

MINUTES

IDAHO OUTFITTERS AND GUIDES BOARD

November 30-December 6, 1985
Boardroom - Boise, Idaho

A regular meeting of the Idaho Outfitters and Guides Board convened on Saturday, November 30, 1985, at 1030 hours with all members in attendance.

Board Minutes: MSC (Meiners--Vaughn) THAT THE MINUTES OF THE NOVEMBER 6-8, 1985, BOARD MEETING BE APPROVED AS AMENDED.

Linda Elwood: The Chairman reviewed the personnel action which had been taken on the evaluation of Mrs. Elwood and the Board concurred with this action.

Olin Gardner: The Board reviewed the application of Mr. Gardner to have cross-country skiing added as a qualified guide activity to his outfitter license and reviewed the recommendation from the committee on skiing received November 22, 1985, following which MSC (Salter--Farr) THAT THE AMENDMENT BE ISSUED TO OLIN GARDNER TO QUALIFY HIM TO GUIDE FOR CROSS-COUNTRY SKIING AS AN APPRENTICE WITH THE CLAUSE IN RULE 37.c. WRITTEN ON HIS LICENSE THAT SAYS HE IS NOT QUALIFIED TO GUIDE ALONE BUT CAN ASSIST IN GUIDING DAY TRIPS UNDER THE DIRECT SUPERVISION OF A LEAD GUIDE AND/OR GUIDE OR CAN ASSIST ON OVERNIGHT TRIPS UNDER THE DIRECT SUPERVISION OF A LEAD GUIDE ONLY.

Roy and Carol Ann Wagner: The Board reviewed the guide license applications of the Wagners and the recommendations of the skiing committee, following which MSC (Meiners--Salter) THAT THE APPLICATIONS BE APPROVED FOR "GUIDE" STATUS ONLY ACCORDING TO RULES 37.b. AND 39 AND IN ACCORDANCE WITH THE RECOMMENDATIONS OF THE COMMITTEE.

David Markham: The Board reviewed the skiing committee recommendations on Mr. Markham's requested amendment and reviewed his letter of November 22, 1985, to the Board regarding same. It was determined that the Board would issue the amendment to add the Hot Springs Ranch area to his cross-country skiing area of operation but would not, at this time, approve his qualifications to guide for technical mountaineering/rock climbing. This conforms with his request to submit additional qualifications and be considered for the latter activities at the beginning of the 1986-1987 license year.

The meeting recessed at 1230 hours and the Board reconvened at the Fish and Game Conference Room at 1500 hours for the purpose of conducting a public hearing on the proposed rules.

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All members of the Board reconvened at 0830 hours on Sunday, December 1, 1985, in the Boardroom to consider matters of Board business.

IOGA Meetings: The Board reviewed the schedule for the coming week's activities with the Idaho Outfitters and Guides Association and reviewed the agenda for the Inter-Agency Meeting scheduled for Tuesday morning with the Agency people.

Mike Daly: The Board reviewed Mr. Daly's request for an amendment to his license to add backpacking in order to conduct a survival school. It was concluded that he would be required to meet with the Board before the Board would make a decision on his request. Specifically, the Board needs more detail in connection with the operation of the school, qualifications of instructors, numbers of students, and proposed field operations in order to make a decision.

Bogus Basin: With reference to Bogus Basin's cross-country ski school, MSC (Meiners--Farr) THAT THE BOARD HAVE AN ENFORCEMENT PERSON CONTACT THE LODGE AND TALK WITH MR. ERIC STEIGEMEIER TO ASCERTAIN THE SCOPE OF HIS OPERATION AND REPORT BACK SO THAT THE BOARD MAY TAKE APPROPRIATE ACTION.

Dennis Fischer: The Board reviewed the November 13, 1985, letter from Mr. Fischer regarding the Quentin Selby area and determined that a response would be issued indicating that the case is still under research, that the final disposition of Mr. Selby's litigation against the Forest Service with regard to use permits would be investigated, and that the matter would be resolved before the beginning of the next license year.

