

**STATE OF IDAHO
OUTFITTERS AND GUIDES LICENSING BOARD**

APPROVED MINUTES

APRIL 26 - 29, 1999

**(Key: MSC = Motion made, seconded, carried)
(MSF = Motion made, seconded, failed)**

The regular meeting of the Idaho Outfitters and Guides Licensing Board was called to order at 8:00 AM, Monday, April 26, 1999, in the Lochsa Room at the Sacajawea Center, 1824 Main St., Lewiston, Idaho. Board Chairman Diana Swift, and members Wayne Hunsucker, Bill Bernt, Ray Lyon, and Scott Farr were in attendance. Also present were Executive Director Dean Sangrey, Education/Law Enforcement Supervisor Bill Vetesy, and Board Counsel Steve Scanlin.

NEW BOARD STRUCTURE: Chairman Swift acknowledged newly appointed outfitter board member Scott Farr, who was appointed by Governor Dirk Kempthorne on April 22, 1999, to fill the vacancy of retired Board Chairman Leo Crane, whose term expired on April 20. Also in regard to the retirement of Chairman Crane, in accordance with the provisions of Board Rule 072, Vice Chairman Swift automatically assumed the chairmanship of the Board until elections are conducted by the membership to select new officers. This election will be held during the forthcoming June meeting.

EXECUTIVE SESSION: In accordance with the provisions of Sec. 67-2345, Idaho Code, MSC (Bernt-Lyon) TO GO INTO EXECUTIVE SESSION AT 8:02 AM TO DISCUSS PERSONNEL MATTERS. MSC (Lyon-Bernt) TO COME OUT OF EXECUTIVE SESSION AT 8:54 AM WITH NO DECISIONS MADE.

Linda Fee, Clearwater National Forest: Ms. Fee presented a slide presentation and discussion on current efforts of the Clearwater National Forest to develop plans for the upcoming Lewis and Clark Centennial celebration. The Forest is presently doing a needs assessment to determine anticipated requirements for outfitter services during the Centennial celebration, both on the Lewis and Clark Trail and the Lolo Trail, which are adjacent to and overlap one another throughout the area. During the slide presentation, Ms. Fee explained the USFS management goals for the area. They are hoping for significant participation from the outfitting community during the analysis. The comment period for the assessment runs through June, 1999, and they expect a decision to be made sometime this summer. Steve Gerber is representing the Governor's office and is helping to facilitate the review process for the state.

Pat Worle and Roy Lombardo, Hells Canyon National Recreation Area (HCNRA): Ms. Worle and Mr. Lombardo appeared on behalf of the HCNRA to welcome the Licensing Board to the Lewiston area and discuss topics of general concern relative to outfitter operations on the Snake River in Hells Canyon. Ms. Worle reviewed the present

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status of the river management plan and how operations of the outfitters seem to be progressing. No significant areas of concern appear to be at issue at the present time. The Board informed Ms. Worle they are proceeding with detailed reviews of reported annual use of activities by all outfitters in the area to determine if there are any situations existing with regard to non-use. A non-use hearing is scheduled for later this week to review the reported use by Beamer's Landing, Inc. The Board also discussed plans with Mr. Lombardo regarding the trip to Hells Canyon scheduled for Wednesday which will include participation by all members of the Board, the Director, Education/Law Enforcement Supervisor, Board Counsel, and representatives from the Idaho Department of Fish & Game and the Washington Department of Wildlife.

LuVerne Grussing, Outdoor Recreation Planner, Cottonwood Resource Area, Bureau of Land Management (BLM): Mr. Grussing appeared before the Board to discuss current issues with regard to outfitter operations on the Lower Salmon from Vinegar Creek to Heller Bar and on the Lower Snake to Lewiston. The group reviewed the present recommendations of the BLM that are covered in the new river management plan, especially with regard to suggested modifications in the Vinegar Creek to Heller Bar section of the river. The Plan calls for: changes in use periods on SA7A (Vinegar Creek to Hammer Creek) to March 15 and October 15 for boating, with no fishing after September 15; change the SA7B (Vinegar Creek to Spring Bar) take out from Spring Bar to Island Bar and reduce the number of authorized outfitter operations to twelve (12) float and six (6) power boats; change outfitter period of use authorization on SA7C (between Riggins City Park and Hammer Creek) to September 15 and March 31; and, a stipulation that Main Salmon River outfitters are restricted from originating trips between Vinegar Creek and Spring Bar except for power boat outfitters who use the area for passage upstream into the Main Salmon corridor. The Board agreed to take these recommendations under advisement and make proposals for possible rules amendments commensurate with these suggestions. Mr. Grussing also visited with the Board about transfers of businesses and discrepancies between the lists of authorized licensees and permittees on these stretches of river.

