70	31.15	113.25
Other		58.88	9.00	365.38		433.26
Refunds (Outfitters/Guides fees overpaid)		545.00	300.00	40.00	50.00	935.00
Registration Fees					105.00	105.00
Misc. -- Office Machine (Service contract)				209.90		209.90
Postage			773.25			773.25
TOTALS		\$9,873.16	\$11,743.07	\$11,772.93	\$12,530.06	\$45,919.22

(6 mos.)
Receipts to date
0. *
thru Dec 1981 23,975.05 +
thru Dec. 1980 18,100.00 -
5,875.05 *
Increase (licensing)

OUTFITTERS AND GUIDES BOARD

Public Hearing for Proposed Changes on Rules and Regulations -- December 11, 1981
Boise, Idaho

James Baughman, Chairman of the Outfitters and Guides Board "I don't remember your friends name there, Ted."

Ted Epley - "Dave Denbeyker"

Mr. Baughman - "Dave?" "Since there is so few people here to represent their ideas of the changes of the rules, anyway, I want to introduce Robert Salter, which I'm sure you know, but he is the hearing officer at this time, and I'll turn this meeting over to Robert. Maybe I could say what I started to say, that is, that if you would tell us the rules that you are specifically interested in we would try to give full account to those rule changes that you desire, and now I'll turn it over to Bob and let him go ahead with it."

Robert Salter - "Thank you, Jim. For the record my name is Robert L. Salter. I will serve as hearing officer for this public hearing held to consider the revision, repeal or adoption of substantive changes in the rules and regulations of the Idaho Outfitters and Guides License Board. Rather than go thru all the proposed changes I would ask that those who perhaps testify today have received copies and are aware of the changes that have been proposed?"

Ted Epley - "Yes, we have"

Robert Salter - "Before we get into that testimony I would like to enter into the records some correspondence that's been received, briefly, but it will be entered in toto in the hearing record. A letter dated December 10, 1981 from Linda Hurlbutt, Executive Secretary of the Outfitters and Guides Association, commenting on proposed changes in rules 22, 23 and 24; a letter from Robert C. Hays, Mayor of the City of Clark Fork, dated December 2, 1981, in reference to float trips on the Clark Fork River; a letter - I will say here there is considerable correspondence that the license board has received which they, I am sure, took into consideration when they were drawing the rules up. I am going only to take into consideration here, at this point, to enter into this record correspondence received after the publication of the printing of the legal notice relative to the proposed changes. A letter received December 8, 1981, from John Hill, South Fork Expeditions, relative to the proposed change in the licensing of the Henry's Fork of the Snake River; a letter dated December 3, 1981 from Joseph Sycylo, Secretary of the Salmon River Lodge, opposing the classification of guides; letter received December 9, 1981 from Don Stevens and Gerald Bentley, Orange Torpedo Trips, relative to the proposed river changes on the lower Salmon River to a classified river; a letter from - dated December 10, 1981 from Linda Hurlbutt, Executive Secretary of the Outfitters and Guides Association relative to the classification of hunting guides referred to in Rule No. 21 of the proposed changes. As I said earlier these will all be entered in total into the hearing records. Now, we will take testimony from anyone who wishes to comment on any of the proposed changes."

Ted Epley - "Mr. Chairman, Ted Epley, from McCall, Idaho, a licensed outfitter and guide for the past 19 years. I'd like to comment first on the proposed changes in Rule No. 21 -- giving classifications for hunting guides. I want to go on record as being opposed to the classification as come up in these proposed changes. I think that there is a -- could be cause some serious problems with the big game outfitter in the state of Idaho if these changes should go through as they are written this proposal. I've spoken with about 300 big game outfitters on this

