

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

**MINUTES
August 26 - 29, 2002**

**(KEY: MSC = MOTION MADE, SECOND, CARRIED)
(MSF = MOTION MADE, SECOND, FAILED)**

THE REGULAR MEETING OF THE IDAHO OUTFITTERS AND GUIDES LICENSING BOARD WAS CALLED TO ORDER AT 8:35 AM, MONDAY, AUGUST 26, 2002 IN THE BOARDROOM, 1365 NORTH ORCHARD, ROOM 172, BOISE, IDAHO. BOARD CHAIRMAN WAYNE HUNSUCKER, VICE CHAIRMAN SCOTT FARR AND MEMBERS RAY LYON, BILL BERNT, AND WILL JUDGE WERE IN ATTENDANCE. ALSO PRESENT WERE EXECUTIVE DIRECTOR, JAKE HOWARD AND BOARD ATTORNEY, STEVE SCANLIN.

Review of Agenda: Director Howard reviewed the agenda with the Board and asked for last minute changes or recommendations. He said that a show cause hearing with David Shillinger had been postponed and that he had scheduled a presentation from Access Idaho in that time slot on the agenda.

June Board Minutes - Director Howard provided a draft copy of the June Board minutes for Board review and approval. The Board asked that several editorial changes be made. They also discussed that in the future the minutes not disseminating to the public or posted on the IOGLB Website until all the Board members have had a chance to review the minutes. Several of the members were concerned that it is hard for them to quickly review the minutes because as outfitters they were often in the backcountry and were inaccessible. They suggested on a trial basis that the Board allow themselves 30 days from the date they receive the draft minutes to review them and get comments back to the Executive Director. (MOTION BY FARR, SECOND BY LYON – JUDGE, FARR, BERNT, LYON, HUNSUCKER - YEA) – TO APPROVE THE BOARD MINUTES FROM THE JUNE MEETING WITH EDITORIAL CHANGES MADE.

Financial Report - Director Howard discussed FY 02 year closeout and that approximately \$19,000 was left uncommitted at the end of the fiscal year. He reported that these funds would roll over into the fund balance. He showed the Board a financial plan that they had requested at the June Board meeting. This was developed primarily to allow the Enforcement Supervisor to track spending. He presented the OGLB financial report as of July 31. (MOTION BY JUDGE, SECOND BY BERNT – JUDGE, FARR, BERNT, LYON, HUNSUCKER – YEA) – TO APPROVE FINANCIAL REPORT AS PRESENTED.

Board Elections - Director Howard reminded the Board that annually the Board must elect officers and that this was overlooked in the June Board meeting. (MOTION BY JUDGE, SECOND BY BERNT – JUDGE, FARR, BERNT, LYON, HUNSUCKER –

YEA) – TO RETAIN EXISTING BOARD, BOARD CHAIRMAN, WAYNE HUNSUCKER AND VICE CHAIRMAN SCOTT FARR.

December Board Meeting - Director Howard asked the Board to confirm the December Board Meeting Dates. It was agreed that the IOGLB would meet Sunday, Dec. 8, Monday Dec. 9 and Friday Dec. 13. The Board discussed the historical significance of this meeting being held to coincide with the Idaho Outfitter's and Guide Association (IOGA) Annual meeting. This allows the IOGLB, and staff, an opportunity to interface with a significant number of Idaho Outfitters. The Board asked Director Howard to work with IOGA Association Executive Director to schedule the following activities: the IOGLB Interagency Meeting (December 12) that he would facilitate, a presentation to the general membership concerning IOGLB activities, a work session on allocation and a work session on the application - amendment process.

Executive Session: In accordance with the provisions of Sec. 67-2345, Idaho Code, MSC (MOTION BY LYON, SECOND BY JUDGE – JUDGE, FARR, BERNT, LYON, HUNSUCKER – YEA) TO MOVE THE BOARD INTO EXECUTIVE SESSION AT 9:00 AM TO DISCUSS PERSONNEL AND LITIGATION MATTERS. MSC (MOTION BY FARR, SECOND BY LYON – JUDGE, FARR, BERNT, LYON, HUNSUCKER - YEA) AT 10:10 AM TO COME OUT OF EXECUTIVE SESSION WITH NO DECISIONS MADE.

