

OUTFITTERS AND GUIDES BOARD

April 6 and 7, 1982

Moscow, Idaho

Four members of the Board, Chairman Jim Baughman, Ivor Sies, Glen Foster and Harry Vaughn, met at the University Inn for a regular meeting, beginning at 9:00 a.m., with Mike Luther and his wife Jody, Lewiston as the first appointment. The Luthers are seeking to obtain an Idaho license for their power boating on the Snake River, which they have run since 1976. They have a Forest Service use-permit. They are requesting power boating on the Clearwater River in addition, and also asked about hunting along the Snake River on the Idaho side. It was explained that it was licensed to Riddle, and possibly they could get chukar hunting along with the boating and fishing.

Their court cases were mentioned--3 counts of violation of Idaho's law. Mike said he had been fined \$300, but each case was suspended. They said they hadn't intentionally violated Idaho's law and didn't realize they were using Idaho waters, etc. There was also discussion of courtesy of power and float boat encounters, and the Luthers said they will try to get along and will give the right-of-way. Their application will be completed.

Following this meeting, Mr. Baughman explained a call from the Governor's office about the F.S. Bid Prospectus proposal, and that the state's rights will be fully supported. The Governor requested a report following the Board's meeting with the Forest Service.

At 10:00 a.m., Donald Whitecotton and his wife, Janie, St. Maries, came in to explain a complaint which was registered by a client, Bob Saucedo, of San Diego, California. Mr. Whitecotton explained that he works in the woods and takes off three weeks for his outfitting, and that the Saucedo party had arranged for an unguided hunt.

He said that he hadn't any licensed guides, and planned to guide a party himself at the same time, so he had a friend who was staying with him, Russ Simpson, take the pack string in to the Saucedo camp, after he packed the animals, and he left to get his guided party. He said it rained all the time during the time they were there, that the Saucedo party had brought more equipment than arranged for, which included packing a barrel type stove, and that probably contributed to the problems. The 5-horse pack string included a stud and 1 mule, and there was equipment lost on the way back out, and he had his lead horse injured with a cut tendon when he went off the trail and the stud was hurt. The \$250.00 price of equipment loss was doubted, but he knows that the inexperience of his friend in packing probably was part of the result. He answered the Board that he had a good camp with new equipment, but Cecil's report probably was about the friend's camp, which was a mess. He said he understands that it was his responsibility and that he now realizes he had overextended himself.

There was discussion concerning bear hunting. He said he does not use dogs, and was warned not to make a deal with Rick Grunch who will run dogs in part of the area released by Whitecotton. The Board also suggested that perhaps the area should be pared to Whitecotton's operation, as they left the meeting.

Then Jeff Hulse and Earl Jones, Hamilton, Montana, came in about licensing the area being released by Indian Lake Outfitters. They propose to rename the area business Wahoo Outfitters. The two men have obtained all the old Indian Lake equipment plus their own, which now makes 19 head of horses and ten mules. They plan 6 hunts--20 to 24 hunters (4 at a time), and Earl's wife will cook. The Board explained what is only cook duties.

Both men will license to outfit and guide. They both completed the Erv Malnarich Guide Schook, with a 32 mile pack-in/camp set-up as part of the training and said that "not one hay bale was lost". Applications will be completed.

The Board recessed for lunch following this appointment.

At 1:15 p.m., when the meeting was reconvened, Leroy West, Kamiah met with the four board members about being licensed as Managing Agent for his brother, Zeke's business --float boating only. The Bureau of Land Management feel this will work out for the use-permit also.

Leroy said he will also guide for Zeke for hunting and works for the Forest Service at Kamiah. There did not seem to be any problem, if all applications are completed.

Leo Crane, Pierce, Idaho then met with the Board to discuss a complaint registered against him by a California man who brought his son on the hunt. The encounter at the S.F Sport Show was explained, and that the "12" year old son could accompany his father but that he was not to carry a rifle.

When they arrived, the son came without a hat or gloves--there was snow on the ground and the boy was cold and wanted to leave after the first day--no TV, no pop, etc. The father expected a license for the boy to hunt and it turned out he was only 10 years old. They arrived 2 days late, father works for an airlines, and then left early, thus the \$50.00 transportation fee. Leo said the father knew there was a \$500.00 extra charge over the \$1,400 hunt, if the boy came, then didn't want to pay. Leo said he is changing his advertising to add back in--"non-hunter, 1/2 price".

Bear hunting was asked about--Leo says he hunts from stands, some baits, no dogs. He said he'd be against combination use of areas, and would shoot dogs. Ivol explained the current combo licensing. Mr. Crane said that around Orofino there are too many houndsmen.