Ted Epley (cont'd) and one of which happens to be Martin Capps, and he did send a letter to the licensing board -- apparently he was considering some kind of a proposal considering hunting guides. One of the consensus that everyone seemed to agree with is cooks should not be licensed. Some of the background on that would be that restaurant cooks are not licensed in the state of Idaho. I can see some problems in that line. I think in the classification of an apprentice guide as you refer to here as a new licensee, and some of us outfitters that have been around for a good many years had the occasion to sometimes hire a guide that has been licensed in another state, maybe in two or three states, for more maybe than just big game. He might have been a whitewater runner, he could have guided for exotic game. In some states actually that don't really require a guide license and he has considerable experience, and I think to hire a fellow of that background, and I'm sure you take this into consideration in his application, but to give him a designation as an apprentice guide would be rather difficult for me to accept. Now maybe you fellows have a different thinking, or a better reason than what I do. When we get into the class of a guide that is your proposed for three or more years in Idaho, I think big game hunting guides are harder to come by than what a river guide is or a summer fishing guide or etc. I think that if you look at the record of longevity of a big game hunting guide is not near as long as other types of guides in Idaho such as sea guides, river guides, etc. It has been my experience that a hunting guide if you get two or three years out of him we usually consider ourselves pretty lucky. Now, I realize the biggest problem is the same as our problem, that is training the guide to be a big game hunting guide. Personally I would like to see more emphasis go on the outfitter for training a big game hunting guide such as you do with a floating operation where you have a training card involved. You have so many trips required of a boating guide if he is trying to train as a boating guide -- he has to make so many trips, and I see no reason why the same type of a training card could not be used with a big game outfitter. Even though we have to certify that our applicant has been in our area, has rode the trail, knows our camps, knows our stock, knows how to handle guests, and etc., knows how to clean game and things like that, we really can't do much until we can get him in the field with a client to prove himself. He can have a lot of records, letters of recommendations, and etc., but we realize we need to train him more. I think maybe the consideration of a training card and ask for so many weeks, days, or so many hunting trips, or something with the proposed applicant. I think it would be a more reasonable route to go, and again make the outfitter responsible, which we are because of our performance bond in the state of Idaho that we have to look out for our big game guides performance with our clients, and I think that would be more of the root of the problem, and I feel this really also a problem concerning some of those complaints that you receive probably refer back to the same thing, the guide has not been properly trained, and I would like to see that be a severe responsibility of the outfitter. I think that that guide training card could just apply over to hunting outfitter, and I think it would be very beneficial in there because you are going to do a little more than just to get the outfitter's signature certifying that the guides done that. Your going to the states, and time, and then if you have a problem you can go right back to that training card and say, "OK, so and so was suppose to have spent this time with you training him in the mountains, now did he do that?", and I think then you are going to nail some problems. Now I think the answer to classification, I would suggest that if you really feel it is necessary, and I'm not really sure that it is, in my own mind, that possibly you could consider the same thing as the boating outfitter that you have a float boat guide, and you have a lead boatman guide. I would suggest that you consider the fact that maybe you have a big game guide which could be a first year guide, and then get into a big game lead guide which could be a guide that already had one year, one season, so many days, been licensed in other

Ted Epley (cont'd) states for so many years, or whatever, and I think then we're into qualifications, but again we're still pointing right at the outfitter to screen these people. One of the things that I would like to emphasize though, is that we do have a real hard time finding big game guides and training them so I think we have that problem in our minds, but we don't really know what to do with it, and I'm sure what you told me, Mr. Baughman, when I talked to you about complaints that these are probably the biggest things in the training. Again I would refer back to the restaurant cooks are not licensed in Idaho. I think myself and other outfitters feel that cooks that are cooking in big game camps should not have to hold any type of a license. We realize there is going to be a problem, we are not really sure how to solve that, and I'm sure your not either. I can see a real problem if you should go to the three classifications that you refer to in your proposal. In reference to the master guide I can see a problem that a master guide is going to dictate to the employing outfitter, to the other types of guides in the camps, and I can't see that as being very feasible to operate with a master guide that is doing those kind of thing. Now, sure we can fire them, but again they are going to be hard to replace. Personally I would be totally opposed to a master guide for some of the reasons I mentioned before and again your qualifications here your stating that if he has been licensed for five years or more. I don't know what your records show, but it would be interesting to know how many big game guides have been licensed for five years or more in the state of Idaho. I think that the turnover is probably quite great, and that those numbers would probably be quite small. I think that the quality of the service of an outfitter if we did have these three qualifications of guides would go down hill. I can see a lot of problems not only internal problems with the outfitter, but I can see problems coming from our clients that we handle. We are getting into a new type of client the last few years, people that are suit conscious, that demand more and better service, and I really feel that if the outfitter actually trains his people that we can perform that service. I'm not saying that it's being done. I'm probably an exception to a lot of the rules because I'm an outfitter that is in camp almost 100% of the time. I train my guides personally, I don't leave it up to someone else to do it. I can see some quality being lost with some of the outfitters if we have this three type of classification. Again I would like to remind you that it is easier to train river guides than what it is big game hunting guides.

