

MINUTES
IDAHO OUTFITTERS AND GUIDES BOARD

November 28-December 5, 1986
Boardroom - Boise, Idaho

A regular meeting of the Idaho Outfitters and Guides Board convened at 0830 hours on Friday, November 28, 1986, with all members present.

Eagle Productions/Kerwin Communications: The Board reviewed a letter from Georgia S. Smith of the Department of Commerce concerning a request for a declaratory judgment relative to the proposed filming of goose hunting activities in the Lake Lowell area to further the tourism business in Idaho. Following this review and the pertinent factors outlined as to how the proposed filming is to be conducted, MSC (Vaughn--Baird) THAT THE DECLARATORY JUDGMENT BE MADE TO PERMIT THIS ACTIVITY TO OCCUR ON A ONE-TIME BASIS ONLY AND CONDUCTED IN A MANNER AS OUTLINED IN THE LETTER RECEIVED FROM THE DEPARTMENT OF COMMERCE DATED NOVEMBER 28, 1986. FURTHER, THAT A LETTER BE ADDRESSED TO GEORGIA S. SMITH OF THE DEPARTMENT OF COMMERCE TO ADVISE HER OF THE BOARD'S ACTION ON THIS MATTER AS CONFIRMATION OF THE TELEPHONE MESSAGE OUTLINING BOARD APPROVAL.

Martin Capps: The Board reviewed Mr. Capps' petition for an amendment to Rule 57 to go to rulesmaking relative to licensed fishing activities on the Salmon River from Iron Creek to North Fork. Following a discussion of this petition, MSC (Miller--Baird) THAT THE BOARD ACCEPT THE PETITION AND GO TO RULESMAKING TO INCREASE THE NUMBER OF LICENSED FLOAT BOAT OPERATORS ON THE SALMON RIVER FROM IRON CREEK TO NORTH FORK, AND FURTHER THAT SUCH INCREASE SHALL BE LIMITED TO NO MORE THAN 2 LICENSED FLOAT BOAT OPERATORS FOR FISHING ACTIVITIES.

Hells Canyon Adventures/Gary Armacost, Managing Agent: The Board reviewed Mr. Armacost's letter of October 28, 1986, relative to alleged illegal outfitting in his area together with his request to amend his license to add various hunting activities. Following a discussion of this matter, MSC (Miller--Farr) THAT A LETTER BE ADDRESSED TO MR. ARMACOST TO ADVISE HIM THAT THE BOARD APPRECIATES HIS DRAWING THE ILLEGAL OUTFITTING ACTIVITIES TO ITS ATTENTION. FURTHER, THAT HE BE ADVISED THAT HE SHOULD SUBMIT AN OPERATING PLAN ADDRESSING HIS AMENDED REQUEST TO ADD VARIOUS HUNTING ACTIVITIES IN FISH AND GAME MANAGEMENT UNITS 18 AND 22. AND, FURTHER, THAT THE BOARD WILL INITIATE APPROPRIATE RESEARCH AS TO WHETHER SUCH ACTIVITIES CAN BE LICENSED IN THESE AREAS.

River Adventures, Ltd./Sam Whitten, Managing Agent: The Board reviewed Mr. Whitten's request for a change in Rule 49 to allow transport of hunters along river corridors. Following a discussion of this matter, MSC (Farr--Baird) THAT MR. WHITTEN'S REQUEST TO GO TO RULESMAKING BE DENIED UNDER AUTHORITY OF IDAHO CODE 36-2107(b)&(d) AND 36-2109(b)(5).

The Board recessed for lunch at 1215 hours and reconvened at 1330 hours.

B-Bar-C Outfitters, Inc.: The Board reviewed B-Bar-C Outfitters, Inc.'s file relative to the resignation of Robert Dennis as its Managing Agent. It further noted the fact that B-Bar-C has not seen fit to-date to re-employ a Managing Agent. The Board also took note of Dorothy Hunter's letter of August 21, 1986, regarding this matter and following a discussion of these facts, MSC (Miller--Farr) THAT A LETTER BE SENT TO B-BAR-C OUTFITTERS, INC. NOTING THAT THE BOARD HAS AGAIN REVIEWED THIS MATTER AND ASKING THEIR IMMEDIATE ATTENTION TO THE FACT THAT A MANAGING AGENT IS NECESSARY TO VALIDATE THEIR LICENSE PURSUANT TO IDAHO 36-2113(11) AND BOARD RULES AND REGULATIONS NO. 17 AND FURTHER REQUEST THAT THEY NOTIFY THE BOARD WITHIN 30 DAYS OF THEIR DECISION REGARDING THE EMPLOYMENT OF A MANAGING AGENT. FURTHER, THAT THEY BE ADVISED THAT FAILURE TO DO SO COULD RESULT IN THE BOARD'S INITIATING A SHOW CAUSE HEARING AS TO WHY THEIR LICENSE SHOULD NOT BE SUSPENDED OR REVOKED.

Jerry Phippen: The Board noted that Mr. Phippen did not show for his interview before the Board at the appointed time of 1330 hours. Consequently, it is the Board's position that no further action be taken on his outfitter license application.

Randy Hess dba White Otter Outdoor Adventures: The Board reviewed Mr. Hess' file and requested amendment to be allowed float boating activities on the Snake River-Murtaugh Section [SN2]. Following an interview with Mr. Hess regarding this request, MSC (Farr--Miller) THAT THE AMENDMENT BE APPROVED UPON COMPLETION OF THE APPLICATION. FURTHER, THAT A LETTER BE ADDRESSED TO MR. HESS REGARDING HIS REQUESTED VARIANCE TO RULE 53, THAT UPON SUBMISSION OF A LETTER OUTLINING THE SPECIFICS (WHEN, WHERE, BOAT/GUIDE RATIO, ETC.) REGARDING THIS REQUESTED VARIANCE, THE BOARD WOULD TAKE APPROPRIATE ACTION AT THAT POINT IN TIME.

James McManus: The Board interviewed Mr. McManus relative to his application to be licensed as an outfitter in Unit 10 to accommodate the handicapped, elderly and those others unable to participate in a normal outfitting situation, following which MSC (Vaughn--Farr) THAT THE APPLICATION BE HELD IN ABEYANCE PENDING COMPLETION. FURTHER, THE BOARD DIRECTS THAT A LETTER BE WRITTEN MR. McMANUS OUTLINING THE FOLLOWING STEPS AS NECESSARY TO COMPLETE HIS APPLICATION: (1) LAND MANAGING AGENCY (FOREST SERVICE) APPROVAL OF HIS PROPOSED OPERATION AND WILLINGNESS TO ISSUE NECESSARY SPECIAL USE PERMITS AND/OR OTHER CLEARANCE FOR OPERATION ON NATIONAL FOREST LANDS; (2) SUBMISSION OF AN UPDATED OPERATING PLAN TO FURTHER DETAIL THE SPECIFICS OF HOW SAID

OPERATION IS TO BE CONDUCTED AND NUMBER OF CLIENTELE TO BE ACCOMMODATED; AND (3) CONSIDERATION OF INPUT/RECOMMENDATION AS MAY BE MADE BY THE IDAHO DEPARTMENT OF FISH AND GAME CONCERNING THE PROPOSED OPERATION.

The Board recessed at 1715 hours and reconvened on Saturday, November 29, 1986, at 0830 hours with all members present.

