

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

**APPROVED MINUTES**

**August 21 – 24, 2000**

**(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 8:45 AM, Monday, August 21, 2000, in the Boardroom, 1365 North Orchard, Boise, Idaho. Board Chairman Wayne Hunsucker, and members Bill Bernt, Scott Farr, and Will Judge were in attendance. Ray Lyon had a previous commitment and will not attend until Tuesday morning. Also present were Executive Director Dean Sangrey, Education/Law Enforcement Supervisor Mike Best, and Board Counsel Steve Scanlin.

**STAFF REPORTS: Dean Sangrey, Executive Director: Personnel** – The Director introduced Ms. Jackie Swanson who has been hired to fill the new full time clerical position at the Board. The primary job responsibilities she will be trained for include direct administrative assistance for the Director and other general clerical work as assigned. **Multi-State Outfitter Board Conference** – Plans are finalized for the Board to participate at the multi-state conference of Outfitter and Guide regulatory agencies in Cheyenne, Wyoming beginning on Friday, August 25<sup>th</sup>. Board members Wayne Hunsucker, Scott Farr, and Will Judge are planning to attend, along with Director Sangrey, Board Counsel Steve Scanlin, and Board Enforcement Agent Cal Edwards. **Licensing Status Report** - As of August 18<sup>th</sup> the office has issued 399 outfitter, 271 designated agent, and 1,865 guide licenses so far for the 2000-2001 license year. These figures compare to 394, 268, and 1,805 respectively for the same period in 1999. License processing improvements initiated earlier in the year continue to show very positive results in timing of renewals and response time for dealing with emergency situations. **Allocation Update** - The statewide controlled hunt drawing was conducted as scheduled during the latter part of June, which included the draw for outfitted controlled hunt applicants in the 13 eligible controlled hunts established by the Idaho Fish & Game Commission. Those official results were provided to the Board by the Licensing Bureau at the IDFG on June 30<sup>th</sup>, after which the Director formally notified the successful hunters of their options for booking a trip in their respective hunts, and also notified each qualified outfitter in the controlled hunts who the successfully applicants were in each hunt. Not too long after the notifications went out, it became apparent that a number of applicants did not clearly understand the procedures for controlled hunt applications which resulted in a number of hunters drawing tags who never intended to book a trip with an outfitter. Approximately 15 such individuals have been identified to date and Director Sangrey is working with staff from the IDFG to resolve these issues. An acceptable procedure has been developed by IDFG which will allow these individuals to trade their unwanted controlled hunt tag for a general hunt tag and free-up that controlled hunt tag for consideration for another hunter. So far these procedures have had positive

STATE OF IDAHO  
OUTFITTERS AND GUIDES LICENSING BOARD  
APPROVED MINUTES – AUGUST 21 - 23, 2000

results for the most part. The agencies continue to work on these special situations to get them satisfactorily resolved. **Proposed 2002 Budget** – The Director made a presentation on the proposed Licensing Board budget for the 2002 fiscal year. Primary enhancements included in the budget involve increasing staffing by one full time clerical position and the associated operational expenses for this staff position. With other mandated increases incorporated as required, the proposed new budget will be in the neighborhood of \$460,000.00.

**Steve Scanlin, Board Counsel: Legislation and Rules** - Mr. Scanlin provided an update on the proposed legislative and rules amendment packages the Board has submitted to the Governor's office earlier this month. Issues addressed in the rules package include: clarification of Board office location; electronic signature authorization; providing a definition for scouting activities; additional considerations for unethical/unprofessional conduct; modification of license renewal dates which will allow for staggered licensing dates; establishment of a rule governing controlled hunt processes; clarification of several river put-in and take-out locations; establishment of a rule which clearly delineates procedures for granting, denying, and revoking licenses; and re-establishment of regulation of wagon and sleighride activities. Proposed statutory amendments will address: establishment of regulatory processes for wagon and sleighrides, upgrade of the Board education and law enforcement supervisor position for retirement benefits with PERSI; changing the definition of license year to an anniversary date and not strictly from April 1 to March 31; changing the definition of outfitter and guide so as not to include persons who only furnish pack or saddle horses; and some house cleaning measures. Several comments have been received by the Board relative to the issue of establishing specific criteria for scouting and Mr. Scanlin discussed these with the Board. After reviewing this issue the Board recommended that that portion of the proposed rule be deleted. **Rich Cook Appeal** – The attorney representing Mr. Cook has filed a petition for judicial review with the District Court regarding the findings of Hearing Officer Jean Uranga. Mr. Scanlin will continue to follow-up with appropriate responses, etc., in this matter as required by the Court. **Mike Best, Education/Law Enforcement Supervisor: Accidental Drowning Investigative Report** – Mr. Best, along with Board Prosecutor Steve Tobiason, presented a status report to the Board regarding an accidental drowning that occurred on the Main Salmon River earlier this summer. Based on information compiled to date and reported to the Board, they recommended that additional investigative contact be made with other licensed outfitters who operate on the Main Salmon to get feedback on water conditions, etc. at the time of the accident. Mr. Best will initiate that effort immediately. In addition, he reported on the status of various cases currently under investigation. A total of 65 new cases have been opened since January 2000 and 41 of those are presently under investigation. Several cooperative enforcement trips have been conducted or scheduled with other agencies, including the IDFG, the U.S. Forest Service, and BLM. Requests from our office for continued involvement with these agencies has met with positive results.