The Board recessed for lunch at 1200 hours and reconvened at 1300 hours.

Randy Hess: The Board reviewed the letter from Mr. Hess received on November 21, 1985, and the list of outdoor skills attached thereto. It was the Board's decision that Mr. Hess be contacted and asked for additional qualifications and training credentials, that the information contained in the resume submitted is inadequate to make a determination on skill level and qualifications. He should also be encouraged to submit letters of recommendation from people he has climbed with or who know of his skills or experience.

Larry Jarrett: The Board reviewed letters of November 20 and 23, 1985, from Mr. Jarrett and determined that a hearing date would be established for the January meeting to consider the appeal of his denial and also to consider the boundary changes which Mr. Jarrett is requesting.

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Joe Tonsmeire: Following a review of the committee's recommendation on the application of Mr. Tonsmeire for ice climbing and backpacking in the Borah Peak area, MSC (Salter--Vaughn) THAT THE REQUEST BE APPROVED WITH THE AREA DESCRIPTION AS ATTACHED (SEE ADDENDUM #1).

Boyd W. Gardner: The Board reviewed the guide license application of Mr. Gardner and his violations of Arizona State Fish and Game laws and violations of the U.S. Fish and Wildlife regulations, following which MSC (Farr--Salter) THAT THE GUIDE LICENSE APPLICATION BE DENIED BASED ON IDAHO CODE 36-2109(c) AND 36-2113(a)(5). SPECIFICALLY, THE VIOLATION OF THE AFOREMENTIONED LAWS ARE IMMORAL AND UNETHICAL.

Garden Valley Outfitters/Dan Rothoff, Managing Agent: MSC (Meiners--Farr) THAT RELATIVE TO GARDEN VALLEY OUTFITTERS' REQUEST TO HAVE DUSTY YOUREN LICENSED TO GUIDE COUGAR AND BEAR HUNTING FOR MR. ROTHOFF, PRIOR TO TAKING FINAL ACTION THAT THE BOARD REQUEST FROM MR. ROTHOFF A PLAN OF OPERATION DETAILING HOW HE PROPOSES TO CONDUCT THESE ACTIVITIES, THE KINDS OF EQUIPMENT, HOUNDS, ETC. THAT HE HAS ON HAND OR INTENDS TO LEASE IN SAID OPERATION. IF EQUIPMENT OR ANIMALS ARE TO BE LEASED, SUCH LEASE AGREEMENTS SHOULD ALSO BE SUBMITTED FOR BOARD REVIEW. ADDITIONALLY, THE OPERATING PLAN SHOULD INCLUDE PROPOSED PROMOTIONAL ACTIVITIES, ADVERTISING BROCHURES, THE MAXIMUM NUMBER OF GUESTS HE INTENDS TO ACCOMMODATE, AND ANTICIPATED HARVEST OF ANIMALS.

The Board recessed at 1700 hours and reconvened at 0830 hours on Monday, December 2, 1985. All Board members were present.

February Board Meeting: The Board set the February meeting as February 4-7, 1986, with the first day being reserved for review of General Board Business only.

Leo Crane: MSC (Salter--Farr) THAT BASED ON THE LETTER OF NOVEMBER 3, 1985, FROM VIRGINIA CRANE OF CLEARWATER OUTFITTERS IN WHICH SHE STATED THAT A REASONABLE OFFER OF SETTLEMENT HAS BEEN MADE TO STEVE JETER, THE BOARD CONSIDER THIS MATTER SATISFACTORILY TERMINATED. (A letter will be written to the Crane's expressing the Board's thanks for making an effort to resolve this matter in a professional manner.)

Mike Bishop: From the complaint file, the Board reviewed a letter from Michael B. Sweet, Attorney for Mr. Bishop, and determined that a letter of response would be written to attempt to answer Mr. Sweet's questions.