IOGA Meeting: The Board reviewed and discussed those materials prepared for presentation at the upcoming IOGA meeting on December 3, 1986. Following this review and discussion, the materials were approved for presentation.

Proposed Marina-Palisades Reservoir: The Board reviewed the letter received from Ronald D. Dickemore, District Ranger of the Targhee National Forest regarding the establishment of a marina on Palisades Reservoir and directed that Mr. Dickemore be advised that the Board appreciates his letter and request for input, but that it is not knowledgeable as to the public need for this facility and, therefore, suggest that the Forest Service contact Glen Foster, former Board member who is familiar with the area, for his consideration and, perhaps, response.

Various Forest Service Proposals: The Board directed that the Chairman exercise his discretion in responding to those proposals which the Board receives from time to time and which may or may not affect the outfitting industry.

Lazy J Outfitters, Inc./Larry Jarrett, Managing Agent: The Board reviewed Mr. Jarrett's letter and contribution of \$150.00 to be utilized in the law enforcement effort. Following a discussion of this matter, the Board directs that a letter be written to Mr. Jarrett thanking him for his interest and support to enhance and fund a greater enforcement effort. However, at this point in time, the Board does not have the authority to be able to accommodate such a fund and directs that his money be refunded.

Bail Bond Schedule: The Board reviewed the Legislative Office of the Courts' letter regarding the Supreme Court Bond Schedule, following which it was the Board's decision to not seek any change in the current schedule.

Executive Order 85-6: The Board reviewed the letter written by the Chairman to Mr. Pena of the Interagency EO/AA Committee stating the Board's position in this regard, following which MSC (Farr--Miller) THAT THE POSITION AS STATED IN THE NOVEMBER 6, 1986, LETTER BECOMES AND IS THE OFFICIAL BOARD POLICY IN THIS REGARD.

Shooting Preserves: The Board discussed the applicability of the Outfitters and Guides Act to licensing shooting preserves and in reference to the discussion with the Board's attorney, it was the Board's position that they would await further direction from its attorney and his research on the matter before taking any further action.

James Brauburger/W. Kurt McWilliams: The Board reviewed the status of Messrs. Brauburger and McWilliams acting in the capacity of Managing Agents for Philip Krueger dba Ramshorn Guest Ranch. Following a discussion of this matter, it was the Board's position that there does not appear to be anything in error relative to the function of Messrs. Brauburger and McWilliams in carrying forth the business of the Ramshorn Guest Ranch.

Donald N. Pearsons: The Board reviewed Mr. Pearsons' application to be licensed for backcountry alpine skiing and cross-country skiing in reference to the Ski Committee's recommendations regarding Mr. Pearsons' qualifications to conduct such activities, following which MSC (Baird--Farr) THAT MR. PEARSONS' APPLICATION TO BE LICENSED FOR BACKCOUNTRY ALPINE SKIING AND CROSS-COUNTRY SKIING BE DENIED. SAID DENIAL IS BASED ON IDAHO CODE 36-2109(b)(2) AND IN NOT MEETING THE NECESSARY QUALIFICATIONS AS OUTLINED IN RULES 32(b)(i) AND 42.

The Board recessed for lunch at 1210 hours and reconvened at 1310 hours.

Sleeping Deer Ranch: Mike Thomas and Scott Barry appeared before the Board to discuss the proposed sale of the Sleeping Deer Ranch from Mr. Thomas to Mr. Barry. Following this interview and in consideration of the transfer of the outfitting business, MSC (Farr--Vaughn) THAT THE BOARD APPROVE THE TRANSFER UPON COMPLETION OF THE APPLICATION.

William B. Cordozo: The Board reviewed Mr. Cordozo's guide license application for cross-country skiing and the recommendations of the Ski Committee, following which MSC (Miller--Vaughn) THAT THIS GUIDE LICENSE APPLICATION BE APPROVED.

Quaker Hill Conference/Mike Crevelt, Managing Agent: The Board reviewed Mr. Crevelt's amendment request for ice climbing on Borah Peak and the letter addressed to Mr. Crevelt from the Challis National Forest regarding his submission of additional information before issue of their Special Use Permit. Finding that no further action has been taken by Mr. Crevelt to perfect this application, the Board directs that this amendment request be tabled until such time as further information is received to complete the amendment request.

Sawtooth Sleighs, Inc./Jeff Bitton, Managing Agent: The Board reviewed Mr. Bitton's request for transfer and sale of business to R. J. Lewy, following which MSC (Farr--Baird) THAT THIS TRANSFER BE APPROVED.

Garden Valley Outfitters/Dan Rotthoff, Managing Agent: Earl Maggard met with the Board regarding alleged falsification of Red Cross cards. He was advised that he would need to submit his information to the Board in written form to enable the Board to initiate any action. Upon completion of the interview, MSC (Farr--Baird) THAT UPON RECEIPT OF A COMPLAINT AND ASSOCIATED MATERIALS FROM MR. MAGGARD, THAT THE BOARD SEND THE COMPLAINT AND MATERIALS TO ITS ATTORNEY FOR HIS REVIEW AND RECOMMENDATION AND THAT, IF THE ATTORNEY FINDS THE DATA OF SUFFICIENT MAGNITUDE TO JUSTIFY TAKING ACTION AGAINST MR. ROTTHOFF, ACTION BE TAKEN TO INITIATE A SHOW CAUSE HEARING FOR THE SUSPENSION OF MR. ROTTHOFF'S LICENSE FOR FALSIFICATION OF INFORMATION AND FOR OTHER ALLEGED VIOLATIONS OF LAWS OF THE DEPARTMENT OF FISH AND GAME AND IDAHO OUTFITTERS AND GUIDES ACT/RULES AND REGULATIONS.

Michael S. Leep: The Board reviewed Mr. Leep's application to be licensed as an outfitter for the hunting of elk, deer, bear, and predators in portions of Fish and Game Management Units 31 and 32 and for river operations on the Snake River [SN5 & SN6]. It was noted that he has not responded to the Board by submission of an amended application as was discussed and agreed to in Mr. Leep's interview with the Board on August 20, 1986. Additionally, the Board noted Idaho Department of Fish and Game response and recommendation that Mr. Leep not be licensed for requested activities in Fish and Game Management Units 31 and 32 due to accessibility, wildlife population distribution, and habitat consideration, following which MSC (Farr--Vaughn) THAT MR. LEEP'S LICENSE APPLICATION BE TABLED UNTIL OR UNLESS MR. LEEP SUBMITS AN AMENDED PLAN OR OTHERWISE INITIATES FURTHER ACTION REQUIRING BOARD ACTION.

Philip K. Revell: The Board reviewed Mr. Revell's amendment request for additional area for all currently licensed activities, following which MSC (Baird--Vaughn) THAT MR. REVELL'S REQUEST BE DENIED IN ACCORDANCE WITH IDAHO CODE 36-2109(b)(5) AND BOARD RULE 19.f. SINCE THE AREA REQUESTED IS ALREADY LICENSED TO MARRINER JENSEN FOR SIMILAR ACTIVITIES.

Robert Hill: The Board reviewed Mr. Hill's guide license application and subsequent action taken by the Chairman in response to a request for immediate action to process said application. It was demonstrated that Mr. Hill's application did not bear the signature of a licensed outfitter, following which

MSC (Baird--Miller) THAT THE BOARD AFFIRM THE CHAIRMAN'S ACTION IN DENIAL OF MR. HILL'S GUIDE LICENSE APPLICATION DUE TO THE FACT SAID APPLICATION DID NOT BEAR THE SIGNATURE OF A LICENSED OUTFITTER AS THE EMPLOYING OUTFITTER.