Cal Groen, Regional Supervisor, Idaho Department of Fish & Game, Clearwater Region: Mr. Groen introduced District Conservation Officer Dave Cadwallader, Conservation Officer Rick Cooper, and Land Use Coordinator Jeff Gould of his Region staff. He discussed regional concerns relative to wolf reintroduction, cougar and bear issues, private land usage, particularly as it relates to commercial outfitted hunting, and private landowner rights in general. Mr. Groen and the Board reviewed the present status and understanding of licensing considerations for outfitted wild turkey hunting. Based on a discussion between the Idaho Fish & Game Commission and the Licensing Board in December, 1998, the two agencies agreed that it would be appropriate to begin considering applications from outfitters for possible licensing authorization for turkey hunting. This agreement only focused on the possibility for considering applications. Following this December discussion, the Board informed the industry that applications would be accepted at the Licensing Board for review and further analysis. The

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Commission and IDFG position and intent was to accept proposals for review and determine an appropriate set of internal guidelines and procedures to be followed during their analysis of applications. Concerns relative to deeded, private and public land considerations, as well as private landowner rights issues and perceptions of the general public are all significant elements to be considered by the Department as they develop their guidelines. Mr. Groen assured the Board that the Department intends to proceed with development of appropriate guidelines so that a decision can be made in a timely manner. The Board went on record as supporting this approach and encouraged the Department to aggressively pursue these efforts so that licensing decisions can be finalized prior to the spring 2000 turkey season. The group also discussed a situation that has developed with regard to a 5 year cougar study being initiated by the IDFG in portions of Management Unit 15 and the potential detrimental affects this program will have on the licensed operating area of Ralph Hatter, South Fork Outfitters. The Board expressed their concerns about lack of coordination with licensees in the area and efforts to identify satisfactory alternatives in the interim. Mr. Groen stated they will continue to focus on these issues and try to find an acceptable resolution.

Dan Helterline: Mr. Helterline appeared in a show cause hearing regarding the denial of his 1998-99 guide license application for employment with Ken Smith, 62 Ridge Outfitters. Mr. Helterline explained the circumstances surrounding the convictions he received in 1992 in Montana and 1994 in Colorado for violations of those state's fish and game regulations. At the conclusion of this review and discussion of testimony, MSC (Farr-Lyon) TO APPROVE THE ISSUANCE OF A ONE YEAR PROBATIONARY LICENSE WHENEVER MR. HELTERLINE NEXT APPLIES. THE TERMS OF PROBATION WILL BE THAT HE NOT VIOLATE AND LOCAL, STATE, OR FEDERAL LAWS, AND HE MUST REQUEST PRIOR APPROVAL FROM THE BOARD FOR CONSIDERATION OF ANY AMENDMENTS TO HIS LICENSE DURING THE TERM OF PROBATION.

The meeting recessed for lunch at 12:20 PM and reconvened at 1:30 PM with all members present.

Jim Sattler, Sattler Insurance Company: Mr. Sattler appeared before the Board to discuss outfitter liability and bonding considerations and how his company evaluates applications for these coverages. He provided a general overview of insurance industry standards for liability insurance and repayment requirements for policy holders when bonding payments are made. An informative discussion also followed dealing with responsibility waiver release forms, their effectiveness, and recommended content.

Chuck Boyd, Salmon River Experience: Mr. Boyd appeared before the Board to present a petition for consideration of modifying the boat training requirements on the Hammer Creek to Rice Creek take out at American Bar portion of the SA8 section of the Salmon River. He explained that his day trip activity on this section in the fall is quite significant and he experiences continual difficulty in hiring good fall fishing guides to run

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this 20 mile section. Mr. Boyd suggested the Board consider a waiver or exemption that would provide “if a guide holds a standard float license on SA8, he or she be required to complete six trips from Hammer Creek to Rice Creek take out at American Bar in order to guide fishing trips along that section”. Following discussion and review of this information and request, MSC (Bernt-Hunsucker) TO ACCEPT THE PETITION FROM MR. CHUCK BOYD FOR MODIFICATION OF THE BOAT TRAINING REQUIREMENTS ON PART OF SA8. ANY CONSIDERATION OF A POSSIBLE CHANGE IN THESE REQUIREMENTS WILL BE ADDRESSED IN A FORMAL RULE AMENDMENT.