Directors Report: License Status - As of 8/23/02, 406 Outfitters, 291 Designated Agents and 1721 Guides had been licensed compared to 405 Outfitters, 281 Designated Agents and 1791 Guides last year. He stated that the licensing had slowed down and staff was issuing licenses within two days of receipt by mid July. Almost 200 pull forward requests had been made since May 14. New Participants - There were 9 new outfitters, 9 new new designated agents and 230 new guides since the June meeting. Expired Licenses - The Director reported that 27 Outfitters had not renewed their licenses by the end of the license year (June 31) and that a certified letter had been sent to those outfitters. Of those, 10 licenses were relinquished. He reported that there are several vacated operating areas that need to be researched and that may be available for new applications. Non-Use – Director Howard reported that he had further researched non-use since the last Board meeting and reviewed non-use status of 11 outfitters. There was discussion that the non-use policy had not been strictly enforced in the past and that in the future it needed to be. The Board clarified the non-use policy: Non-use requests must to be made by the outfitter well before the end of the licensing year and that all requests for a non-use waiver should be brought before the Board by the end of the licensing year, June 31. Also, prior use must have been established in order for an outfitter to have standing for a non-use waiver.

Cee/Bar Dee Relinquished License - Following the Director Howard's report, discussion continued concerning the vacated areas previously held by Cee/Bar Dee. Director Howard reported that staff had been contacted by several outfitters who are interested in amending part of Cee/Bar Dee's operating area in Units 10 and 10a and a waiting list has been started. He said that rules require the vacated areas to be advertised.

Also, he reported that he had talked with the USFS representative for that area and he recommends that the area should not be continued as a stand-alone operation. He said that this vacated area is a little unusual because part of the operating area is managed by the USFS and another part is managed by the Idaho Department of Lands and there are some overlapping hunting activities occurring that should be considered in re-licensing the areas.

(MOTION BY FARR, SECOND BY LYON – JUDGE, FARR, BERNT, LYON, HUNSUCKER – YEA) - DIRECT IOGLB STAFF TO WORK COOPERATIVELY WITH THE USFS AND IDAHO DEPARTMENT OF LANDS IN SEEKING APPLICATIONS FROM EXISTING OUTFITTERS WITH ADJACENT OPERATIONS TO VACATED CEE/BAR DEE OPERATING AREAS IN UNITS 10 AND 10A. THE OPERATING AREAS MAYBE SPLIT BETWEEN OUTFITTERS. EXISTING USE WILL BE CONSIDERED AND THE BOARD'S INTENT IS TO NOT OVERLAP AREAS OR ACTIVITIES.

Bear and Cougar Meeting - Director Howard provided the Board a report on the meeting in which he participated. Included were Region 2, Idaho Department of Fish and Game and several USFS Districts in Units 10 and 12 where IDFG is hoping to improve Cougar and Bear harvest with the help of Outfitters. They are doing this to improve elk calf survival and ultimately the elk herd in those areas. He felt that some positive steps were being taken to address some the issues that the Board identified in their June 12 meeting in Orofino. He said that he planned to attend a follow-up meeting in Kamiah in September. **Outfitted Turkey Hunts** - He said that he hopes to send out a notice early this fall taking application so existing outfitters may begin providing turkey hunting on their deeded property as determined in the June Board meeting. Also, he intends to contact the USFS and BLM to initiate the MOU process with intent of addressing an apparent need for outfitted turkey hunting on federal property. The Board discussed the importance of outfitters being able to tie turkey hunting together with bear and cougar hunting opportunities. This could enhance non-resident hunting opportunity in Idaho in the future. This would be important in areas like Units 10 and 12 where IDFG is trying to increase harvest. **Darl Allred** - Director Howard reported that he had met with Steve Tobiason and Darl Allred as directed by the Board at the June meeting to discuss any new issues that Mr. Allred might have concerning a long standing dispute. Director Howard said he clarified the definition of a suspended license verses a revoked license. He said that Mr. Allred agreed that he and the IOGLB may never come to complete understanding on the dispute but that he was willing to recognize this and considered the matter closed. He said that he wants the IOGLB to closely follow its rules in the future regard vacated areas and awarding new licenses.

Outfitting on Private Held Lands - The Board discussed the need to develop a more comprehensive policy of issuing Outfitter licenses on private held lands. **(MOTION BY FARR, SECOND BY BERNT – JUDGE, FARR, BERNT, LYON, HUNSUCKER – YEA)** THE EXECUTIVE DIRECTOR IS DIRECTED TO ORGANIZE A SUMMIT OF

REPRESENTATIVES FROM THE GOVERNOR’S OFFICE, STATE AND FEDERAL LAND MANAGEMENT AGENCIES, THE IDAHO DEPARTMENT OF FISH AND GAME, DEPT. OF AGRICULTURE, NEIGHBORING STATE AGENCIES, PRIVATE LAND OWNERS, LEGISLATORS, OUTFITTERS, REPRESENTATIVES OF THE TOURISM INDUSTRY AND INTERESTED MEMBERS OF THE PUBLIC WHERE THE PARTICIPANTS WOULD BE CHARGED WITH DETERMINING THE APPROPRIATENESS OF OUTFITTING ON PRIVATE LANDS STATEWIDE AND WITH DEVELOPING RECOMMENDATIONS FOR OUTFITTING APPROPRIATE ACTIVITIES ON THESE LANDS