He also mentioned that the outfitters need help with the illegals, and that his daughter was clerk of the court at Shoshone. The Board mentioned their enforcement and cases in court, then Mr. Crane left the meeting.

Rick Grunch, Hayden Lake, Idaho came in about his pending licensing. It was explained what was being licensed in the Whitecotton released area--cougar hunting and snowmobiling, that bear hunting for new licensees was under a moratorium at present. He will also have some summer area activity licensed in north Idaho where he lives. Bear hunting and selling of bear parts was discussed, and Rick said that some spring bear hunting had opened back up in Washington state. Mr. Grunch left the meeting then.

Enforcement Officer, Cecil Sanford joined the meeting during the Grunch appointment.

Bob Kirchman, Alberton, Montana next came in about licensing a new business in the released area of Frank Askins Hole-In-The-Wall-Lodge. He has been over the area hunting it and complained of Gil Morgan of Washington coming in for trophy hunts with 60 hunters last season. Cecil also mentioned that Kenny Phillips was hunting in the same area.

Mr. Kirchman has most of his application together and is taking the Association's first aid class. He explained his planned operation and that he is applying to license an adjoining area in Montana. He guaranteed to license all his guides and wants to work with the state and F.S. in his new venture, he said.

Enforcement Officer, Dave Giles also joined the meeting, as Kenneth Thompson, Elk City, and his son, Benny Thompson, came in about Mr. Thompson's plan of packing out meat in area where he lives. The area proposed was the old Ted Byers area, and the Board say problems of not being big enough for an outfitter business and no way to license for meat packing only. Mr. Thompson said he doesn't hunt nor carry a gun, but had worked for Gladys York as a guide. The Board explained that it would probably open up problems and that it would not be a viable commercial operation. Mr. Thompson left his map and application, but had not paid a fee or secured a bond, and probably will not complete his license application.

Following this meeting, Dave Giles asked about Nature's Conservancy and Guy Bonnevier's contact; also licensing in eastern Idaho--Clare Buxton, etc. He also mentioned the F.S. meeting being arranged by Norm Huntsman, he was advised to attend the meeting if possible.

Recess was called at 5:40 p.m.

The Wednesday morning meeting opened with a 9:00 a.m. appointment with the four board members of Robert (Rob) J. France, Priest River and Jim M. Brennan, Priest Lake with their proposal of dba Priest River Float Trips, Inc., which would be canoe boating on Priest River. Their major concern was the closing date, because of snow conditions making late opening access and the early closure. Their recommendation was for the season to continue through Labor Day for the 16 mile stretch down from Dicken-sheet Campground.

Also mentioned when the Public Hearing was explained to change the rules, was a change of rule no. 26-a and 26-b for canoe guiding too. Their input was rivers with Class I or Class II rapids without additional qualified guides besides themselves--total of 6 canoes which would have two qualified operators; the Eight-Mile Class III rapid would require additional qualification, but this is not a portion of the Priest River they are requesting. The Moyie River has a Class IV rapid was also mentioned, which is close to the campground below the bridge--which is included in the open stretch of water.

Rob and Jim help instruct canoeing at N. Idaho College at Coeur d'Alene, and belong to Search and Rescue and have helped recover 2 drowning victims from the Eight-Mile rapid. Maps were submitted--they were asked too for their input on qualification and rapid classification on the rivers on which they are familiar.

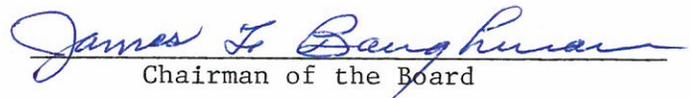
The next appointment was Frogg Stewart, Grangeville who came in about his type of operation using three boats lashed together with oar-locks only on the outside two boats, making the assembly only one boat. Diagrams were again submitted, and after discussion, the Board said they felt that Frogg's Holiday River Expeditions of Idaho would probably be acceptable--as outlined.

Donald McPherson, retired Fish and Game man from Kooskia, Idaho then came in to talk to the board members about working parttime for the Board. The assignment type limited employment was explained, with hours paid and the pay amount. Don explained a number of suspected illegal operations in his area which needed some investigation. The Board approved hiring Don, he will be sent employment forms to get him the necessary card etc.

The Board then adjourned this meeting to meet after lunch with the Forest Service, Bureau of Land Management and Fish and Game officials.

Respectfully submitted,


Secretary to the Board


Chairman of the Board

OUTFITTERS AND GUIDES BOARD

April 7, 1982

Moscow, Idaho

At 1:00 P.M., Wednesday, April 7, the four members of the Outfitters and Guides Board, Chairman Jim Baughman, Ivor Sies, Glen Foster and Harry Vaughn met with 22 representatives of the Forest Service, Bureau of Land Management, and Fish and Game, along with 2 Outfitters and Guides Enforcement Officers, Dave Giles and Cecil Sanford. Board Member, Bill Guth was absent.