Jeff Meyer, Denial Hearing: Mr. Meyer appeared in a show cause hearing regarding the denial of his outfitter license application for the former Wilderness Lodge, LTD, outfitted operating area. Mr. Meyer was represented by his attorney, Mr. John Finney. Also in attendance were Mr. Brent Fitchett and his attorney, Mr. John Smith. Mr. Fitchett had earlier been determined to be the most qualified applicant for an outfitter license in the area formerly licensed to Mr. Gregory Grabacki, Wilderness Lodge, LTD, and Mr. Meyer filed an appeal of the denial to him of this license. Mr. Finney presented the case for Mr. Meyer, stating that they feel Mr. Fitchett should not be considered for licensing in this area because he allegedly presented false information to the Board pertaining to his initial application. (See February, 1999, Board meeting minutes) Following a thorough discussion of this information, MSC (Hunsucker-Bernt) TO UPHOLD THE EARLIER DECISION OF THE BOARD AT THE FEBRUARY BOARD MEETING TO APPROVE THE ISSUANCE OF AN AMENDED OUTFITTER LICENSE TO MR. BRENT FITCHETT AND DENY THE APPLICATION FOR AN OUTFITTER LICENSE IN THIS OPERATING AREA FOR MR. JEFF MEYER.

Brian Hopkins, Landowners Co-Op Hunting Club: Mr. Hopkins appeared before the Board to discuss his outfitter license exempt hunting club operation in north central Idaho. He has previously reviewed his private membership operation with the Board and they originally agreed that it met the provisions of Board Rule 011 which exempts closed membership types of operations from licensing requirements of the IOGLB. However, as Mr. Hopkins reviewed his current approach to operating his Landowners Co-Op Club, and explained how he conducts the hunting excursions and solicits his members it became apparent that his operation may not, in fact, be exempt under the current rules. Mr. Hopkins has also recently been cited by the IDFG for allegedly posting Department land as private for his operations. No determination has been made yet in this case. He has also been cited for a similar situation in the state of Washington. Based on this new information and the expressed interest from Mr. Hopkins to obtain an outfitter license in Idaho, the Board recommended that he complete a new set of application materials to update his information and submit the new application to the Board for their review at the June Board meeting.

Lee Roy Akins: Mr. Akins appeared before the Board in a show cause hearing regarding the denial of his 1999-2000 guide license for employment with Canyon Cats, Inc. He had

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been cited by the IDFG for a trespass violation in 1993 and had not previously acknowledged this fact on his guide license applications. He explained the circumstances of this violation and that it wasn't actually a conviction for violation of F&G regulations. Based on this information and after consulting with Board counsel, MSC (Hunsucker-Lyon) TO APPROVE THE ISSUANCE OF THE GUIDE LICENSE FOR MR. AKINS WITH NO RESTRICTIONS.

Meeting recessed at 6:38 PM and reconvened at 8:07 AM, Tuesday, April 27, 1999, with all members present.

Michael Hunt: Mr. Hunt appeared before the Board in a show cause hearing regarding the denial of his guide license application to work for Tuck Russell Outfitting. The Board reviewed the file and record of Mr. Hunt, noting his acknowledgement of a felony conviction in Ada County in 1998. Following a thorough review of this information and a discussion with Mr. Hunt's probation officer regarding concerns about possession of firearms, etc., MSC (Farr-Hunsucker)(Hunsucker-aye, Bernt-aye, Farr-aye, Swift-aye, Lyon-abstain) TO APPROVE THE ISSUANCE OF A PROBATIONARY GUIDE LICENSE FOR MR. HUNT. THE STANDARD TERMS OF PROBATION WILL APPLY, IN THAT HE MUST NOT VIOLATE AND LOCAL, STATE, OR FEDERAL LAWS OR ORDINANCES, NO AMENDMENTS WILL BE CONSIDERED FOR HIS LICENSE DURING THE TERM OF PROBATION, AND THE GUIDE LICENSE PROBATION WILL RUN CONCURRENT WITH THE PROBATION AS DIRECTED BY THE DISTRICT COURT OF THE 4TH JUDICIAL DISTRICT. MR. HUNT'S PROBATION OFFICER IS TO BE ADVISED OF THE APPROVAL OF THIS LICENSE AND THE TERMS AND CONDITIONS ASSOCIATED THEREWITH. IT IS FURTHER DIRECTED THAT A LETTER OF EXPLANATION AND ADMONISHMENT BE FORWARDED TO MR. HUNT CAUTIONING HIM TO STRICTLY ADHERE TO ALL PROBATIONARY REQUIREMENTS HE IS CURRENTLY UNDER, WITH A COPY FORWARDED TO HIS EMPLOYING OUTFITTER.