Jeralyn Hill: The Board reviewed Mrs. Hill's outfitter license application for big game hunting, recreational, and boating activities in the area(s) licensed to A. W. Angell. Further, it was noted that Mr. Angell has taken legal action against the Board for revocation of licensed activities under Rule 22 (Nonuse), that no decision has been made regarding same, and therefore, no action can be taken to allocate licensed activities to another applicant until such time as the litigation is resolved and appropriate court decision rendered, following which MSC (Vaughn--Farr) THAT MRS. HILL'S APPLICATION BE DENIED IN ACCORDANCE WITH IDAHO CODE 36-2109(b)(5) AND BOARD RULE 19.F. FURTHER, THAT MRS. HILL BE ADVISED THAT SHE WILL BE PLACED ON THE CONSIDERATION LIST FOR LICENSING AT SUCH TIME AS THE AREA REQUESTED MAY BECOME AVAILABLE THROUGH NONUSE.

D-Double-S Outfitters, Inc./Donald Dressen, Managing Agent: The Board reviewed the amendment request to add moose hunting and float boating activities on Kelly and Cayuse Creeks, following which MSC (Baird--Vaughn) THAT THE AMENDMENT TO ADD MOOSE HUNTING BE APPROVED UPON SUBMISSION OF THE NECESSARY AMENDMENT FEE AND THAT THE REQUEST FOR FLOAT BOATING ON KELLY AND CAYUSE CREEKS BE DENIED IN THAT THESE CREEKS ARE NOT AVAILABLE FOR COMMERCIAL FLOATING ACTIVITIES AS PRESCRIBED IN BOARD RULE 57.

The Board recessed at 1700 hours and reconvened on Sunday, November 30, 1986, at 0830 hours with all members present.

Main Salmon User Group & Managing Agency Meeting: The Board reviewed the meeting held in Riggins, Idaho, in November 1986 at which Dale Baird represented the Board. His report stated that some procedures were discussed and outlined with no decisions made and recommended that the Board keep abreast of this situation as to how it may or may not affect future commercial operations on the river. The minutes of that meeting will be made a part of the official record [see Addendum 1].

Victor Frederickson dba Kootenai River Outfitters: The Board reviewed Mr. Frederickson's letter concerning his new area boundary description. It is the Board's position that it should be modified to include that area to which he was originally licensed.

September Board Minutes: Following a review of these Minutes, MSC (Miller--Farr) THAT THE SEPTEMBER MINUTES BE APPROVED AS CORRECTED.

Proposed Rules Package: The Board reviewed the proposed rules package including the amendments to definitions, Rule 30, and Rule 57. It was the Board's decision to delay taking any action in amending Rule 33 at this time but to initiate effort in definition of guide qualifications relative to hunting and summer recreational activities. Such definition draft to be available for review and presentation at the next Board meeting and at the April Association meeting. MSC (Baird--Vaughn) THAT THE PROPOSED RULES PACKAGE BE ADOPTED FOR SUBMISSION TO PUBLIC HEARING IN ACCORDANCE WITH THE CRITERIA AS HAS BEEN IDENTIFIED IN THE RULES PACKAGE WITH A RULES HEARING SCHEDULED FOR THURSDAY, FEBRUARY 12, 1987, FROM 1500 TO 1700 HOURS, IN THE BOARD'S OFFICE. [In the event that Rule 57 is adopted as amended, it is the Board's position that the new river segment, Salmon River-Slate Creek to the First Highway Bridge above Challis, should become SA2 and that Salmon River-First Highway Bridge to Iron Creek currently designated as SA2 shall become SA3.]

Complaint Files: Following a review of these files, the Board directed the Chairman to take appropriate action in attempting a resolution of said complaints.

The Board recessed for lunch at 1220 hours and reconvened at 1330 hours.

Discovery River Expeditions, Inc./Bill Terry, Managing Agent/John & Dan Cook: The Board reviewed Mr. Terry's proposed sale and transfer of business to John & Dan Cook of Riggins, Idaho. Following an interview before the Board at which Messrs. Cook as well as Bill Terry discussed this proposed sale of business, MSC (Miller--Baird) THAT THE BOARD APPROVE THE TRANSFER OF BUSINESS UPON COMPLETION OF THE APPLICATION.

Discovery River Expeditions, Inc./Bill Terry, Managing Agent/Canyons, Inc./Les Bechdel, Managing Agent: The Board reviewed Mr. Terry's proposed sale and transfer of the remaining portion of his business on the Payette River-North Fork to Cabarton to Smiths Ferry Bridge [PN2] to Canyons, Inc./Leslie Bechdel, Managing Agent, following which MSC (Farr--Vaughn) THAT THE PROPOSED SALE OF BUSINESS BE APPROVED AND THAT THE AMENDED ACTIVITY BE ADDED TO MR. BECHDEL'S LICENSE UPON COMPLETION OF THE AMENDMENT REQUEST.

Board Policies on Nonuse Status: The following policies are adopted as of this date, November 30, 1986: (1) Middle Fork of the Salmon River from Boundary Creek to Cache Bar - For purposes of licensing and training prospective licensees, the Middle Fork of the Salmon River is divided into 2 sections, MF1 and MF2, as

set forth in Rule 57. For purposes of evaluation of licenses in determining nonuse, the entire river [MF1 and MF2] shall be deemed a single segment. (2) Inasmuch as the hunting of moose, antelope, sheep, and goat are by draw only, said activities are deemed to be outside the scope of the intent of the nonuse rule. (3) Licensed activities which are "incidental" to the primary commercial operation of a particular outfitter are also deemed to be outside the scope of the intent of the nonuse rule. Such activities would include, but not be limited to: the hunting of predators, chukar, and forest grouse; fishing in connection with float or power boating operations [excludes charter boat operators and steelhead outfitters]; recreational activities licensed to outfitters whose primary interest is big game hunting; the hunting of bear and/or cougar when designated as "incidental" on the outfitter's area description.

Salmon River Lodge, Inc./David Giles, Managing Agent: Mr. Giles and Steve Dixon came before the Board regarding the area description boundaries. Following a discussion of this matter with Messrs. Giles and Dixon, it was agreed that they would approach the other individuals involved in the boundary discrepancies to see if it would be possible to work out an agreement acceptable to all parties and get back to the Board with said agreement. Thus, no further action would be taken in this regard until such time as this has been completed.

Boulder Creek Outfitters, Inc./Tim Craig, Managing Agent: Mr. Craig did not appear for his scheduled 3:00 p.m. appointment before the Board. However, he did contact the Board stating he would be unable to keep his appointment to discuss complaints which had been filed against Boulder Creek Outfitters, Inc.; that in response to Board letters concerning said complaints, Mr. Craig submitted a letter and other documentation regarding ongoing attempts at resolution of the problem(s). Following a review of these materials and the file, MSC (Vaughn--Miller) THAT THE BOARD DIRECT THAT A LETTER BE SENT TO THE AGGRIEVED PARTIES STATING THE BOARD HAS RESEARCHED THIS MATTER AND FINDS NO SUBSTANTIVE EVIDENCE TO REQUIRE FURTHER ACTION AND, THUS, CONSIDERS THE MATTER CLOSED.

