

MINUTES

Idaho Outfitters and Guides Board
Boise, Idaho

December 6, 1983

A special meeting was called to order by Chairman Glen Foster, as all members of the Idaho Outfitters and Guides Board assembled at 1315, in the Molokai meeting room at the Holiday Inn, Boise, Idaho, meeting with 44 representatives of the Forest Service, Bureau of Land Management, and the Idaho Department of Fish and Game.

The Chairman introduced board members and asked each person present to introduce himself, stating which agency and/or district he or she represented. Then, matters of business were as follows:

- Chairman: The Board has lifted the moratorium on licensing of new bear hunters in Fish and Game Areas 2 and 3 of the Idaho Department of Fish and Game's Black Bear and Mountain Lion 1981-1985 Species Management Plan. Also, when requested by new applicants, the Board will in spite of the moratorium, license incidental fall bear hunting with other big game hunting during the rim-fire rifle season. Other activities licensed and/or being requested for licensing (such as sleigh riding, bicycling, etc.) were also mentioned.
- Bob Boston, USFS,
Clearwater National Forest: Asked about licensing outfitters and guides schools.
- Chairman: Explained the research done by the board on "schools" and the guideline of the Attorney General. At present there are no controls on guide schools.
- Jim Dolan, USFS,
Region I, Missoula, MT: Mentioned an inquiry concerning issuing a permit for commercial Mountain Bicycle Excursions.
- Jim Keating,
ID Department of Fish & Game: Questioned the wording of "incidental" licensing of bear; wondered if it would be advertised by those so licensed.
- Chairman: The plan could be headed for trouble if advertised heavily resulting in an increase in take.
- Jim Keating: It could change the Department's thinking on harvest. Asked who were given these licenses.
- Robert Salter, Vice-Chrmn.
ID Outfitters & Guides Brd.: Explained this incidental bear hunting would be during the deer/elk season, no dogs, and granted only to those being licensed for fall big game hunting.
- Jim Keating: It does not seem to "stack" the hunting if only one outfitter licensed in an area. Suspected it would present no problem.
- Dave Poncin, USFS,
Nezperce National Forest: Asked about spring bear hunting and non-use when licensed.

- Bob Boston: Also asked, adding new outfitted activities is like opening a new area; how does that fit with the new F.S. policy.
- Chairman: The Board is concerned also and wonder where the state licensing board fits in with this new policy. The whole process of permittee selection has us concerned and will be discussed further, later in the meeting.
- Chairman: Brought up the Board's Proposed Rules Changes Hearing set for January 17, 1984, and distributed copies of the Proposed Amendments, explaining each proposed rule change and the reason. Among the proposed changes, a (b) portion being added to rule 13. was explained that an outfitter may not sublet or enter into third-party agreements involving the use of his activities, area, and/or license. That the rule was ambiguous enough that the Board's attorney felt we needed a clarification of the rule.
- Frank Elder, USFS,
Salmon National Forest: Asked if this would not change things. Hasn't it been fairly common for good neighbor outfitters to say it was alright for his area to be used when he was through hunting.
- Scott Farr,
ID Outfitters & Guides Brd.: Answered it can still be done but will have to be sanctioned by the Board and on the licenses.
- Bob Boston: Asked if license would be pulled, that it has happened and now the F.S. is faced with decision whether the permit should be reissued and would like their action in concert with the Board.
- Chairman: Suggests the case be taken to court, then taken from there.
- Bob Boston: Asked if the Board would entertain input from the land manager in making a decision.
- Chairman: Answered "you bet", we've always tried to get this information and the decisions also involves the Department of Fish and Game in some cases. The Board encourages communication.
- Robert Salter: Asked if F.S. permits allow subletting, then mentioned a person doing so then would be in violation of both laws.
- Bob Boston: Answered, it depends on the story told, but wants to be in concert with the state licensing board.
- Frank McElwain, USFS,
Region IV, Ogden, UT: Asked what about license if a permit is in jeopardy.
- Chairman: The Board has same concerns as the Forest Service.