The meeting started with discussion of various outfitter operations. District Ranger at Moose Creek, Barry Hicks asked about how the Board felt on the new Indian Lake area proposed outfitters, Jones and Hulse; the Art Griffith operation being borderline; Cheryl Bransford and Ron Malone & Ken Smith operations this past year; Rgr. Earl Dodds discussed the summer operation of McCallum and his approval of the survival training of Larry Wells, Idaho Falls which would involve trail use in his area around Big Creek; and Rgr. Pat Aguilar, Stanley brought up Phil Johnson's use of the upper Salmon River without obtaining a permit because of Johnson's private land put-in/take-out points. Chairman Baughman mentioned the F.S. signatures, comments and telephone numbers the Board requires for outfitter license consideration on the applications. Art Seamons defended his recent signature of approval for cougar day-hunt use, but suggested that although the use may be incidental in the HCNRA, he had that option. Jim Dolen, Missoula Region I supervisor said there is a program afoot for more consistency, but ^{with} so many permits, it was hard to get a handle on it.

BLM river manager, LuVerne Grussing mentioned their request for limiting licensing --that permits are questionable for some who have applied. The Board mentioned their program of use-review, and removal of licensing of those who have shown no use over the past two-year period, and adding the names to the list for consideration for future licensing.

Fish and Game Representative Bob Salter asked about the outcome of the F.S. court litigation on private land to private land river use, where restricted. Frank McElwain, Region IV F.S. representative, mentioned the Middle Fork Lodge case and that the court had supported the government; but it is being appealed as they had lost the case on a technicality, as explained further by Frank Elder. Art Seamons said it was probably based on the Wild and Scenic Rivers Act, then mentioned the court support of the Garrigus & Lindsey cases.

Art Seamons, HCNRA, brought up the high-water training and felt the outfitter was forced to train for too many trips causing them to train too soon. The Board read a letter concerning use of the highwater which had been mailed to all outfitters. Then Glen explained that in his 20-year operation, the Fosters had encountered quite a bit of high water, and that waiving the total required training trips would be a worse situation--F.S. River Ranger, Ted Anderson agreed, mentioning that there's a learning experience in every trip.

Ted Anderson then asked the Board about the use on the Salmon River from Clayton down to Salmon city--5 operations. Dave Giles said they were all licensed. Gene Brock, Idaho City/Lowman area land manager, asked about the five licenses allowed on the South Fork of the Payette. The Board explained their moratorium which allowed only three boating operators for the present, until the demand or need arises.

Outfitter & Guides Schools for hunting were questioned, with McCallum's advertising mentioned. The Board explained that schools were not under the Board's jurisdiction. Earl Dodds then mentioned that McCallum's approval for the mountain lakes use, as approved by Clem Pope, should be added to his permit request, but sees no problem.

North Fork District Ranger, Dick Bacon, brought up problems of special-use permits for Sheep & Goat hunts; he said Bob Martin has complained that the F.S. doesn't know who is in the area, that the camps are not authorized. The Board mentioned the original set-up, which Dick Bacon said was okay, but they want the outfitter to get the F.S. approval in the area to be hunted also, which would relieve their concern.

District Ranger Dick Bacon further mentioned the F.S. feeling on use of the hunting area of Lost Packer/Eakin Ridge--that they be combined with adjoining operations. He also mentioned that they feel Cal Stoddard's areas should not be split, and asked the Board to contact them before license consideration if this should be presented. He also advised that a letter was being sent to the Board concerning the Buxtons' use of the old Jackson (Crombie) area.

Jim Dolen, Missoula, gave a copy of the analysis follow-up on Montana's all-out effort for control of illegals. Chairman Baughman thanked him for mailing the "rogue outfitter" article copies received from his office.

Bid and Prospectus proposal of the Forest Service was brought up. Chairman Baughman explained the Board's position--that there was no problem in the proposal to raise the user-fees from 25¢, that with the economic conditions, the fees no doubt should be increased. The problem is in the method the F.S. propose for permit issuance. He went on to advise that getting rid of the state licensing board and the law would not come about easily--that the Governor and the Attorney General have been contacted and are highly interested in the outcome of this meeting. Glen also mentioned that the user fees were a small point in their proposal. Don Biddison, Nez Perce F.S., said he was not sure on what all would come from what is being proposed, but the fees are the least weight, and he felt the Board was more crucial than ever and that state licensing would still be vital. Glen answered that the commerce should be regulated by the state. Biddison said the F.S. would not regulate the commerce, and that it was a long way from being implemented. Jim Dolen mentioned that being published in the Federal Register was only to make it known to the general public. He went on to say that permits not being transferrable was the problem. Jim answered that all sales of business are not all automatically licensed, and Glen said that quality of service to the general public was a major concern of the state.