Ralph Yates: The Board reviewed Mr. Yates' application to be licensed for hunting, fishing, and trailride activities in Fish and Game Management Unit 23 and the responses received from the Idaho Department of Fish and Game, following which (Baird--Vaughn) THAT MR. YATES' APPLICATION BE DENIED BASED ON IDAHO CODE 36-2109 (b)(4) & (b)(5) AND (c), AND FURTHER IN ACCORDANCE WITH THE RECOMMENDATIONS MADE BY THE IDAHO DEPARTMENT OF FISH AND GAME AS EMBODIED IN THE PROPOSED RESTRICTIONS AS WELL AS THE CONSTRAINT AND RESTRICTIONS OUTLINED WITHIN THE DRAFT

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ENVIRONMENTAL ASSESSMENT AS PREPARED BY THE PAYETTE NATIONAL FOREST. FURTHER, IN VIEW OF THESE PROPOSED RESTRICTIONS ON SAID OUTFITTER APPLICANT, IT IS THE BOARD'S POSITION THAT THIS WOULD NOT CONSTITUTE A VIABLE OUTFITTER OPERATION IN VIEW OF CRITERIA SET FORTH IN RULE 19 .

Slate Creek Outfitters/Donald W. Jacobson/William L. Smith: The Board review Messrs. Jacobson's and Smith's request to be licensed to conduct various hunting and summer recreational activities in Unit 6, following which it is the Board's direction to initiate the necessary research with the Idaho Department of Fish and Game and the Forest Service (ie; MOU - Amendment #1 - Coordinating Guidelines) before taking any further action on the application. The Board further directs that a letter be addressed to Messrs. Jacobson and Smith advising them of the Board's action and suggesting that they take no further action to complete their application until they hear further from the Board.

Dalbert Allmon & Ronald Sherer dba Fall Creek Outfitters: The Board reviewed the application of Messrs. Allmon and Sherer to form a partnership dba Fall Creek Outfitters. Following a review of the file and partnership agreement, MSC (Farr--Baird) THAT THE PARTNERSHIP BE APPROVED AS SUBMITTED AND LICENSE ISSUED ASSUMING ALL OTHER MATTERS HAVE BEEN COMPLETED FOR ISSUANCE OF SAME.

The Board recessed at 1730 hours and reconvened at 0830 hours on Monday, December 1, 1986, with all members present.

Jerry Jeppson/Scott Farr dba Wilderness Outfitters: Mr. Jeppson was to appear before the Board relative to the purchase of Mr. Farr's outfitter business in Management Units 20A, 26, and 27. However, due to an emergency which has placed Mr. Jeppson in the hospital, he is unable to attend the Board meeting, but following consideration of the matter regarding the transfer of the business, MSC (Vaughn--Baird; Farr abstained) THAT THE PROPOSED SALE OF BUSINESS AS OUTLINED IN THE APPLICATION AND AS COVERED BY THE CONTRACT OF SALE BE APPROVED PENDING COMPLETION OF THE APPLICATION AND PAYMENT OF FEES. FURTHER, THAT MR. JEPPESSON'S INTERVIEW BE SCHEDULED FOR THE FEBRUARY BOARD MEETING AND THAT HE BE SO NOTIFIED AND REQUESTED TO ATTEND.

High Country Outfitters, Inc./Quentin Selby, Managing Agent: The Board conducted a hearing on the denial of the 1985-1986 outfitter licenses High Country Outfitters, Inc./Quentin Selby, Managing Agent, following which MSC (Baird--Miller) THAT THE BOARD UPHOLD ITS PRIOR DENIAL DECISION AND THAT HIGH COUNTRY OUTFITTERS, INC./QUENTIN SELBY, MANAGING AGENT BE SO NOTIFIED.

Idaho Department of Fish & Game/Tom Reinecker/Neil Johnson: Messrs. Reinecker and Johnson met with the Board to discuss problems/areas of mutual concern regarding bear and cougar hunting activities in Idaho generally and in north Idaho specifically. A brief review was made of the 5-year bear management plan and its criteria for management to enhance and sustain black bear populations. It was agreed much had been done but even more information is required before management is on top of the situation. It was also agreed that Board/Department cooperation and coordination was effective and would continue in that vein.

The Board recessed for lunch at 1245 hours to attend the various meetings at the Holiday Inn in conjunction with the Idaho Outfitters and Guides Association Meeting. The Board reconvened on Tuesday, December 2, 1986, at 0800 hours in the Elkhorn Room of the Holiday Inn for an Inter-Agency Meeting, the minutes of which are attached herewith. At 1340 hours the Board reconvened in its Boardroom with all members present.

Forest Service-MOU-Amendment 1 (Coordinating Guidelines): Following the Inter-Agency Meeting and meeting with Forest Service representatives regarding the MOU-Amendment 1 during which meeting a revised draft of said amendment was given to the Board for its review and evaluation, the Board spent some time in review, discussion, and evaluation of same in preparation for the 12/3/86 meeting with the Forest Service to finalize, if possible, said amendment.

Don Wilson: The Board reviewed Mr. Wilson's request to add a newly licenseable reach of the Selway River from Selway Falls to Lowell [SE2] and the Clearwater River from Lowell to Kooskia [CL1] to his outfitter license. Mr. Wilson has not responded to the Board's request to submit the necessary training forms and amendment fee. However, in consideration of this Board member Harry Vaughn reports that Mr. Wilson experienced a severe illness in late October/early November and, therefore, may not have been in a position to respond. Thus, Mr. Wilson should be contacted one more time to see if this can be properly consummated and an amendment issued.

David M. Friedman: The Board reviewed Mr. Friedman's outfitter license application and noted that he had a Fish and Game violation as well as having reported "No" on Section B of the application form. Following a discussion of this matter, MSC (Miller--Farr) THAT THE LICENSE BE HELD IN ABEYANCE AND DIRECTS THAT A LETTER BE ADDRESSED TO MR. FRIEDMAN REQUESTING HIS APPEARANCE AT THE FEBRUARY BOARD MEETING TO OFFER AN EXPLANATION OF CIRCUMSTANCES SURROUNDING HIS NOT HAVING A VALID FISH AND GAME LICENSE AND FOR FALSIFYING THE ENTRY ON THE OUTFITTERS AND GUIDES APPLICATION.

Mike McCarthy: The Board reviewed Mr. McCarthy's amendment request to add Dworshak Reservoir to his licensed activities. Following a consideration of this matter, MSC (Farr--Baird) THAT THE AMENDMENT BE APPROVED AND LICENSE ISSUED UPON PAYMENT OF APPROPRIATE FEE.

Application Forms & Computer Reports: Following a review of the application forms and various reports not currently generated by the computer, the Administrative Secretary was directed to take appropriate action as may be necessary and agreed to by the Board.

The Board meeting recessed at 1700 hours and reconvened at the Holiday Inn on Wednesday, December 3, 1986, in conjunction with the Idaho Outfitters and Guides Association meeting.

At 0830 hours the Board met with representatives of the Forest Service and minutes for this meeting are attached hereto. At 1030 hours and continuing through the day, the Board presented a report to the Association highlighting and backgrounding Board activities for the past 5 years, FY82 through FY86. This report was made as a background for proposed legislative amendments inclusive of fee increases, proposed rules changes, and other matters relating to Board/outfitting industry business.