Arthur Seamons, USFS,
Hells Canyon NRA:

In reading the verbage, what about the "sex" connotation in the Idaho Outfitters and Guides Board's rules and regulations, was asked.

Chairman:

Answered the book needs rewritten. Then explained the rewording of rule no. 21, which would allow the Board some lee-way on decisions for licensing where there are instances of Fish and Game violations.

Ken Norrie, IF&G:

Suggested, as an observation, that this may minimize the interpretation of how serious the individual may see this lesser standard on Fish and Game offenses.

Chairman:

Answered that the Board does take a hard look at all cases but not all cases are serious enough to require an appearance before the Board before issuance of a license.

Art Seamons:

Asked if outfitters and guides both are brought in on serious citations or infractions.

Jim Dolan:

Asked if the Board has knowledge on all violations.

Chairman:

Answered "yes" to both questions, "if offense occurs on the job."

Dale Baird, IF&G:

Asked why the Board would not take all cases to the outfitter on Fish and Game violations, and if the Board considered whether to issue a license if a guide has a violation of an untagged deer.

Chairman:

Answered, that some cases do not involve the outfitter and that the guide's license is considered the same way as an outfitters.

Bob Boston:

Asked if an outfitter's hunting license is suspended, does the Board also suspend the outfitter license.

Chairman:

Answered, in particular cases, and would appreciate F.S. input, if there was a certain case in mind.

Robert Salter:

Further explained, that since he had been with the Board, he was impressed by the members' action on these cases, that they are weighed very carefully.

Chairman:

Mentioned rule 22.c.20. with a proposed change on the lower Salmon river, Spring Bar to Hammer Cr., closure during the steelhead season to be amended to be set by a date, and asked for input from BLM, explaining the problems this year caused by the early steelhead season.

LuVerne Grussing, BLM:

Answered, that they have no problem with the rule as it is written now, but most concerns of the private users are with power boats; BLM hasn't received any negative comments on the float boaters.

Chairman: Mentioned again, the numbers the Board has licensed for fishing and the Board would appreciate input from any source concerning the closure.

Art Seamons: Questioned what need was there for outfitted fishing when there is a road along the area, mentioning that it is pretty crowded, especially on weekends.

Jim Keating: Added that there is an earlier catch and release but the September 15 closure date would be okay as the major steelhead run does not start until later and the labor day weekend should be avoided.

Art Seamons: Mentioned moving the closure date to October 1st.

Bob Abbott, USFS: Stated that the river runs right by the Slate Creek Ranger District office, and he observes no conflict. The floating drops off except some boating if the weather stays good, and the October 1st date would be good for that reason.

LuVerne Grussing: Mentioned there is lots of support from the private users for the Board's prohibition.

Robert Salter: Asked if there was any need for a fishing outfitter or demand in the area in question.

Bob Abbott: Many inquiries made at their office, advice given but no inquiry made for guided trips in the section.

Herb Pollard, IF&G: Explained the planned release of a million steelhead smolt by 1987 as each year increases, in the creeks on the lower Salmon, and feels the September 15 date is good for their plans and with increased fishing along the road.

Butch Harper, USFS: Asked if there were any requests for bank/wade commercial fishing.

Chairman: Answered that there were none yet, but probably the Board would not license in this area if requested because the public is already being served. Then, a question if there was need for closure of other sections of the river.

Herb Pollard: Explained the Fish and Game's letter to the Board, and that they plan to have completed their survey by July on this past fall and spring fishing and asked that additional licensing not be granted until they complete their study, mentioning this would allow future harvest benefits for all.

Dick Bacon, USFS: Mentioned that they feel that all who are currently licensed for boating should also have fishing but that no more fishing be licensed as not needed, citing the amount of fishermen along the river below North Fork since the steelhead run has returned.

Dick Hauff, USFS: Mentioned hostility conflict between bank fishermen and floaters with the power boaters, and there was 4700 people since September 8th at the checkstation.

LuVerne Grussing: Mentioned their restrictions because of the numbers of applicants for permits and what the river can accommodate.

Chairman: Brought up the Clearwater river numbers licensed and pending, and a need for input.