The meeting recessed for lunch at 11:55 AM and reconvened at 1:25 PM, with all members but Ray Lyon present.

STATE OF IDAHO  
OUTFITTERS AND GUIDES LICENSING BOARD  
APPROVED MINUTES – AUGUST 21 - 23, 2000

**New Outfitter Opportunity:** The Board conducted interviews with applicants who responded to the new bear and cougar hunting opportunity advertised for the McCall/Cascade area. Four applications were submitted in response to the advertisement. They were received from Andy Dunyon, dba: Flying V Outfitters, Darwin Vander Esch, dba: Idaho Outdoor Wilderness Adventures, Del Allmon, dba: Fall Creek Outfitters, and Tom Fliss, dba: Ace Outfitters. Mr. Dunyon, Mr. Vander Esch, and Mr. Allmon appeared on their own behalf. Ace Outfitters was not represented. At the conclusion of the interview process, the Board conducted its formal analysis of the applications and the determination was made to award the opportunity to Mr. Andrew Dunyon.

**Darwin Vander Esch, Idaho Outdoor Wilderness Adventures:** Mr. Vander Esch addressed the Board regarding the new opportunity previously discussed and requested that they reconsider an amendment request he had submitted in 1997. At that time, the Forest Service and IDFG disapproved of any expansion in those portions of Mgmt Units 22 and 23. Mr. Vander Esch now feels that because the IDFG has modified their earlier stance on bear and cougar hunting in this general area his original proposal should be considered again. The one exception to the original boundary adjustment proposed by Mr. Vander Esch would be the lands in close proximity to Mr. Dunyon's private property. Following this discussion and a review of the maps, MSC (Farr-Hunsucker) TO APPROVE AN AREA ADJUSTMENT FOR THE IDAHO OUTDOOR WILDERNESS ADVENTURES OPERATING AREA COMMENSURATE WITH THE ORIGINAL AMENDMENT REQUEST AND DELETING THE AREA AROUND ANDY DUNYON'S RESIDENCE. THIS SPECIFIC BOUNDARY ADJUSTMENT WILL BE COORDINATED BETWEEN THE TWO OUTFITTERS AND THE IOGLB.

**New Outfitter Opportunity:** The Board considered a new outfitted hunting opportunity in the vicinity of Atlanta, Idaho. Two outfitters, George Peter, High Country Outfitters, and Darl Allred, Sawtooth Wilderness Outfitters, have expressed interest in a relatively small area adjacent to and north of Atlanta. This vacant area borders on a portion of each of their respective operating areas. They have applied for separate parts of the unassigned area, although an end of each of their proposals does overlap one another in the vicinity of Johnson Creek. The Director had scheduled an appointment for both outfitters to meet and interview with the Board at this time, but Mr. Peter was unable to attend due to his involvement with fire fighting efforts in Atlanta. Mr. Allred was in attendance and suggested that the Board consider an initial approval of both of their amendments as far as the uncontested areas are concerned. Then, at a later time, both applicants will plan to meet with the Board to discuss the overlapped portion of this area in Johnson Creek. Following this discussion, MSC (Farr-Bernt) TO APPROVE THE UNCONTESTED PORTIONS OF THE AMENDMENT REQUESTS OF GEORGE PETER, HIGH COUNTRY OUTFITTERS, AND DARL ALLRED, SAWTOOTH WILDERNESS OUTFITTERS, IN THE VICINITY OF ATLANTA, IDAHO. THIS APPROVAL IS GRANTED WITH THE UNDERSTANDING THAT BOTH THE IDAHO DEPARTMENT OF FISH & GAME AND THE U.S. FOREST SERVICE HAVE