The Board reconvened on Thursday, December 4, 1986, in its Boardroom at 0830 hours with all members except Scott Farr present.

Wally Beamer: The Board conducted a show cause hearing regarding the alleged nonuse of various hunting activities as currently licensed to Mr. Beamer. Mr. Beamer demonstrated that he has been utilizing the licensed activities and that it is a matter of misunderstanding in not reporting the use of these activities. He further stated that he will properly report such use in the future, following which MSC (Miller--Baird) THAT THE LICENSED HUNTING ACTIVITIES ARE NOT IN NONUSE AND SHALL REMAIN AS CURRENTLY LICENSED TO MR. BEAMER.

Myrna Beamer: The Board reviewed Mrs. Beamer's request to take action against the licenses of Wild River Outfitters, Inc./Richard Cook, Managing Agent, concerning an apparent non-fulfillment of the sales contract between the parties. This matter was referred to the Board's attorney for response. Following a review of the prepared response, the Board concurs in such response and directs that the letter be sent as the Board's position in this matter, i.e.; that the issue is a civil matter between the parties concerned and until definitive legal action is known and decision made as to ownership, the license remains intact.

Carl R. Zapffe: Mr. Zapffe appeared before the Board which conducted a show cause hearing for alleged nonuse of licensed power boating use on the Salmon River from Vinegar Creek to Hammer Creek [SA7A]. Following this hearing and in consideration of the testimony offered, MSC (Vaughn--Miller) THAT SAID POWER BOAT LICENSING PRIVILEGES BE REMOVED FROM MR. ZAPFFE'S LICENSE INASMUCH AS: (1) MR. ZAPFFE HAS, IN FACT, NOT UTILIZED THIS RIVER REACH IN THE PAST 3 YEARS; (2) THE RIVER REACH [SA7A] DOES NOT SEEM AN IMPORTANT OR INTEGRAL PART OF MR. ZAPFFE'S OVERALL BUSINESS; AND (3) MR. ZAPFFE DID NOT APPEAR TO HAVE A DEFINITE OPERATING PLAN FOR USE OF SAME.

ECHO #1/Richard Linford, Managing Agent: The Board reviewed Mr. Linford's letter dated November 6, 1986, regarding his alleged nonuse of the Middle Fork of the Salmon River from Dagger Falls to Indian Creek [MF1], the Salmon River from Vinegar Creek to Heller Bar on to Lewiston [SA7A & SA8], and on the Snake River from Pittsburg Landing to Lewiston [SN8], following which MSC (Miller--Baird) THAT: (1) THE BOARD ACCEPT MR. LINFORD'S EXPLANATION OF USE/NONUSE ON THESE RIVERS AND THAT BOARD RECORDS BE UPDATED TO REFLECT CURRENT LICENSED OUTFITTERS ON THESE RIVER SEGMENTS AND THE BOARD'S POLICY REGARDING NONUSE ON THE MIDDLE FORK OF THE SALMON RIVER FROM BOUNDARY CREEK TO CACHE BAR; (2) THE ALLEGED NONUSE OF THE MIDDLE FORK SALMON RIVER [MF1 & MF2] IS NOT APLICABLE AS USE HAS BEEN MADE AND DOCUMENTED AND THESE RIVER SEGMENTS SHALL CONTINUE TO BE LICENSED TO ECHO #1; AND (3) THE BOARD TAKE DUE NOTE OF THE POSSIBLE DEFAULT IN SALES CONTRACT BETWEEN MR. LINFORD (EDHO #1) AND MR. KARP FOR BOATING ON SA7A AND SA8, THAT A LETTER BE ADDRESSED TO MR. LINFORD ADVISING HIM THAT IF, IN FACT, THERE IS A DEFAULT IN THE SALES CONTRACT, HE WOULD HAVE REVERSIONARY PRIVILEGES UPON SUBMISSION OF AN APPROPRIATE APPLICATION INCLUSIVE OF AN OPERATING PLAN AND COURT ORDER OR OTHER LEGAL EVIDENCE THAT DEFAULT HAS OCCURRED AND HE (ECHO #1) HAS REPOSSESSED THE BUSINESS.

Robert D. Gregg: The Board reviewed the alleged nonuse of power boating privileges on the Salmon River from Vinegar Creek to Hammer Creek [SA7A] and the letter dated November 14, 1986, by Gary W. Jones, Attorney for Mr. Gregg, requesting a continuance of the show cause hearing until February, following which MSC (Baird--Vaughn) THAT THE BOARD GRANT A CONTINUANCE AS REQUESTED AND THAT A LETTER BE ADDRESSED TO MR. JONES ADVISING HIM THAT THE SHOW CAUSE HEARING BE RE-SCHEDULED FOR THE FEBRUARY BOARD MEETING.

Robert L. Stewart: Mr. Stewart met with the Board to discuss the possibility of being licensed for summer recreational activities within his currently licensed hunting area and also regarding the transportation of individuals for float boating activities during

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early May. The Board directs that a letter be addressed to Mr. Stewart to re-affirm its conversation and instruction to him during this interview; that he needs to file an amendment request covering his proposed summer activities inclusive of an operating plan as to how he would propose to conduct those activities; and further that he should submit a letter regarding his proposed transport of individuals for float boating activities on the Selway River in conjunction with a letter from the Forest Service outlining this activity to request Board review and decision as to whether this should be a licensed activity or declared outside the scope of the Outfitters and Guides Act.

Stephen J. Guinn: Mr. Guinn appeared before the Board in response to the Show Cause Hearing Notice for alleged nonuse in the conduct of fishing, backpacking, and cross-country skiing activities. Following this hearing and in consideration of the matters presented, MSC (Miller--Vaughn) THAT THE LICENSED PRIVILEGES IN QUESTION NOT BE REMOVED FROM MR. GUINN'S LICENSE, THE FINDINGS OF FACT BEING THAT (1) FOR THE MOST PART, THESE ARE INCIDENTAL TO HIS OVERALL OPERATION; AND (2) MR. GUINN OFFERED EVIDENCE THAT HE HAS BEEN PROMOTING AND TRYING TO UTILIZE THESE ACTIVITIES, BUT THAT DUE TO LACK OF INTEREST AT THE PRESENT TIME AND INSURANCE PROBLEMS THAT SUCH USE HAS NOT MATERIALIZED.

Coordinating Guidelines/Amendment #1 to M.O.U.: The Board directs that the record show that following the review of the proposed Coordinating Guidelines with Forest Service representatives during the IOGA meeting and agreement by all parties concerned (see attached minutes), the Board sign off on these proposed Coordinating Guidelines pending review by the Board's attorney. MSC (Miller--Vaughn) THAT THE CHAIRMAN BE AUTHORIZED TO SIGN SAID GUIDELINES UPON RECEIPT OF SAME FROM THE FOREST SERVICE AND CONCURRENCE OF THE BOARD'S ATTORNEY.