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Northwest River Expeditions: Regarding the letter received from Henrietta Nelson concerning Northwest River Expeditions, the Board determined to write Northwest River Expeditions and ask for an explanation of how this matter was handled.

The Board recessed at 1115 hours for lunch and for the three (3) outfitter members to attend the Idaho Outfitters and Guides Association Convention at the Holiday Inn. Meetings were held sporadically at the Holiday Inn for the next two (2) days. Appearing before the Board during this time were the following:

Carl Hagaman/Robert Stewart: The Board interviewed Mr. Hagaman and the proposed buyer of his outfitter operation, Mr. Stewart of Montana. It was the Board's decision following the interview that the buyer would submit appropriate papers in December to be analyzed by the Board during its January meeting. Mr. Stewart will request to be licensed for the balance of the 1985-1986 license year and then be relicensed beginning April 1, 1986, for a 1986-1987 license.

Tim Craig/Al Jones: The Board met with Messrs. Craig and Jones, Managing Agents for Boulder Creek Outfitters, Inc., concerning a request by Mr. Craig to be licensed for additional activities and area. Also discussed with Mr. Craig were complaints to the Idaho Department of Fish and Game regarding the handling of license and tag monies paid to Larry Walker, former owner of a part of Mr. Craig's business, and a telephone complaint the Board had received against Mr. Craig's operation.

Don Wilson: The Board met with Mr. Wilson regarding a complaint against his outfitter operation.

The Board reconvened at 0830 hours on Thursday, December 5, 1985, with all members in attendance.

Don Wilson: MSC (Salter--Farr) AS A FOLLOW-UP TO THE COMPLAINT ON HUNTERS IN DON WILSON'S CAMP LAST FALL, THAT LETTERS OF INQUIRY BE WRITTEN TO "TUCK" (THOMAS C. RUSSELL), THE GUIDE, AND TO THE HUNTER FROM GEORGIA (MR. ROY DOPPELHEUER) ASKING FOR THEIR ANALYSIS OF THE CONDITIONS IN THE CAMP WHICH LED TO THE EARLY CURTAILMENT OF THE HUNT BY THE COMPLAINING HUNTERS.

Clifford Cummings/Indian Creek Guest Ranch: MSC (Salter--Farr) THAT THE PROPOSED BOUNDARY ADJUSTMENTS AS AGREED UPON BY MR. CUMMINGS AND JACK BRIGGS BE TENTATIVELY APPROVED, PROVIDING THAT THE NEW DESCRIPTIONS BE PASSED BY THE FOREST SERVICE AND THE PARTIES INVOLVED AND IF THEY HAVE NO OBJECTIONS THAT IT BE MADE FINAL.

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Larry Cross: MSC (Salter--Farr) BASED UPON THE COMPLAINT LETTER RECEIVED RELATIVE TO MR. CROSS' OPERATION IN THE MUZZLE-LOADING SEASON NEAR GRACE, THAT A LETTER BE WRITTEN TO HIM ADVISING HIM OF THE COMPLAINT, PRIMARILY THAT OF DUMPING OUTFITTED HUNTERS IN AN AREA THAT IS HEAVILY USED BY THE GENERAL PUBLIC, AND ADVISING HIM OF THE POTENTIAL FRICTION THAT ARISES FROM THIS PRACTICE, AND ASKING THAT HE TAKE WHATEVER MEASURES ARE NECESSARY AND POSSIBLE TO RELIEVE THIS SITUATION IN THE FUTURE. COPIES OF THE BOARD'S LETTER SHOULD BE SENT TO THE COMPLAINT AND TO APPROPRIATE ENFORCEMENT PERSONNEL.

Ernest Duckworth: The Board reviewed with its attorney the Duckworth situation and concluded that Steve Addington would write a letter to Mr. Duckworth indicating the Board's current position. Accordingly, a letter was prepared and approved by the Board to be submitted to Mr. Duckworth.