Technical Records Report - Leanne Reincke - New Application - Ms. Reincke presented a detailed status report on new Outfitter applications. Of the 19 new outfitter applications backlogged at the time Director Howard was hired, Thirteen (13) have been completed. The remaining 6 applications are very complex applications requiring additional research, involvement with external agencies and time from the Director. She reported that progress was being made on all of them. Of the 6 new outfitter applications received since he was hired several are near completion with the rest to be completed early this fall. **Amendment Report** - Reported that there the 23 outfitter amendments back logged at the time Director Howard was hired Ten (10) have been completed. She reported that progress was being made on the remaining 13 amendments. Of the 12 new outfitter amendments received since he was hired 5 are complete with the rest to be completed this fall. **Buy/Sell Report** - She reported that IOGLB had been notified of 8 new buy/sell agreements with none having submitted all of the paper work necessary to process them. She discussed several of them with the Board.

(MOTION BY FARR, SECOND BY JUDGE – JUDGE, FARR, BERNT, LYON, HUNSUCKER – YEA) BASED ON HARDSHIP CONSIDERATION REQUIRE SPICKELMIRE TO BRING LICENSE CURRENT FOR 2002 FOR SN 12 & SN 14 AND PROCESS SALE WITH HEATHER KILGORE FOLLOWING STATUTORY GUIDELINES.

Allocation Update - General allocation closed on August 1, 2002. The outfitted allocation tags that were not used went back to IDFG to be sold to hunters who had their name placed on a waiting list at IDFG headquarters. The remainder of the tags were sold on a first come, first serve basis. Listed below are the total outfitter allocated tags that went back to IDFG on August 1, 2002.

- Middle Fork Zone A 52
- Middle Fork Zone B 130
- Selway Zone 27
- Lolo Zone 87
- Elk City Zone 12
- Dworshak Zone 1

PROVIDED BY SECTION 36-2113 (c), IDAHO CODE, FOR THE VIOLATION CONTAINED IN COUNT TWO. RESPONDENT'S LICENSE SHALL BE SUSPENDED FOR A PERIOD OF FIVE (5) YEARS.

Executive Session: In accordance with the provisions of Sec. 67-2345, Idaho Code, MSC (MOTION BY LYON, SECOND BY JUDGE – JUDGE, FARR, BERNT, LYON, HUNSUCKER – YEA) TO MOVE THE BOARD INTO EXECUTIVE SESSION AT 10:30 AM TO DISCUSS PERSONNEL AND LITIGATION MATTERS. MSC (MOTION BY FARR, SECOND BY LYON – JUDGE, FARR, BERNT, LYON, HUNSUCKER - YEA) AT 11:00 AM TO COME OUT OF EXECUTIVE SESSION WITH NO DECISIONS MADE.

At 2PM Mr. Lyon excused himself from the meeting to attend to other business.

(MOTION BY JUDGE, SECOND BY FARR – JUDGE, FARR, BERNT, LYON, HUNSUCKER – YEA) TO TABLE FEE INCREASE THIS YEAR.

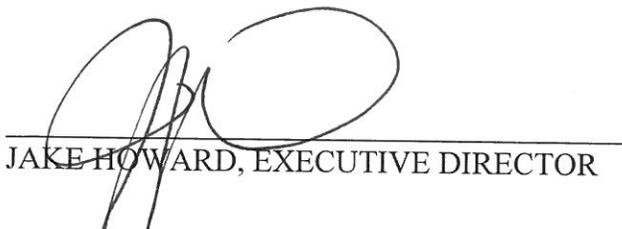
Director Howard informed the Board that he had been contacted by Jim McCarthy requesting the Board consider an amendment for guiding float boats on the Clearwater River. Director Howard reminded the Board that Mr. McCarthy was on probation and that all amendments needed to come before the Board. He said that he had talked with McCarthy about previous issues and he felt that McCarthy was making a good faith effort and recommend that McCarthy's license be amended. (MOTION BY JUDGE, SECOND BY BERNT – JUDGE, FARR, BERNT, LYON, HUNSUCKER – YEA) TO ALLOW JIM MCCARTHY'S LICENSE TO BE AMENDED FOR THIS ACTIVITY.

With no further business to come before the Board, the meeting was adjourned at 2:30 PM, August 29.



WAYNE HUNSUCKER, CHAIRMAN

ATTEST:



JAKE HOWARD, EXECUTIVE DIRECTOR