Norman H. Guth, Inc.: The Board reviewed the alleged nonuse of float boating on the Middle Fork of the Salmon River-Dagger Falls to Indian Creek [MF1] and for hunting of cougar and chukar. Following a review of the letter submitted by Mr. Guth regarding these activities, MSC (Baird--Miller) THAT THE BOARD ACCEPT MR. GUTH'S EXPLANATION OF THESE MATTERS AND (1) THAT RELATIVE TO THE BOARD POLICY IN CONSIDERATION OF THE ENTIRE MIDDLE FORK RIVER AS BEING ESSENTIAL TO THE NONUSE CONSIDERATION, THIS NONUSE MATTER IS MOOT AND, THEREFORE, DISMISSED; (2) THAT THERE HAS BEEN NO CHUKAR SEASON ALONG THE MIDDLE FORK OF THE SALMON RIVER SINCE 1982 AND, THEREFORE, THIS MATTER IS ALSO MOOT; (3) THAT MR. GUTH HAS INDICATED HIS WILLINGNESS TO FOREGO COUGAR HUNTING AS LICENSED ALONG THE MAIN SALMON RIVER AS EXPRESSED IN HIS LETTER TO THE BOARD AS WELL AS IN CONVERSATION WITH VARIOUS BOARD MEMBERS ON THIS MATTER AT THE IOGA MEETING OF DECEMBER 3, 1986, AND, THEREFORE, THIS ACTIVITY WILL BE REMOVED FROM MR. GUTH'S LICENSE.

The Board recessed for lunch at 1200 hours and reconvened at 1325 hours.

River Challenge, Inc./Gerald P. Kooyers, Managing Agent: Mr. Kooyers called the Board on this date and reported he had just received notification of the show cause hearing and requested a continuance of the hearing until the February Board meeting. Said continuance was granted and he will be rescheduled.

Jerry Hughes River Expeditions: The Board reviewed the alleged nonuse of float boating activities on the Salmon River-Vinegar Creek to Hammer Creek [SA7A] and the letter dated October 29, 1986, in which Mr. Hughes indicates his willingness to relinquish the float boating activities on SA7A. The Board further noted Mr. Hughes' concern to continue to be licensed on the Salmon River-Hammer Creek to the confluence [SA8]. Following this review, MSC (Vaughn--Baird) THAT THE FINDINGS OF FACT BE: (1) THE BOARD ACCEPT THE RELINQUISHMENT OF FLOAT BOATING ACTIVITIES ON THE SALMON RIVER FROM VINEGAR CREEK TO HAMMER CREEK AND THE LICENSE AMENDED ACCORDINGLY; (2) THAT MR. HUGHES BE ASSURED HE IS NOT IN NONUSE STATUS ON THE SALMON RIVER FROM HAMMER CREEK TO THE CONFLUENCE; (3) THAT THE BOARD AFFIRM ITS POSITION AS OUTLINED IN THE BOARD'S LETTER ADDRESSED TO MR. HUGHES DATED OCTOBER 31, 1986.

Kenneth C. Masoner dba Custom River Tours: The Board reviewed the alleged nonuse of float boating activities on the Middle Fork of the Salmon River-Indian Creek to the Confluence [MF2], following which the following findings of fact are established: (1) In regard to Board policy that the entire Middle Fork river reach from Boundary Creek to Cache Bar shall be deemed that river segment for nonuse purposes; thus nonuse on MF2 becomes moot. (2) That Mr. Masoner submitted a letter to the Board received November 25, 1986, in explanation of his use and demonstrated that he has, in fact, booked trips for the entire river reach from Boundary Creek to Cache Bar and thus his nonuse as shown on his use report is a matter of error in reporting such use to the Board. MSC (Miller--Baird) THAT THE NONUSE OF FLOAT BOATING ACTIVITIES BY KENNETH MASONER ON THE MIDDLE FORK OF THE SALMON RIVER FROM BOUNDARY CREEK TO INDIAN CREEK BE DECLARED A MOOT SITUATION AND NOT REMOVED FROM HIS LICENSE.

Archie George: Mr. & Mrs. George met with the Board to discuss an area boundary problem relative to the new area descriptions, following which it was the Board's direction that the George's would contact Mike & Karen Daly of Bugle Point Outfitters to see if they can reconcile the difference that now exists and, if so, that they would get back to the Board with their proposal for further Board action.

Mackay Bar Corporation/Doug Staker, Managing Agent: The Board conducted a show cause hearing on the alleged nonuse of power boating on the Salmon River-Middle Fork to Spring Bar [SA6] and for the hunting of moose, goat, cougar, predators, and forest grouse, and for trailrides and backpacking activities. Following the appearance and testimony of R. V. Hansberger, Ron Eardley, and Doug Staker in which they presented evidence and amended use reports definitely showing use of these areas along with a discussion of other matters, MSC (Vaughn--Miller) THAT THE FINDINGS OF FACT BE: (1) MACKAY BAR HAS DEMONSTRATED POWER BOAT USE ON THE SALMON RIVER-MIDDLE FORK TO SPRING BAR [SA6]; (2) THAT THE HUNTING OF MOOSE AND GOAT ARE BY DRAW AND, THEREBY, NOT AT THE DISCRETION OF MACKAY BAR TO BE ABLE TO TAKE HUNTERS UNLESS SOMEONE WITH A LICENSE TAG REQUESTS THEM TO DO SO; THEREFORE, THIS NONUSE ISSUE IS MOOT; (3) THAT MACKAY BAR DOES AND HAS, IN FACT, A COUGAR HUNTER EMPLOYED TOGETHER WITH NECESSARY HOUNDS TO CONDUCT A HUNT HEADQUARTERED AT THE HETTINGER RANCH AND THAT THEY INTEND TO PURSUE THIS FURTHER INTO THE FUTURE AS WELL AS HAVING OFFERED THAT SERVICE IN THE PAST; (4) PREDATORS AND FOREST GROUSE HUNTING ARE INCIDENTAL ACTIVITIES IN ASSOCIATION WITH OTHER LICENSED ACTIVITIES ON THE RANCH AND THAT NONUSE OF THESE SITUATIONS IS MOOT; (5) TRAILRIDES AND BACKPACKING ACTIVITIES HAVE BEEN CONDUCTED IN ASSOCIATION WITH THEIR LODGE-DAY CLIENTELE AND IN PROVIDING AN INTEGRATED TRAILRIDE/FISHING/POWER OR FLOAT BOATING EXPERIENCE AND THAT THE ZERO USE REPORTED IS AN OVERSIGHT ON THEIR PART RELATIVE TO REPORTING SUCH USE TO THE BOARD. THUS, WITH THESE FACTORS IN MIND, IT IS THE BOARD'S POSITION THAT NO ACTION BE TAKEN AGAINST MACKAY BAR FOR NONUSE OF THE LICENSED ACTIVITIES AS ENUMERATED IN SHOW CAUSE HEARING N-00466 AND THAT THEY SHOULD BE SO NOTIFIED. [Mr. Staker also reviewed a concern relative to the area description boundary regarding Trail 020. After a response, if any, from Dave Stucker regarding the mutual boundary in this area, the Board will take appropriate and corrective actions to eliminate the problem if possible.]

Mitchell & Brenda McFarland/Philip Ginnochio: The Board reviewed the apparent third party arrangement between Messrs. McFarland and Ginnochio with its attorney, following which MSC (Baird--Vaughn; Miller abstained) THAT MR. McFARLAND BE PLACED ON NOTICE FOR A SHOW CAUSE HEARING TO APPEAR BEFORE THE BOARD IN FEBRUARY TO SHOW CAUSE WHY HIS LICENSE SHOULD NOT BE EITHER SUSPENDED OR REVOKED.