STATE OF IDAHO  
OUTFITTERS AND GUIDES LICENSING BOARD  
APPROVED MINUTES – AUGUST 21 - 23, 2000

GIVEN THEIR APPROVAL FOR THESE SMALL ADDITIONS TO THE RESPECTIVE LICENSES.

**Grant Simonds, Idaho Outfitters and Guides Association (IOGA):** Mr. Simonds visited with the Board to discuss the present status of the active forest fires around Idaho and in particular the forest closures that have been implemented to date and how those decisions are, or may, affect some outfitters. The Clear Creek Fire located west of Salmon, Idaho, has burned a significant portion of the George Butcher, Bighorn Outfitters, operating area. Mr. Butcher has been in contact with Director Sangrey and they have developed some preliminary action plans to be determined once conditions are more stabilized.

Meeting recessed at 6:00 PM and reconvened at 8:15 AM, Tuesday, August 22, 2000 with all members present.

**Brent Fitchett, Elk Creek Outfitting:** The next scheduled agenda item was a show cause hearing regarding the outfitter license of Brent Fitchett. However, the Board had been considering a proposed sale of the business and approval was given for this sale and transfer of the Brent Fitchett outfitter business to Mr. Brad Morris just prior to the beginning of the Board meeting. Based on this outcome, the scheduled hearing was vacated. After further discussion and review of this situation, MSC (Hunsucker-Farr) THAT FORMAL NOTIFICATION BE SENT TO MR. FITCHETT INFORMING HIM THAT ANY FUTURE CONSIDERATION FOR AN OUTFITTER OR GUIDE LICENSE IN IDAHO WILL REQUIRE A MANDATORY APPEARANCE BEFORE THE LICENSING BOARD.

**Bob Liming, Director of Valley Boys and Girls Clubs, Lewiston, ID:** A conference call was conducted between the Licensing Board and Mr. Liming at his office in Lewiston. Mr. Ray Brooks, President of the Board for the Boys and Girls Clubs of Lewiston, was also present. Mr. Liming contacted the Board relative to their desire to auction a camping trip as a fund raiser for the Clubs. The Board explained that those types of trips where monetary gain is realized by someone or some group could only be provided by a licensed outfitter or guide to be in compliance with state law. If these excursions were provided outside the scope of the Outfitters and Guides Act, the Board would have serious concerns about the safety of the public and potential liabilities for the provider. The Director will follow-up this conference call with a written statement explaining the Board's position.

**Tom Coates, Salmon River Scenic Run:** Mr. Coates submitted a request for the Board to review regarding approval to increase the allowable limit for boats on the SA3 section of the Salmon River. He made an appointment to discuss the matter personally with the Board but a conflict arose and he was unable to come to Boise at this time. In his letter he contends that his business has grown to a point where larger groups of 30 to 40 people are becoming more common and in low water situations potentially hazardous conditions

STATE OF IDAHO  
OUTFITTERS AND GUIDES LICENSING BOARD  
APPROVED MINUTES – AUGUST 21 - 23, 2000

are created because clients must disembark in the low spots and help push boats. He feels this creates additional risk of twisted knees, ankles, etc., and is a significant safety issue. After reviewing this information, the Board recommended that the Salmon Resource Area office for BLM be contacted for additional input, that Mr. Coates be advised there may be potential to consider these situations on a case-by-case basis, and perhaps he can also consider contacting other area outfitters when he needs extra room and make some arrangement for assistance.

Bill Bernt departed the meeting at 10:30 AM to attend to a personal matter. He will not return.

**Alan Lamm, Mainstream Outdoor Adventures:** Mr. Lamm has written to the Board regarding his ongoing concern about the potential for acquiring an outfitter license and Forest Service special use permit on the SN12 section of the Snake River from Hells Canyon Dam to Pittsburgh Landing. The Hells Canyon National Recreation Area (HCNRA) office for the Forest Service in Clarkston, WA has indicated to Mr. Lamm that there may be an opportunity available if satisfactory coordination can be accomplished with the IOGLB. The Director will continue to work on this issue with Mr. Lamm and the HCNRA.