I would like to to on to another rule unless you have some question you may ask me or something pertaining to that rule change.

On Rule No. 22C -- making the lower Salmon from Spring Bar to confluence with the Snake River classified section of river. I would be totally in favor of that recommendation.

Rule No. 22F -- remove the training sections of the Salmon River for power boating listed in rule No. 22C. I have a question there -- I'm not opposed to what your proposed there, but in 1980 printing of rules and regulations of Outfitters and Guides I refer you to 22F, and specifically guide training sections of the river. In here it states: Salmon River from Skookumchuck Creek to a point in Idaho opposite Heller Bar on the Snake River. I would ask the Board to give some consideration to making a change from Skookumchuck Creek to the new launch site at Hammer Creek which has been built in just recent years. The reason why I would suggest that is in my correspondence and my speaking personally with LuVerne Grussing, the Bureau of Land Management manager of Cottonwood, Idaho, both last spring and this summer he has emphasized to me that they do not want the commercial outfitter to use the Skookumchuck site for either camping or for launching, because of private use of that site, and I think you should take some consideration to moving that down to Hammer Creek launch site. They have a nice facilities there for those of you who haven't saw it, and they have power, they have toilets, they have ample parking, and they have a wide launch pad that can be used very easily, and have very good access paved road, etc. to it. I would have a question concerning the classifica-

Ted Epley (cont'd) tion on the lower Salmon in reference to a lead boatman, and I would like to ask the Board how an outfitter who has been operating for one or more years down there, if he has meet all of the qualifications that a lead boatman according to the rules and regulations, how he would obtain a lead boatmans float license on that portion of the classified river if he is not able to have a lead boatman sign off his trips that he had made on that river as a commercial outfitter, and I propose that as a question. Thank you."

Robert Salter -- "Do you want an answer to that question now?"

Ted Epley - "Anytime"

Robert Salter - "You can get that answer later?"

Ted Epley - " Yes, I can."

Robert Salter - "Is there other testimony?"

Dave Denbeyker - "My name is Dave Denbeyker, I'm a guide for Ted, here. My comments are basically the same on Rule No. 21 as far as the classified guides. Although this has been my first year with Ted in Idaho, as a professional guide development, my other qualifications and education in the field I would take offense at being called an apprentice guide in the future according to the requirements that you have here. I feel just as qualified when I -- confident as anyone else who has been operating in that area. As far as navigation goes the first season for someone, even though they have had experience in other areas I would see some kind of training necessary, as far as that goes, otherwise I'm opposed to this."

Mr. Baughman - "What rule did you say this was?"

Dave Denbeyker - "Rule No. 21"

Mr. Baughman - "21?"

Dave Denbeyker - "Right - classified hunting guides. My other comments would be about what Ted said concerning others."