Beamer's Landing, Inc., James and Jill Koch, Designated Agents: Mr. and Mrs. Koch appeared before the Board in a show cause hearing relative to the purported non-use of some of their licensed outfitted activities on all three of their outfitter licenses, Beamer's Landing #1, #2, and #3. According to the use report records submitted to the Board office, they have not reported use over the last three years for elk, deer, bear, cougar and predator hunting along the SA8 section of the Salmon River, or for power boating on the CL2 and CL3 sections of the Clearwater River or the SA8 section of the Salmon River. Also, they have not reported use over the last three years for chukar hunting along or float boating on, the SN12 and SN14 sections of the Snake River in Hells Canyon. Further, they have not reported use over the last three years for chukar hunting along, and powerboating on, the SA7A, SA7B, or SA8 sections of the Salmon River. During consultation with the Kochs regarding these issues, they explained that 1) they have not been making use of the hunting and boating activities as listed in the

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complaint for Beamer's Landing #1 and that they would voluntarily relinquish the hunting activities authorized along the SA8 section of the Salmon River; 2) they have been making use of all of the authorized activities listed for Beamer's Landing #2 and will double check their records and those submitted to the HCNRA to clarify this use; and 3) they have not been aggressively marketing or pursuing activities on the SA7A, SA7B, or SA8 sections of the Salmon River for chukar hunting or power boating, although they intend to do so in the future. The Koch's also expressed their concern about the lack of handicap access at Kirkwood Ranch and the general loss of outhouses along the entire Hells Canyon stretch. Following discussion and review of the records and files of Beamer's Landing, Inc., MSC (Farr-Hunsucker) TO ACCEPT THE RELINQUISHMENT OF ALL HUNTING ACTIVITIES LICENSED ALONG THE SA8 SECTION OF THE SALMON RIVER ASSOCIATED WITH BEAMER'S LANDING, INC. #1. MSC (Farr-Lyon) TO TAKE NO ACTION ON THE ALLEGED NON-USE OF CERTAIN LICENSED ACTIVITIES ASSOCIATED WITH BEAMER'S LANDING, INC., #2, AND WAIT FOR A FOLLOW-UP REPORT FROM MR. & MRS. KOCH REGARDING THEIR PURPORTED USE UNDER THIS LICENSE. MSC (Farr- Lyon) TO TAKE NO ACTION ON THE ALLEGED NON-USE OF ACTIVITIES ASSOCIATED WITH THE BEAMER'S LANDING, INC., #3, AND ALLOW THEM TO INVESTIGATE THE POTENTIAL OPPORTUNITIES THAT MAY BE AVAILABLE FOR DEVELOPMENT OF BUSINESS ON THESE SECTIONS OF THE SALMON RIVER AND REVIEW THIS ISSUE AGAIN IN ONE YEAR.

John Law, Designated Agent, Wally York & Son: Mr. Law appeared before the Board to discuss the problems that occurred during the fall, 1998, hunting season relative to him being cited by the IDFG for alleged violations of their regulations. He acknowledged that he was cited for not leaving evidence of sex attached to a bull elk and for aiding in the illegal transfer of a bear tag. He was cited into court in Idaho County at Grangeville, but the charges were ultimately dropped. Based on these findings and with a clear explanation of the circumstances, the Board determined that no further action was required with regard to this matter.

Adam Turnidge / Kevin R. "Tim" Johnson: Mr. Turnidge and Mr. Johnson appeared before the Board to discuss the possibility of them entering into an agreement for the sale and transfer of the power boating business previously licensed to Mr. Turnidge. In accordance with the provisions of Board Rule 015, Mr. Turnidge's outfitter license was relinquished effective July 1, 1998, because he had not completed the required renewal application procedures prior to the June 30 deadline established in the rule. The matter was further complicated when all attempts to contact Mr. Turnidge, to determine what plans he had for the business, met with failure. As he explained the situation to the Board, he experienced a series of personal financial problems, which included the birth of a child last summer, and he was unable to satisfy his commitments to the outfitting business. Now that those issues are behind him, he would like to pursue reactivation of the license in his name or enter into a partnership-type arrangement resulting in joint

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operation of the business with the help of Mr. Johnson. Following a discussion and review of this matter, MSC (Farr-Hunsucker) TO ACCEPT AN APPLICATION FOR RENEWAL OF THE ADAM TURNIDGE OUTFITTER LICENSE WITH KEVIN JOHNSON PROPOSED AS THE DESIGNATED AGENT FOR THE BUSINESS.