**Beamer's Landing, Inc.:** The IOGLB office has received copies of several written communications from the HCNRA and the U.S. Coast Guard to Beamer's Landing regarding alleged non-compliance issues during this current season. Investigation into these matters is continuing and there is no formal action to be considered by the IOGLB at this time.

**Idaho Fish & Game Commission Meeting Agenda, August 24:** Director Sangrey and Board members Scott Farr and Will Judge plan to attend the Commission meeting on Thursday to observe their discussion and formal action regarding outfitted turkey hunting and outfitter allocation issues.

Meeting recessed at 5:10 PM and reconvened at 8:30 AM, Wednesday, August 23<sup>rd</sup> with all members present except Bill Bernt.

**New Outfitter Opportunity:** The Board considered new outfitted hunting opportunities for deer and elk in IDFG Mgmt Units 68 and 69. As a result of proper legal advertisement of the opportunities, two applications were received for Unit 68 from Mr. Ridge Taylor, Ridge and Cash Taylor Safaris, and Mr. Ken Jafek, War Eagle Outfitters, and two applications were also received for Unit 69, one from Mr. John Hill, South Fork Expeditions, and also from Mr. Taylor. Interviews were conducted with Ms. Lisa Taylor representing Ridge and Cash Taylor Safaris and with Mr. Jafek. South Fork Expeditions was not represented. At the conclusion of the interview process, the Board conducted their formal analysis of the applications and determined that Ridge and Cash Taylor Safaris LLC was the most qualified applicant for both opportunities.

STATE OF IDAHO  
OUTFITTERS AND GUIDES LICENSING BOARD  
APPROVED MINUTES – AUGUST 21 - 23, 2000

**Financial Report:** The Director presented the financial year-end close-out report for 6-30-00 and the month-end report for 7-31-00. There were several general questions regarding expenditures during the month of July and following this discussion, MSC (Lyon-Hunsucker) TO APPROVE THE FINANCIAL REPORTS AS PRESENTED.

**Stan Potts:** Mr. Potts submitted written comments regarding concerns he has with the Board's proposal to include a definition for "scouting" in the new rules package. He was informed that a decision had already been made to delete the scouting recommendation from the amended rule proposal. He was satisfied with this action and thanked them for their consideration.

The meeting recessed for lunch at 12:15 PM and reconvened at 1:20 PM.

**Neven Zugg, Elk Mountain Outfitters:** Mr. Zugg met with the Board to discuss his proposed purchase of the hunting outfitter business previously operated as H&L Outfitters, Rick Lane and Steve Hanowell. He described his background and that he has been licensed as an outfitter in Montana for 28 years and has an excellent reputation. He also explained the circumstances surrounding a minor fish & game citation he received in 1974 for hunting upland birds in a closed area. At the conclusion of his interview with the Board, MSC (Lyon-Hunsucker) TO APPROVE THE SALE AND TRANSFER OF BUSINESS BETWEEN H&L OUTFITTERS AND NEVEN ZUGG, dba: ELK MOUNTAIN OUTFITTERS. THE LICENSE WILL BE ISSUED AS SOON AS THE REMAINING ADMINISTRATIVE REQUIREMENTS OF PERFORMANCE BOND CERTIFICATION, PAYMENT OF FEES AND RECEIPT OF THE LAND MANAGER SIGN-OFF FROM THE RED RIVER RANGER DISTRICT ARE SATISFIED.

**June Board Meeting Minutes:** The Board reviewed the minutes from the June meeting and following this discussion, MSC (Lyon-Farr) TO APPROVE THE MINUTES AS PRESENTED.

**Proposed FY 2002 Budget:** The Board revisited the proposal drafted for the new FY2002 budget. Following a general discussion of the enhancement elements of the budget, MSC (Hunsucker-Farr) TO APPROVE THE 2002 PROPOSED BUDGET AS PRESENTED AND PREPARE IT FOR SUBMISSION TO THE GOVERNOR'S OFFICE PRIOR TO THE SEPTEMBER 1 DEADLINE.

**December Board Meeting:** Potential dates for the next Board meeting were discussed and the Board recommended that it be scheduled for three days starting on Monday, December 4, 2000.

With no further business to come before the Board, the meeting was adjourned at 3:35 PM.