Robert Salter - "Yes, Mam"

Virginia Hopfenbeck - I would like to see you later on, Jim. Virginia Hopfenbeck, with Shepp Ranch acting as managing agent. In talking to other people I think it is our feeling, too, that the qualifications of the apprentice and master guides is that it would create more problems than presently exists, especially the master guides. In talking to our own crew and staff, and other managers at the Association meeting I think that was the general consensus. So I would like to go on record that way. Possibly an apprentice guide for someway of having the outfitter and the guests alike possibly know that it is somebody who is really trained, but definitely everybody seems opposed to the master guide feeling that in mores cases than one somebody who is familiar with the area is every bit as important, if not more important, than just one you hear about, somebody that has been licensed. Also there has been a lot of questions about having cooks licensed. I guess that gets in an area where everyone is pretty unhappy with the fact that you have to have a cook for each hunting camp licensed. Anymore than every employee at Shepp Ranch should be licensed, or cook in the kitchen, or our housekeeper, and we feel that would be the tendancy that we would be going and we don't want that."

Robert Salter - "We are now ready for the second term if anyone wants it. Ted, you have

Robert Salter (cont'd) anything further?"

Ted Epley - "Mr. Chairman, I would like to give a letter which addresses a couple of problems, that I would like to enter at this hearing. It's only partial like, I didn't really have time to draft the whole thing. I've been working on other things, but I would like to have that in writing - it's really a suggestion on the same things I talked about, mainly pertaining to Rule No. 21."

Robert Salter - "Fine. It will be marked as an exhibit, and entered into the full record. Dave, do you have any further?"

Dave Denbeyker - "I don't think so."

Robert Salter - "This may be highly unusual and I hope it doesn't get thrown off the record, but I don't want to sit by here and go through the business of testifying just as a hearing officer. I also suggest that the Board look at Rule No. 9 and when you are saying forest grouse the correct definition of a grouse for instance is ruffed, blue and spruce. Now those are the way our regulations are written, and I think it would be nice if you'd conform with our regulations and definitions. If there's no further testimony this public hearing on rules and revisions on adoption of rules by the Outfitters and Guides License Board will be closed at 9:45 A.M."



Secretary to the Board



Chairman of the Board

OUTFITTERS AND GUIDES BOARD

Licenses issued, extended or denied from November 30, 1981 through January 12, 1982

LICENSES ISSUED

OUTFITTERS

Commer, James L.
Johnson, Charles M.
Hinkley, Mark
Whitten, Sam

GUIDES

Arendell, Randall E.
Hanson, Cindy L.
Sickels, Duane M.
Simons, Edward E.
Barton, Eric C.
Burton, James D.
Hobbs, James Clyde
Kellam, Janet K.
McClurg, John O.
Paschell, Eliza E.
Pearson, Mark
Schaap, Maarten W.
Wanner, Larry
Wilhelm, L. Kent
Woodland, John Rodger

LICENSES EXTENDED

OUTFITTERS

Currey, Steven C. - Float boating on Middle Fork of Salmon River.
Currey, Steve Expeditions, Inc. - Float boating on Middle Fork of Salmon River
Handy, Dave - Snowmobiling
Handy, Eldon, Salmon River Expeditions, Inc. #2 - Snowmobiling
Kasino Club, Inc. - Area extended for snowmobiling
Kooyers, Gerald P. - Boatman on Snake River from Hell's Canyon Dam to Lewiston and
power boat guide on Salmon River from Vinegar Creek to Lewiston
Mountain Guides, Inc. - Cross country skiing area extended.
Sheridan, Merle M. - Area extended for snowmobiling

GUIDES EXTENDED

Gladowski, Michael J. - Snowmobiling added

Licenses issued, extended or denied from November 30, 1981 through January 12, 1982

GUIDE LICENSES EXTENDED

Seramur, Paul L., Jr. - Cross country skiing guide for day tours when guiding for Charles M. Johnson

Taralson, David James - guiding for Jerry Meyers

DELETIONS FROM LICENSE

OUTFITTERS

Duerden, Jay Verle - Float boating on Middle Fork of Salmon River

Sierra Western River Guides - Float boating on Middle Fork of Salmon River

DENIALS

GUIDES

Arendell, Randall E. - Snowmobiling denied as the employing outfitter is not licensed for that activity.

Sickels, Duanne M. - Snowmobiling denied as the employing outfitter is not licensed for that activity.