Orange Torpedo Trips, Inc./Don W. Stevens, Managing Agent: Let the record show that no one appeared before the Board at the appointed hour in response to the show cause hearing notice nor has there been any written/telephone communication from parties concerned relative to this hearing. In consideration of these

facts, MSC (Baird--Vaughn) THAT THE ALLEGED NONUSE OF FLOAT BOATING ACTIVITIES ON THE SALMON RIVER FROM NORTH FORK TO CORN CREEK [SA5A] BE AND IS DELETED FROM THE LICENSES OF ORANGE TORPEDO TRIPS, INC. AND DON W. STEVENS, MANAGING AGENT.

The Board recessed at 1700 hours and reconvened on Friday, December 5, 1986, at 0830 hours with all members except Scott Farr in attendance.

Gary Loomis: The Board reviewed Mr. Loomis' guide license application to be a ski guide for Buffalo Hump Nordic Center and a telephone conversation with Stacy Gebhards concerning Mr. Loomis' qualifications and the matter of obtaining the necessary certification for first aid qualification, MSC (Miller--Baird) THAT MR. LOOMIS' APPLICATION TO BE LICENSED AS A LEAD SKI GUIDE BE APPROVED ON THE BASIS THAT THE EMT TRAINING HE HAS RECEIVED IS THE EQUIVALENT OF NECESSARY FIRST AID QUALIFICATIONS.

Mark A. Russell dba Idaho Wilderness Packing Company: The Board reviewed Mr. Russell's amendment request for llama packing in the Kelly Creek area and in view of the Coordinating Guidelines, Amendment 1 to the Memorandum of Understanding by and between the U. S. Forest Service and the Board, MSC (Vaughn--Baird) THAT (1) A LETTER BE ADDRESSED TO MR. RUSSELL ADVISING HIM THAT THE BOARD CANNOT ACCEPT HIS APPLICATION DUE TO THE FACT THAT IT IS INCOMPLETE IN THAT HE DOES NOT HAVE THE LAND MANAGER'S SIGNATURE; AND (2) A LETTER BE ADDRESSED TO THE FOREST SERVICE OUTLINING THE BOARD'S POSITION IN THIS MATTER AND THAT IN RECOGNITION OF AMENDMENT 1 TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE FOREST SERVICE AND THE BOARD IT WOULD URGE AN ENVIRONMENTAL ASSESSMENT BE PREPARED IN A TIMELY MANNER TO ADDRESS THE CONCERNS OUTLINED BY ACTING DISTRICT RANGER KEN ANDERSON IN HIS LETTER TO THE BOARD DATED NOVEMBER 7, 1986.

Sevy Guide Service, Inc.: The Board reviewed the alleged nonuse of float boating activities on the Salmon River from Vinegar Creek to Hammer Creek [SA7A] and for backpacking activities and the letter of explanation submitted by Mr. Sevy regarding these matters, MSC (Miller--Vaughn) THAT THE BOARD ACCEPT MR. SEVY'S LETTER OF EXPLANATION AND IN ACCORDANCE WITH HIS EXPLANATION AND AGREEMENT THAT (1) FLOAT BOATING ACTIVITIES ON THE SALMON RIVER FROM VINEGAR CREEK TO HAMMER CREEK [SA7A] BE DELETED; AND (2) BACKPACKING ACTIVITIES IN THE SEVEN DEVILS/PIONEER MOUNTAINS/BIG CREEK AREA BE DELETED. HOWEVER, THE REMAINING BACKPACKING ACTIVITIES TO WHICH HE IS CURRENTLY LICENSED SHALL REMAIN AS A LICENSED ACTIVITY ON HIS LICENSE AS REQUESTED.

James W. Steen: The Board reviewed the alleged nonuse of float boating activities on the Snake River from Pittsburg Landing to Lewiston [SN8] and for chukar hunting and Mr. Steen's letter of explanation authenticating use of the river reach in question, following which MSC (Miller--Baird) THAT WITH THE EVIDENCE SUBMITTED BY MR. STEEN AND AS VERIFIED BY THE HELLS CANYON N.R.A./MICHAEL L. COLE LETTER OF NOVEMBER 6, 1986, WITH ATTACHED LOGS OF RIVER TRIPS HAVING BEEN TAKEN, THE BOARD DECLARE THIS MATTER MOOT AND THAT MR. STEEN REMAIN LICENSED FOR FLOAT BOATING PRIVILEGES ON THIS RIVER REACH. FURTHER, THAT THE CHUKAR HUNTING NONUSE BE DECLARED AN INCIDENTAL USE AND THAT IT, LIKEWISE, IS DECLARED MOOT.

Billy Lee Cox: The Board conducted a hearing on the denial of Mr. Cox's request to extend his area boundary and to add certain bear and mountain lion hunting activities to his current outfitter license. Following the conclusion of the hearing and in view of the materials presented, MSC (Vaughn--Baird) THAT THE BOARD AFFIRM ITS PRIOR DECISION OF DENIAL AND MR. COX BE SO NOTIFIED.

Nolan F. Woods: The Board reviewed the alleged nonuse of power boating activities on the Salmon River from North Fork to Corn Creek [SA5], following which MSC (Miller--Baird) THAT THE BOARD ACCEPT MR. WOODS' LETTER OF EXPLANATION THAT HE HAS NEVER BEEN LICENSED FOR THIS RIVER REACH AND THAT THE BOARD TAKE APPROPRIATE STEPS TO UPDATE ITS RECORDS AND MR. WOODS' LICENSE AND THAT HE BE SO NOTIFIED OF THE BOARD'S ACTION.

Everett L. Peirce: The Board reviewed Mr. Peirce's telephone request for early submission of his application and fee for the 1987-1988 outfitter license, following which MSC (Baird--Vaughn) THAT HIS REQUEST BE GRANTED AND THE 30-DAY PROVISION IN IDAHO CODE 36-2106 BE WAIVED TO FACILITATE SAME.

Policy re: Nonuse: Following a discussion of nonuse reports and hearing notices, it was determined that the office is to prepare a listing of those outfitters and activities which appear to be in the nonuse category for Board review and its determination of whether or not a show cause hearing should be scheduled.

Policy re: Telephone Calls for Enforcement Personnel: Effective immediately, messages will be taken for any enforcement officer receiving telephone calls at the office rather than referring same to the Enforcement Coordinator unless so requested.

Policy re: Assumed Names: Effective immediately, if an outfitter uses an assumed business name on his advertising, checks, business cards, etc. but does not have an assumed name certificate on file with the Board, the outfitter is to be advised that a license cannot be issued until he complies with the provisions of Idaho Code 53-501 [statute governing assumed business names] and in accordance with the provisions of the Outfitters and Guides Act, Idaho Code 36-2113 (1) and (2).

Nonresident Fish & Game License Holders: The Board directs that, in cooperation with the Idaho Department of Fish and Game, a "flier" be prepared for distribution to nonresident individuals acquiring nonresident licenses and tags to relate the fact that Idaho has a state law, the Outfitters and Guides Act, that licenses and regulates outfitting and guiding activities in Idaho. And, that such nonresident individuals coming into Idaho in pursuit of hunting, boating, and/or other recreational activities and who desire the services of an outfitter and/or guide shall be well advised to ascertain the legal status of the outfitter and/or guide to conduct such activity within the state of Idaho. Said nonresident individual shall be further advised that becoming a party to an illegal outfitting and/or guiding venture places himself or herself outside the protection of the law and may well result in "aiding and abetting" charges being filed against them in the event of prosecution of illegal outfitting and/or guiding by the Outfitters and Guides Board.