The meeting recessed for lunch at 12:00 noon and reconvened at 1:30 PM, with all members present.

Advertised Vacancies for Boating Opportunities on SA3, SA4A, and BO2: As previously advertised, the Board embarked on the evaluation process for considering applications for various vacancies that had been advertised on the Upper Salmon and Lower Boise Rivers. Twelve applications were received from individuals interested in the opportunities on the Upper Salmon River and three applicants submitted their proposals for licensing on the Boise River between Garden City and Caldwell. All applicants were notified they could personally appear before the Board prior to the formal review of applications to speak on behalf of their proposal. Those who appeared to interview with the Board regarding the Salmon River opportunities included Tom & Sandi Coates, C&S River, Inc.; John and Cathy Cranney, Rawhide Outfitters; Jerry Myers, Silver Cloud Expeditions; and Norman and Nikki Doll. Two applicants for the Boise River opportunity appeared for interviews. They were Margaret and Mike Glodowski, Odyssey River Company, and Chad and Kenneth Long, representing Cascade Recreation. At the conclusion of the interviewing process, the Board worked the remainder of the afternoon analyzing the applications. At the conclusion of the application review process, the following selections were determined: BO2 (two opportunities) – John Heimer, Boise River Tours, Tom Long, Cascade Recreation; SA3 (one opportunity) – John Cranney, Rawhide Outfitters; SA4A (two opportunities) – Jerry Myers, Silver Cloud Expeditions, Michael Scott, White Cloud Outfitters.

The meeting recessed at 4:50 PM and reconvened at 8:10 AM, Wednesday, April 28, with all members present.

Phil Atkins: Mr. Atkins appeared before the Board to discuss his interest in becoming a licensed outfitter in Idaho. He is negotiating with Chuck Nichols, Nichols Expeditions, for the purchase of his outfitter business. Mr. Atkins used to work for Mr. Nichols and is very familiar with that outfitted operation. Mr. Atkins currently operates an extensive booking agent type of business and is involved with various companies and activities all over the world. Following his interview with the Board, he was encouraged to proceed with his efforts to make application for an outfitter license.

James R. Scott: Mr. Scott appeared to discuss his guide license application for employment with Sam Whitten. It had come to the Licensing Board's attention that Mr. Scott had been cited by the IDFG for numerous violations of steelhead fishing regulations. Mr. Scott provided his explanation of the circumstances surrounding the fishing trip in question, and provided a video tape of a portion of the excursion when

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some of the alleged violations were committed. Based on the explanation provided by Mr. Scott and the information evidenced in the video, it appeared that Mr. Scott could have been in violation of some provisions of Fish & Game regulations. Following a thorough discussion of all the information available, a motion was made by Ray Lyon to deny the application, but the motion died for lack of a second. Following additional discussion, MSC (Bernt-Farr)(Bernt-aye, Hunsucker-aye, Farr-aye, Lyon-nay, Swift-aye) TO ISSUE A TWO YEAR PROBATIONARY LICENSE WITH ADDITIONAL TERMS OF PROBATION THAT HE NOT VIOLATE ANY LOCAL, STATE, OR FEDERAL LAWS OR ORDINANCES, AND HE MUST REQUEST PRIOR APPROVAL FROM THE BOARD FOR ANY AMENDMENTS TO HIS GUIDE LICENSE DURING THE TERM OF THE PROBATION. FURTHER, THE DIRECTOR IS INSTRUCTED TO SEND A STRONG LETTER OF ADMONISHMENT TO MR. SCOTT AND MR. WHITTEN OUTLINING THE APPARENT PROBLEMS REGARDING THESE CITATIONS, ETC.

Sam Whitten, River Adventures, LTD: Following the conclusion of the interview with Mr. James R. Scott, MSC (Farr-Hunsucker) THAT MR. SAM WHITTEN BE CITED TO APPEAR BEFORE THE BOARD IN A SHOW CAUSE HEARING REGARDING THE CITATIONS THAT WERE ISSUED TO HIS GUIDE, MR. SCOTT.