Forrest Wilson: The Board reviewed with its attorney the Internal Revenue Service's letter to the Board indicating that it had seized the license privileges of Mr. Wilson. The Board directed its attorney to draft a response to the I.R.S. indicating the Board's position on this matter.

Mike Bishop: The Board also asked its attorney to respond to the attorney for Mr. Bishop with regard to the complaints against Mr. Bishop so that preparation could be made by Mr. Bishop and his counsel for the hearing before the Board in January.

Ed McCallum: MSC (Vaughn--Meiners) THAT THE BOARD MAKE AN APPOINTMENT FOR MR. McCALLUM TO APPEAR TO ANSWER TO THE LETTER OF COMPLAINT FROM SUNNY ARNOLD OF LUBBOCK, TEXAS, DATED NOVEMBER 18, 1985.

Hughes/Bechtal/Stellings: MSC (Meiners--Salter) THAT THE APPLICATION OF TRANSFER OF BUSINESS BETWEEN MESSRS. HUGHES, BECHTAL, AND STELLINGS BE APPROVED SUBJECT TO SATISFACTORY COMPLETION OF THE APPLICATION PROCESS.

Scott Farr/Stan Potts: MSC (Salter--Meiners; Farr abstained; Salter--"No") THAT THE AGREEMENT BETWEEN MESSRS. FARR AND POTTS REGARDING JOINT-USE OF AN AREA CONTIGUOUS TO THEIR EXISTING BOUNDARIES BE PLACED ON MR. FARR'S LICENSE AND THAT STAN POTTS BE SENT A LETTER NOTIFYING HIM THAT THE BOARD DISAPPROVES HIS REQUEST TO NEGATE THAT AGREEMENT.

Scott Farr/Con Hourihan: MSC (Vaughn--Meiners; Farr abstained) THAT THE AGREEMENT BETWEEN MESSRS. FARR AND HOURIHAN BE ADDED TO MR. FARR'S LICENSE AS IT HAS BEEN ADDED TO MR. HOURIHAN'S.

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Robin Brown: MSC (Meiners--Farr) THAT MR. BROWN'S APPLICATION FOR DOG SLED RIDES IN THE SUN VALLEY AREA BE APPROVED ON A CONTINGENCY BASIS, THE CONTINGENCY BEING: APPROVAL BY THE SNRA OF HIS ACTIVITIES AND THE ROUTES INVOLVED IN HIS ACTIVITIES; THE COMPLETION OF HIS APPLICATION; AND THAT THE BOARD CONTACT BOB JONAS RELATIVE TO THE DESIRABILITY OF HAVING AN ADDITIONAL OUTFITTER IN THE AREA FOR THE SAME ACTIVITY. FURTHER, IF THE BOARD AND U.S. FOREST SERVICE CAN FIND AN AREA OF OPERATION WHICH DOES NOT OVERLAP OR INTERFERE WITH THE OPERATION OF MR. JONAS, THAT THE LICENSE BE APPROVED.

The Board recessed at 1700 hours and reconvened at 0800 hours on Friday, December 6, 1985. Mr. Meiners was not in attendance during the afternoon session.

Dave Stucker/Homer Joseph: The Board met with Messrs. Stucker and Joseph regarding the sale of Mr. Joseph's operation to a former hunting client of Mr. Stucker's by the name of Robert C. Senter, Sr. Mr. Stucker will manage the operation if approved by the Board. Documents will be submitted by the parties for Board consideration.

Ted Epley/James Thrash: The Board interviewed Messrs. Epley and Thrash regarding the disposition of the Hershel Coulter area. Revised plans of operation will be submitted to address the relicensing of those portions of the area determined by the Board to be relicensable as noted in the Board's letter of November 15, 1985.