Art Seamons said the "White Paper" says the Bid & Prospectus was only one option --others in the proposal, and wants the Board suggestions. Jim Baughman said he had discussed this with Art when first brought up, and in the discussion, Art had said that outfitter ability was the controlling factor, but after reading the "White Paper", other requirements seem to be a major factor, and leaves the Board's law not being considered.

Frank McElwain entered in to explain impact from this package would not affect the Board or the state licensing law, and he feels it would not do away with the Board or state law. The outfitting industry is better served in the state of Idaho than any other states being dealt with, he said, and would have no derogatory effect against the law. He went on to say the Issue Analysis is out for everybody's comment--alternatives to be accepted from the Board as well as individuals. And that the notice in the Federal Register is like an ad in the paper,--it will be published 3 more times--published after it has response and in the finalized form.

Frank was thanked for his comments, and the Board advised they were going to get back to the Governor as soon as the meeting was adjourned, also other organized people are interested as well.

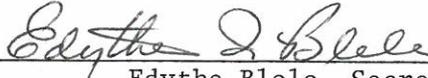
There were several questions brought up--Ivol asked for the deadline, and mentioned that he didn't see the urgency since the Board is being brought into the regulations being formed. Harry said his interpretation indicates that the outfitter operations could be done away with and in no way does it show any guarantee of outfitter continuity.

Frank McElwain asked for the Board's influence with the Association in the meetings scheduled, that it is not finalized and needs input. Andy Finn, McCall F.S., mentioned a need for constructive input. Art Seamons said he felt the Bid & Prospectus could be implemented. BLM representative, LuVerne Grussing said that the Bureau of Land Management was following with a similar proposal, and maybe would throw in with the Forest Service.

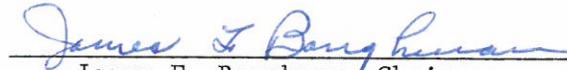
The Idaho Department of Fish and Game representative, Bob Salter, said he felt the situation was presented by the Board as best as possible, but that he would be interested in sitting in on the poker game to find out who lost and was elected to present the issue to the Association in the meetings to follow tomorrow.

Chairman Baughman explained his representation of the public and how the Board was made up to represent the industry. He further mentioned how the public feels about outfitters when encountered etc., but explained what would be the outcome if the state board and law was done away with--that the land managers would be faced with a very difficult situation. There was appreciation expressed for the attendance and input on the various subjects, as the meeting adjourned at 3:45 P.M.

A list of names and representation of those present is a part of these minutes.



Edythe Blele, Secretary



James F. Baughman, Chairman

Sign-in - please:

Meeting: Moscow, Idaho
Forest Service / Bureau of Land Mgmt / Fish & Game
Meeting with Outfitters & Guides Board
1:00 PM 4/7/82

Name - Representation - Address

1. Glenn Foster Idaho Friends Board
2. Jim Banghman Idaho O.F. & B. Bd
3. Paul E. Sies Idaho O.F. & B. Bd
4. Walt Browne Id. Fish & Game - Lewiston
5. Bob Salter Fish & Game - Boise
6. GENE BROCK U.S. FOREST SERVICE. LOWMAN
7. Mose Shrum U.S. Forest Service Ketchum
8. Dave Sies Salmon
9. Harry Vaughan Licensee Bd. Moscow
10. Bob Lehman U.S.F.S. Red IVAS -
11. Don Biddison U.S.F.S. Grangeville
12. BARRY HICKS U.S.F.S. MOOSE CREEK.
13. Pat Aguilar USFS Stanley, Id.
14. Earl Dodds USFS McCall
15. Andy FINN USFS McCall
16. STAN KISER USFS Lewiston
17. Duane Drussing BLM Cottonwood
18. Art Seamans U.S.F.S. Lewiston
19. Ceil Sanford Outfitter Starvation

- 20 Jim Dolan USFS Region 1 Missoula
21 Herb Spradlin USFS West Fork Bitterroot N.F.
22 Chuck Troxel USFS Bitterroot N.F.
23 Dick Bacon USFS North Fork Salmon
24 Frank McElwain USFS OGDEN UT.
25 Frank Elder USFS SALMON, ID.
26 Ted L. Anderson Middle Fork Dist.
27 Mac Thomson U.S.F.S. Middle Fork Rgr. Dist.
28 Jack Bills USFS, Challis N.F.