Doug Gober, District Ranger, North Fork Ranger District: Mr. Gober appeared before the Board to discuss their ongoing analysis and scoping efforts with regard to Mike Stockton's, B Bar C Outfitters, amendment request for snowmobiling and bear and cougar hunting activities in an unlicensed area adjacent to his current operating area. The Forest Service is generally supportive of the recreational portion of Mr. Stockton's proposal and feels that these activities would be appropriate in the areas requested. In the short term, they feel it would be beneficial to have a limited cougar and bear hunting operation in the restricted area identified on the maps. Because of increased pressure on the wildlife resource from cougar and bear, the IDFG and USFS agree that it would be a good idea to approve a limited commercial operation, perhaps for three to five years, and that these restrictions should be incorporated into the license. Mr. Gober also commented that certain parts of the proposed operating area were modified because the area included some lynx habitat and there is a potential that lynx may be listed as an endangered species. He agreed to prepare an up-to-date report of their findings and recommendations and forward it to the Board along with their approval. This will be accomplished right away so that the amendment can move forward.

Vince Aguirre, Kaniksu Lions Club: Mr. Aguirre appeared before the Board to request their consideration for approval of a fund raising cougar hunt to be provided by one of their club members. Mr. Aguirre originally contacted the Director to discuss his idea for helping to raise money for their community improvement projects. After explaining the Board's position and policy against provision of these services by unlicensed individuals, the Director recommended that Mr. Aguirre may want to visit personally with the Board as we were going to be meeting in Lewiston. Following his explanation of his request to

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the Board, and further clarification from the Board, it was suggested that perhaps Pat Prentice, a local outfitter, might be agreeable to licensing one of the club members as a guide for his operation and then that individual could legally provide the hunt to the successful bidder. Mr. Aguirre and the Director will work on making the necessary contacts with Mr. Prentice.

Shane McAfee, Castle Creek Outfitters: The Board reviewed the results of the public meeting held in Salmon on April 7 to solicit input regarding the proposal from Mr. McAfee to conduct limited elk hunts on several parcels of private land owned by ranchers in the Salmon/Leadore area. This proposal has been considered by the IDFG and generally approved from the standpoint of the wildlife resource but they are concerned about the potential for negative reaction from the private sector as it relates to further limitations on access, etc. During the public meeting some comments were shared with regard to access problems, but the majority of input supported a limited amount of operation on lands voluntarily opened to Mr. McAfee's use by the owners. The primary conclusion was that landowner prerogative is a significant consideration that must be recognized by the Board. Following this discussion, MSC (Farr-Hunsucker) TO APPROVE THE AMENDMENT REQUEST FOR MR. MCAFEE FOR PRIVATE LAND ELK HUNTING AUTHORIZATIONS ON FIVE RANCHES IN THE SALMON/LEADORE AREA. The Director was instructed to further investigate the potential opportunities for licensing of meat packing operations in the Salmon/Leadore area as a result of the supportive comments that were received during the Salmon public meeting.

The meeting recessed at 11:30 AM so the Board could prepare to depart for HCNRA Headquarters in Clarkston for the interagency jetboat trip into Hells Canyon. Board Member Ray Lyon left the meeting at this time to return home due to a family emergency.

Hells Canyon National Recreation Area Agency Tour: The USFS at the HCNRA provided jetboat transportation for a tour of the Snake River upstream from Lewiston to see the area firsthand and learn of operational and enforcement issues and concerns that affect all of the management agencies with jurisdiction. Roy Lombardo, River Ranger for the HCNRA, and Law Enforcement Officer Joe Durnbaugh, conducted the tour. In addition to the remaining members of the Licensing Board and Board staff, three Board enforcement agents and representatives from the IDFG and the Washington Department of Wildlife also joined the trip. Numerous discussions were held regarding several issues, including the positive working relationships the Idaho licensees have with the HCNRA at the present time, and the ongoing problems that each agency has in dealing with unlicensed activities on the river. The productive trip concluded at approximately 6:30 PM.

The meeting reconvened at 8:07 AM, Thursday, April 29, with all members present except Ray Lyon.