Art Seamons: Cited his observation of the numbers of fishermen, power boats and bank fishermen on every hole on the Clearwater, saying no more needed.

Bob Boston: Agreed, saying a traffic light was needed in the area.

LuVerne Grussing: Suggested the Board get input from the Steelhead Fisheries Impact Committee; Nick Albers, Clearwater Co. Sheriff is the chairman, at Orofino. Also that he was a member and would keep the Board informed.

Jim Keating: Advised that the Board hold to their moratorium on opening the upper Clearwater section, as already plenty of use, and would allow the F & G to get up to speed.

LuVerne Grussing: Added that not readily known, but the Clearwater has more drownings than any other river in Idaho.

Chairman: Noted that the rules changes were now stating the sections of the Snake River by name between the Henry's Fork and Brownlee Dam, for boating licensing.

Wally Meyer, BLM: Asked about American Falls Dam to Massacre Rocks State Park section, and also stated there was a rapid portage on the Murtaugh section, Star Falls to Twin Falls, but otherwise, no concerns.

Chairman: Stated there would be 5 total each section, with no power on the Murtaugh section. The petition for adding power boating on the Payette river, Banks to Black Canyon Dam, was mentioned.

Wally Meyer: Stated the Board should encourage a limitation because of private floaters.

Chairman: Responded that a letter from BLM would be appreciated.

Jim Keating: Stated that the Banks to Black Canyon Dam section was mostly used for kayak/rafting activities and that Fish and Game has concerns of jet boats disturbing the island geese nesting, that jet wakes during high water can disturb them, mentioning that private use alone could cause "horror stories."

- Wally Meyer: Asked why the Grandjean to Lowman and Alder Creek on down were the only sections open on the South Fork of the Payette River, and not all the way through.
- Chairman: Answered that he understood it was the safety aspect, because of the Big Falls rapids on the Deadwood River to Alder Creek and the fatal kayak accident.
- Wally Meyer: Stated that the Bruneau River is more dangerous and that the Blackadar kayaking accident was a matter of poor judgement.
- Herb Pollard: Stated there was no problem with fishing, and that a portage trail at Big Falls could be made.
- Wally Meyer: Added that the South Fork is under the jurisdiction of Emmett and Lowman Forest Service.
- Dick Adams: Stated that their permits included this section and he was surprised that the Big Falls section was not included for licensing as it is permitted.
- William Meiners, IO&GB: Mentioned that he was acquainted with some of the Garden Valley residents and they would be against it being opened.
- Chairman: Informed the Agency representatives of an experimental idea of issuing the same numbers or pre-selected outfitter license numbers, and asked if there could be any problem seen.
- Ted Anderson, USFS: Suggested that the F.S. is pretty sure they are licensed, when new numbers are given each year, but may require a photostatic copy of the license. That it may work but there would need to be communication on whether the outfitter actually had obtained his license.
- LuVerne Grussing: No problem.
- Art Seamons: No problem.
- Chairman: Mentioned the problem of "Hunting Clubs" not obtaining licenses, and how they are formed with little investment on 10-year contracts. That it would help if the F.S. requirement of camps being broken up every 14 days was enforced to a greater degree.
- Bob Boston: Mentioned his district having some come in quasi-legal but seemed to be legitimate, possibly the influx because of being thrown out of other states, but no budget to monitor their operations. That the Clearwater had at least 12, with 2 nailed this past year for illegal outfitting.
- Chairman: Noted that the Board has good enforcement officers and asked for continued cooperation from the land managers.

Chairman: Asked what need was seen for pre and post-season boating on the Middle Fork and Main Salmon rivers.

Dick Bacon: Feels that requests for activity for those times of the year are currently being supplied by presently licensed boaters.

Ted Anderson: Felt the same, and mentioned also that the Middle Fork has 32 outfitters to supply the demand.

Wally Meyer: Stated that the desert rivers could maybe accommodate this type of boating by use of different type of raft.

LuVerne Grussing: Mentioned chukar hunting interests for the off-season boating.

Chairman: Stated that those presently licensed can supply the demand.