Chamberlain Divide Outfitters/Dave Stucker, Managing Agent: The Board reviewed Mr. Stucker's telephone request for approval of the sale of this business to the owners of Seven Devils, MSC (Baird--Miller) THAT THE PROPOSED SALE BE APPROVED PENDING COMPLETION OF THE APPLICATION AND THAT THE CHAIRMAN BE AUTHORIZED TO REVIEW SAID PAPERWORK IN COMPLETION OF THIS APPLICATION AND IF IT APPEARS TO BE IN ORDER TO SIGN SAID TRANSACTION.

Fiscal Reports: Following a review of the fiscal status of the Board, it was the Board's decision to hold all Board and Enforcement expenses. This matter will again be reviewed at the February meeting.

David W. Hettinger: The Board reviewed the application and supplements attached thereto for Mr. Hettinger's purchase of the Bobby Crick outfitting business, following which MSC (Farr--Vaughn) THAT MR. HETTINGER'S APPLICATION BE APPROVED AND LICENSE ISSUED UPON RECEIPT OF THE REQUIRED BOND.

Upcoming Board Meetings: The following dates have been set aside for upcoming Board meetings - February 9-13, 1987; March 16-20, 1987; and May 4-8, 1987. The Board will conduct hearings and interviews from Wednesday through Friday, leaving Monday and Tuesday open for general business as required. No meeting will be held in April due to the IOGA Meeting which will be held in Moscow, Idaho. All Board members and the Administrative Secretary will attend this meeting, but no official business will be conducted.

There being no further business, MSC (Miller--Baird) THAT THE BOARD ADJOURN. Said adjournment took place at 1245 hours.


WILLIAM R. MEINERS, CHAIRMAN OF THE BOARD

ATTEST:


LINDA L. ELWOOD, ADMINISTRATIVE SECRETARY

ADDENDUM #1 (BOARD MINUTES - November 28-December 5, 1986, page 6)

Abbreviated Proceedings of the

THE MAIN SALMON USER GROUPS AND MANAGING AGENCIES MEETING

A Problem Solving Meeting to Address Concerns Associated With Increasing
Use Levels on the Main Salmon River in the Fall.

November 6, 1986
McCall, Idaho

by

Deb Barnett, Facilitator

Mike Whiteman, Co-facilitator

Grant Simonds, Co-facilitator

November, 1986

HOW TO PURSUE THE MOST IMPORTANT PROBLEMS IDENTIFIED BY THE GROUPS

The group broke into three working groups of approximately nine people each to share their individual perceptions of problems associated with increasing use levels in the fall season. These were discussed to some length by the group and prioritized. Working group plans for pursuing the highest priority problems follow:

Group A- Deb Barrett's Group

Priority #1 Problem: We don't have agreement on what acceptable use levels should be. We don't know what the use levels are now.

What Information is Needed: Two studies are needed. One to determine existing use and one to determine what acceptable or desirable use levels should be.

Who Should Pursue the Problem: The Forest Service should initiate action, enlisting the University of Idaho's help. Public involvement should be an important part of the study to determine acceptable use levels.

Priority #2 Problem: The IOGA Resolution to extend the control period was worded in a mis-leading way.

Who Should Pursue the Problem: The IOGA

Priority #3 Problem: It boils down to users with improper river etiquette and a misunderstanding of each other.

What Information is Needed: A cooperative sharing of ideas between user groups which would lead to development of a procedure and implementation plan to address these problems.

Who Should Pursue the Problem: The IOGA should take the lead and involve the Forest Service, the Fish and Game, private and commercial river users.

Group B- Mike Whiteman's Group

an analysis of the environmental impacts of uncontrolled access would be required.

Who Should Pursue the Problem: Those listed in the #1 and second #2 priority concerns. In addition an unbiased third party should be involved.

Group C- Grant Simonds' Group

Priority #1 Problem: Protection of natural resources such as wildlife, beaches and vegetation, will deteriorate with increasing use in the fall.

What Information is Needed: 1. Actual use data for the fall.
2. Campsite use, private and commercial.
3. Steelhead harvest and hunter harvest.

Who Should Pursue the Problem: User groups help in data collection. Also Forest Service, BLM, Id F&G, and private parties.

Priority #1 Problem: Lack of enforcement of regulations by managing agencies.

What Information is Needed: Whether people know what the regulations are.

Who Should Pursue the Problem: The Forest Service should pursue the camping regulations (porta-potties and fire pans), The Id Outfitters and Guides Board should pursue illegal outfitters. All should be involved in public education.

Priority #1 Problem: Concern that "single use" of the river corridor is being supported by floating factions, environmentalists, government agencies, state agencies, fly fishermen, the IOGA and the Idaho Outfitters and Guides Board.

What Information is Needed: Use data for each user group.

Who Should Pursue the Problem: The Forest Service, the BLM, Id F&G, and concerned sporting clubs and associations.

Priority #1 Problem: Any regulation of use will effect private landowners.

What Information is Needed: How the intent of Congress in the Wild and Scenic Rivers legislation will be interpreted. What regulations would effect private land owners, how and how much.

Who Should Pursue the Problem: Private landowners, Forest Service and the BLM.

Action Steps:

1. Private user groups increase amount and effectiveness of legislature lobbying.
2. Pressure legislature to establish a users fee to fund necessary activities.
3. Forest Service and County use state waterways funds.
4. Forest Service use budget process to access funds.

Group B- Mike Whiteman's Group

Vision: A successful user and potential user education effort is underway.

Options to Implementation:

1. Each user group develops an educational program
2. Do programs with the PTA
3. A coalition of users educates their own groups
4. Involve equipment manufacturers in the education effort.
5. Do a state ad campaign.
6. Do public service announcements.
7. User clubs and managing agencies provide on-site instructors.

Helping Factors

commitment to resources

Hindering Factors

user conflicts

Vision: A coalition has been formed of user groups and management agencies which deals with river issues.

Actions Steps:

1. Managing agencies should identify the user groups.
2. Each user group should designated a representative.
3. Coalition should identify issues, designate the scope of their work, legitimize themselves, and work as a team with "clout".

Helping Factors

Research facts
Maintain meeting momentum
Listening and cooperation
Outside facilitation

Hindering Factors

Lack of representation of some
Gossip
Polarization

MEETING FOLLOWUP

In the final minutes of the meeting, a discussion was held on the kinds of followup activities that should occur. There was general agreement that the conference was a good first step in dealing with commercial/private/agency issues and that each meeting participant should continue to "carry the ball" on the issues with their local organizations. Other recommendations which all members of the meeting agreed to support follow:

1. It was agreed that a coalition or steering committee be established; that the Forest Service, the Id F&G and Id Outfitters and Guides Board solicit membership for that group by 12/15/86; and that the committee itself will determine its charter.
2. It was agreed that a meeting record would be produced by the facilitator and that it would be sent along with a Forest Service cover letter to all participants and committee members by 12/15.

The conference ended on a note of goodwill. Participants realized this was a beginning and agreed that the "win-win" approach to joint problem solving should be used to accomplish some of the ideas generated at the meeting.

It is hoped that people reading this document will take one or more of the ideas generated and work with their local groups to help get them implemented.