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Dean Sangrey, Executive Director: Licensing - The Director presented a report on the current status of Board licensing activities. As of April 24, 1999, the office has issued 189 outfitter, 133 designated agent, and 246 guide licenses. These totals compare to 190, 124, and 186, respectively, for the same period in 1998. **Budget** - Director Sangrey presented an update on the status of the Board's operating budget for FY1999. Expense and revenue projections are right on target for the end of the third quarter, and the free fund balance stands at \$162,385 as of the end of March. **Controlled Hunt Outfitter Allocation** – Five year historic use figures for outfitters in controlled hunt areas have been finalized and were provided to the Fish & Game Commission at their April meeting in Boise. Based on these results, the Commission has amended their rules and identified the total number of permits that will be available to the outfitters. This information was received at the Board last week. Distribution procedures will be finalized in the near future so that the outfitters can acquire their allocated permits. **Maintaining Credit Card Information** – Several outfitters have asked the Board office to keep record of their credit card authorization information so that payments can be arranged on short notice when requested. The office can develop a file for protecting this confidential information when formally authorized by the licensee if the Board concurs with this action. The Board indicated its approval if adequate steps are taken to protect the information and its use. **Eastern Idaho Agency/Outfitter Spring Meeting** – The Director attended the annual agency/outfitter meeting conducted with land and water based outfitters on the Palisades Ranger District and the Idaho Falls Resource Area for the BLM. It appeared that overall operations by the licensees in the area are very satisfactory with just a few minor problem areas. One of the big issues of concern at this meeting was the continuing problem with suspected illegal third party agreement arrangements. Rule 023 was reviewed with the group in detail and explanations given as to how to interpret the provisions of the law. Several in the meeting recommended that the Board review the rule to make it more clear and easier to enforce. The Board will consider amending this rule during their review this summer.

Bill Vetesy, Education / Law Enforcement Supervisor – Mr. Vetesy reported on the results of an organizational meeting that he and the Director attended in Fairfield, Idaho, with representatives from the Targhee National Forest and Palisades Ranger District. The meeting was focused on reestablishing communications with the County Sheriff in Bonneville County in hopes of developing a cooperative working group to jointly address enforcement and education needs in the vicinity of the South Fork of the Snake River. Efforts will be made to bring together a group of local enforcement agencies, county officials, legislators, and business interests, to evaluate the problems and organize a program to deal with the issues. **Educational Program** – He reported on two recent informational presentations he organized and provided to schools in Notus and Nampa. There have also been recent training sessions with our staff and other agency personnel, as well as research conducted into the availability of certain grant funds for possible acquisition of equipment for field work by the agents. **Case Update** – Mr. Vetesy provided an update on the status of the administrative case log as of April 26, 1999. There are currently 13 cases being investigated and evaluated by the staff. Focus on

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Selway River Enforcement – Mr. Vetsy explained tentative plans for conducting an enforcement trip on the Selway this spring. The advisability of embarking on this type of trip early in the year was questioned by the Board and they agreed that it would not be the most effective use of Board resources at this time.

Steve Scanlin, Board Counsel – Mr. Scanlin reported on the present status of ongoing cases and issues, including: **Rich Cook appeal** – A preliminary decision has been issued by the Fourth Judicial District with regard to the Rich Cook matter primarily in favor of the Licensing Board. A couple of minor issues must still be resolved and will require an additional hearing. **New Legislation and Rules** – Several potential matters for rules amendment were discussed and will be prepared for further review at the June meeting. At this time, no legislative matters have been identified. **Ongoing Issues** – Mr. Scanlin provided an overview of numerous ongoing issues that he has addressed for and on behalf of the Director.

Jean Uranga: Following discussion with Board Counsel regarding requirements for an additional hearing for Rich Cook, MSC (Hunsucker-Bernt) TO APPROVE THE CONTINUATION OF MS. JEAN URANGA AS HEARING OFFICER IN THE RICH COOK MATTER.

Board member Wayne Hunsucker departed the meeting at 1:00 PM to catch his return flight to Boise.

Gary Haight: The Director reported on the present status of Mr. Haight's probationary license with the Board. Since being placed on probation over five and one half years ago, Mr. Haight has conducted himself in an outstanding manner and has had no further incidents that would reflect negatively on him personally or in a professional manner. Based on this performance, the Director recommends that the Board consider permanent removal of the probationary license status for Mr. Haight's guide and outfitter licenses. Following this review and discussion, MSC (Farr-Bernt) THAT MR. HAIGHT'S OUTFITTER AND GUIDE LICENSES BE ISSUED WITHOUT ANY PROBATIONARY RESTRICTIONS, EFFECTIVE IMMEDIATELY.

Ray Christopherson: Mr. Christopherson appeared before the Board to discuss his concern with guides obtaining licenses for employment and then not appearing for work when required or quitting during the season before everything is done. Of significant concern was the possibility that after leaving one employer a guide could get hired by another outfitter and that outfitter would just pay a \$10.00 amendment fee, creating a substantial financial loss for the initial employer. Mr. Christopherson suggested that more stringent penalties should be enacted to help prevent this type of occurrence in the future, as there is a real potential for it to cause serious problems with clients and the general conduct of licensed outfitters operations.