Larry Walker: MSC (Salter--Farr) THAT THE CHAIRMAN BE REQUESTED TO WRITE KEITH ALLEN, ROUTE 3, HILLSBORO, NORTH CAROLINA 27278 AND INQUIRE ABOUT THE ALLEGED DISCREPANCY BETWEEN THE MONIES THAT HE, RAY KING, AND BRENT MALLOT SENT TO MR. WALKER RELATIVE TO THE 1985 BIG GAME HUNTING SEASON.

Tim Craig: MSC (Salter--Farr) THAT MR. CRAIG'S LICENSE BE AMENDED TO ALLOW ELK HUNTING IN THAT PORTION OF HIS AREA WHICH LIES IN FISH AND GAME UNIT 13 NORTH OF THE PITTSBURG LANDING ROAD.

Randy Berry/Chris Nelson/John Wilbrecht/John Lewis: The Board received a call from its attorney, Steve Addington, following which the essence of the call was discussed with the Board. MSC (Farr--Salter) THAT THE BOARD INSTRUCT ITS ATTORNEY TO RESEARCH THE LEGAL PROCEDURES FOR CITING MESSRS. BERRY, NELSON, WILBRECHT, AND LEWIS FOR VIOLATION OF THE OUTFITTERS AND GUIDES ACT ON CIVIL GROUNDS; THAT IF AFTER SUCH RESEARCH THE ATTORNEY FEELS THERE IS MERIT TO THE CASE, THAT HE BE INSTRUCTED TO PREPARE APPROPRIATE DOCUMENTS FOR BOARD REVIEW AT THE JANUARY MEETING.

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Michael B. Best: MSC (Salter--Vaughn) THAT MR. BEST'S LETTER OF WITHDRAWAL OF APPLICATION DATED DECEMBER 4, 1985, BE ACCEPTED.

Tim Craig: The Board reviewed the balance of Mr. Craig's request for big game hunting activities, ie: bear, cougar, deer, and elk, in all of the area to which he is licensed along the Salmon River and the addition of the Flynn Creek drainage with the above activities and determined that letters would be sent to the Idaho Department of Fish and Game Department requesting input on the additional activities and area.

Policy Re: Outfitters Licensed on Both Sides of a Stream: MSC (Salter--Meiners) THAT IT BE BOARD POLICY WHEN A LICENSED OUTFITTER HAS ACTIVITIES ON BOTH SIDES OF A STREAM THAT HE BE ALLOWED TO USE A BOAT, RAFT, OR OTHER CRAFT TO CROSS SAID STREAM IN AS DIRECT A LINE AS POSSIBLE WHEREIN SUCH CROSSING IS PARAMOUNT TO HIS UTILIZATION OF THE LICENSED ACTIVITIES HE HAS ON EITHER BANK. AFFECTED OUTFITTERS SHOULD CONTACT THE BOARD FOR APPROVAL OF THIS MEANS OF TRANSPORTATION AND, IF ALLOWED, IT SHOULD BE PUT ON THEIR LICENSE.

The Board meeting adjourned at 1600 hours.



GLEN R. FOSTER, Chairman of the Board

ATTEST:



LINDA L. ELWOOD, Administrative Secretary

ADDENDUM #1 (DECEMBER 1, 1985, MINUTES - page two)

WILDERNESS RIVER OUTFITTERS

AREA FOR ICE CLIMBING AND BACKPACKING

Beginning at the trailhead on Mahogany Creek (Forest Service Road 118 - Sec. 16, T10N, R23E); thence up Mahogany Creek and over the pass into Rock Creek Basin and the north face of Borah Peak and return.

The above area includes public lands in the Mahogany Creek and Rock Creek drainages inclusive of the following:

Sections 24, 25, 35, and 36, Township 10 North, Range 22 East
Sections 1 and 2, Township 9 North, Range 22 East
Sections 16, 17, 18, 19, 20, 21, 30, and 31, Township 10 North,
Range 23 East

[Challis National Forest Map - East Half - 1965]