Chairman: Suggested a cooperative agreement between federal and state agencies was needed and that a copy of a draft submitted several years back had been copied and was handed out, along with the old agreement. That the policies need reevaluated and input given for formulation of a new agreement.

Frank McElwain: Stated they were interested in working with the Board and feel it will fit with the USFS policy and that Jack Griswold, Boise and Dave Poncin, Grangeville, are currently working up a draft.

Art Seamons: Asked that his Region also be involved.

Andy Fenn, USFS: Added that he would offer Art Seamons' services.

Frank McElwain: Mentioned further that the new final policy should be out the first of the year, and the Cooperative Agreement could be worked up ahead of the Policy.

Dave Poncin: Suggested it would be better to follow the Policy.

Jack Griswold: Stated he wanted to sound out all Idaho forests on their problems to address those issues and wants the Bureau of Land Management also involved.

Chairman: Agreed, they all have mutual concerns.

Wally Meyer: Mentioned that George Weiskircher, Boise Office, BLM would be the representative to contact.

Chairman: Suggested that maybe the Idaho Department of Fish and Game should also be involved, on some points.

Dale Baird: Since Ken Norrie left the room, said he would respond, and suggested that Bob Salter could coordinate the Fish and Game's interests.

- Jack Griswold: Suggested that the Cooperative Agreement could be formulated by the Agencies spring meeting.
- Chairman: Asked Frank McElwain why the state licensing board was not included in the River of No Return Wilderness Bill.
- Frank Elder: Responded, that the National Policy will cover the state's interest, that maybe some points should have been included but mostly it was out of the realm of the management plan. He further stated that Fish and Game issues were concerns raised early by the public and no concerns expressed about the state board relationship.
- Chairman: Brought up helicopter skiing (back-country skiing), and that applicants are already selected by the F.S. by their E.A. as the only one to be concerned in the outfitter operation. That the Board does not want to be a "rubber stamp" and that the state should be contacted ahead of a F.S. "cut and dried" decision. That the Board is concerned also for public safety and wants to be involved.
- Jack Griswold: Responded that the concerns are mutual and with the same criteria for applicants, and the Memorandum of Understanding hopefully will address all concerns. He suggested setting a date to formulate a draft.
- Frank McElwain: Said he was not sure when the final National Outfitter Policy would be out but maybe a date set for the middle of January would be one to shoot for.
- Jim Dolan: Suggested the date of the Rules Hearing, but those to meet could not be available.
- Jack Griswold: Suggested the state board representatives, Bill Meiners and Harry Vaughn, and the F.S. representatives would meet January 10, 1984, at the Boise F.S. conference room, which was then agreed to.
- Wally Meyer: Mentioned the State of Oregon letter to all outfitters concerning a 1984 user fee increase, and that the Boise district will be sending a similar letter.
- Frank McElwain: Stated he did not know when the F.S. fee structure is to be implemented.
- LuVerne Grussing: Added he understood there were to be fee increases, but was playing it by ear and will advise his outfitters.
- Frank Elder: Mentioned that the River of No Return Wilderness Plan needed interagency coordination response and one subject was Outfitters and Guides Section, which needed outfitter performance evaluation, permit tenures are probationary or satisfactory, and needed to provide consistency on outfitter management. Suggestions from the state licensing board would be appreciated.

Dave Poncin: Asked about outfitter schools being monitored by the Outfitters and Guides Board. That the guide criteria of qualification and professional image is important.

Chairman: Answered that the Board is concerned, and that misuse of school applicants is suspected in some instances. Also that input would be appreciated by the Board, as it shares the concern.

Rick Colvin, BLM: Questioned what about an outfitter not using his area.

Chairman: Responded that an annual report of use is required and that the Board is looking at the "non-use" as it does not meet the law of service to the public, and input would be appreciated.

Rick Colvin: Asked about availability of use-report.

Chairman: Answered, yes, it is available to all agencies requesting copies.

LuVerne Grussing: Added, but highly inaccurate, most times.

Chairman: Expressed appreciation to all those who made the effort in these weather conditions, and could attend the meeting, and called an adjournment at 1530.