Modified License Format: The Director presented a draft prototype of a new format for outfitter, designated agent, and guide licenses. The basic design for the new licenses is a

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reduction in size to approximately credit card size with pertinent data displayed on the front of the license and cautionary reminders listed on the reverse. Suggestions were made by the Board to include first aid expiration date, eliminate some repetitious language, clarify language addressing familiarity with laws and rules, etc. These revisions will be incorporated into the draft and then further distribution will be accomplished. No significant legal problems were identified by Board counsel with the revised license design. Efforts will be made to solicit comments and recommendations from the industry with the long range goal of implementing a new license format by the end of this calendar year with full statewide application beginning in April, 2000.

Financial Report: The Director reported on the current status of the Board's financial condition as of the March month-end statistics. Following review and discussion of this information, MSC (Bernt-Farr) TO ACCEPT THE FINANCIAL REPORT AS PRESENTED.

February Board Minutes: The Board reviewed the draft copy of the minutes from the February Board meeting. At the conclusion of this discussion, MSC (Bernt-Farr) TO APPROVE THE FEBRUARY, 1999, BOARD MEETING MINUTES AS PRESENTED.

Winnsboro Fire Department First Aid Course: The Director reviewed information provided by instructors from the Winnsboro, Texas, Fire Department, relative to the course of instruction they follow in providing first aid training. Licensed outfitter Ronnie West attended the class and submitted the certificate for approval with his license renewal. The curriculum is very complete and covers all of the major elements of a basic first aid provider course. At the conclusion of this review, MSC (Bernt-Farr) TO ACKNOWLEDGE THAT THE FIRST AID COURSE OF INSTRUCTION FROM THE WINNSBORO, TEXAS, FIRE DEPARTMENT MEETS THE MINIMUM REQUIREMENTS FOR THE LICENSING BOARD.

Richard Phillips, Outfitters Pack Station: The Board reviewed a letter of request from Mr. Phillips for authorization to take non-use during the 1999-2000 license year. Following this discussion, MSC (Bernt-Farr) TO APPROVE NON-USE FOR RICHARD PHILLIPS, dba: OUTFITTERS PACK STATION, FOR THE 1999-2000 LICENSE YEAR.

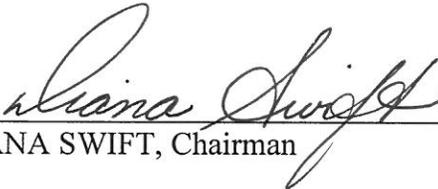
Quentin Selby Outfitter Area Petition: Mr. Mike Moyle submitted a letter to the Board requesting consideration for possible relicensing of an outfitter operating area east and south of Cascade and the Warm Lake area. The area in question was formerly licensed to Quentin Selby and has been vacant for over ten years. According to Mr. Moyle, initial indications from the Forest Service and the Department of Fish & Game are that predators are becoming a serious concern in the area because of their numbers and it might be effective to have some limited outfitter activities conducted in the area. Following this review and discussion, MSC (Bernt-Farr) TO ACCEPT THE PETITION

STATE OF IDAHO
OUTFITTERS AND GUIDES LICENSING BOARD
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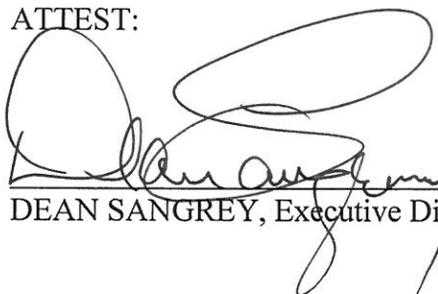
SUBMITTED BY MR. MOYLE AND INSTRUCT THE DIRECTOR TO PROCEED WITH AN ANALYSIS OF THIS FORMER OUTFITTED OPPORTUNITY.

Executive Session: In accordance with the provisions of Sec. 67-2345, Idaho Code, MSC (Farr-Bernt) TO GO INTO EXECUTIVE SESSION AT 3:45 PM TO DISCUSS PERSONNEL MATTERS. MSC (Farr-Bernt) TO COME OUT OF EXECUTIVE SESSION AT 4:33 PM WITH NO DECISIONS MADE.

With no further business to come before the Board, the meeting was adjourned at 4:38 PM.



DIANA SWIFT, Chairman

ATTEST:


DEAN SANGREY, Executive Director