A sign-in sheet of those in attendance follows as a part of these minutes.



GLEN R. FOSTER, Chairman

ATTEST:



EDYTHE I. BLELE, Secretary

Sign-in Register

ID Outfits & Guides Board Meeting w/ Agencies
December 6, 1983

Name:	District	Address
Herb Spradlin	West Fork - Bitterroot N.F.	Darb, MT 59029
Dave Poncin	Nezperce NF	Grangeville Idaho
BUTCH HARPER	Sawtooth N.F.	KETCHUM, ID.
J. Malloy	RED RIVER - NEZPERCE	ELK CITY, ID
JERRY DOWBROVSKY	RED RIVER - NEZPERCE	" " "
Craig Cowie	ELK CITY R.D. Nezperce	ELK CITY, ID
DICK HAUFF	SALMON N.F.	SALMON 83467
STEPHEN M. BENTON	TARHEE N.F.	ST. ANTHONY, IDA.
Mose Shrum	Sawtooth National Recreation Area	Sawtooth NF.
Wayne Foltz	Toghee Nat'l. For.	Driggs, ID 83422
FRANK MEEUWAIN	U.S.F.S. REGIONAL OFFICE	OGDEN, UT
FRANK ELDER	Wilderness Planning Team,	Selmon N.F., Selmon, Id.
Ken Ollis	LOWMAN R.D.	LOWMAN ID
Richard Adams	Lowman R.D.	Lowman Id.
JACK GRIBDOLO	BOISE NF	BOISE, ID
Wally Meyer	Boise Dist., BLM	BOISE, ID
Rick Colvin	Salmon Dist, BLM	PO Box 430 Salmon, ID 83467
Bob Boston	Clearwater NF	Oneida, ID 83444
Jemar C. Bates	Clearwater N.F.	Oneida Id 83444
Jim Dolan	R-1 Bwth Missoula	Missoula mt
Dick Bacon	North Fork - Selmon N.F.	North Fork Id.
Clara Pollard	Idaho Dept of Fish & Game	P.O. Box 25 Boise 83707
Stam Kiser	Hells Canyon NRA - U.S. Forest Service	3620-B S. River AV. Lewiston
Arthur Seamans	Hells Canyon N.R.A. - U.S.F.S.	3620B, Snake River Cor. Lewiston Id. 83507
Earl Kimball	Krassol R.D. Payette NF	Box 1026 McCall Id 83638
Andy Finn	Payette N.F.	Box 1026 McCall, Id 83638
Ken Norrie	IDFG	Box 25 Boise 83709
Jim Keating	IDFG	Box 25 Boise 83707
DAVID Payne	Krassol R.D., Payette N.F.	McCall, ID 83638
CLEM POPE	BIG CREEK R.D., PAYETTE N.F.	McCall, ID 83638
Jim ARP	PAYETTE N.F. PER.	MCCALL ID.

Ted L. Anderson	Middle Fork District	Challis Id
Shari Johnson	" "	" "
Peggy Fox	" "	" "
Julienne Grussing	BLM	Cottonwood, Id.
Larry P. Wilson	BLM	Cottonwood, Id.
Bill James	USFS, SPUR	Stanley, Id.
Bob Martin	USFS	North Fork, Idaho
Dale Baird	Fish + Game	Boise, Id.
Don McPherson	Of & Eng.	Kaoshia
Jerry Malott	Western River Guides Assoc.	Denver
Bob Abbott	Nezperce N.F.	Slate Creek, Idaho
Earl Dodds	Big Cr. Poyette NF	McCall, ID
JACK LAVIN	Boise U.F.	Boise

-- plus IDAHO OUTFITTERS AND GUIDES BOARD MEMBERS:

GLEN R. FOSTER	Chairman	RIGBY, IDAHO
ROBERT L. SALTER	Vice-Chairman	MERIDIAN, IDAHO
WILLIAM R. MEINERS	Member	MERIDIAN, IDAHO
SCOTT FARR	Member	CHALLIS, IDAHO
HARRY W. VAUGHN	Member	MOSCOW, IDAHO