

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

FINAL MINUTES

April 24, 2008

**(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 8:30 A.M. April 24, 2008, IN THE BOARD ROOM, 1365 NORTH ORCHARD, ROOM 172, BOISE, IDAHO. MEMBERS SCOTT FARR (CHAIRMAN), WAYNE HUNSUCKER, TOM LONG, WILL JUDGE AND MARCUS GIBBS WERE IN ATTENDANCE. ALSO PRESENT WERE EXECUTIVE DIRECTOR JAKE HOWARD, BOARD SECRETARY LORI THOMASON, BOB LUND, CHIEF ENFORCEMENT OFFICER, AND ROGER HALES, BOARD ATTORNEY

MSC (MOTION, JUDGE; SECOND, HUNSUCKER – AYES, LONG, GIBBS, FARR; NAYES -- NONE) TO APPROVE CONSENT AGENDA

Financial Report - A discussion and review of the budget took place, and how it is being spent, particularly on enforcement. Director Howard stated that he will do an analysis on how the enforcement budget is being spent, to include where and how we get the officers and how office support is working with enforcement.

MSC (MOTION, GIBBS; SECOND, LONG – AYES , JUDGE, HUNSUCKER, FARR; NAYES -- NONE) TO APPROVE FINANCIAL REPORT

Directors Report - Joseph Peterson from Flying B Ranch appeared to discuss his letter on adding Turkey hunting on public lands. The board approved the concept to accept the possibility of outfitters hunting on private lands, and to expand on public lands for outfitted turkey hunting. They asked the Director to prepare a letter to interested parties such as the IDFG, USFS, Turkey Federation, IOGA and legislators to obtain their perspective on how the Board might proceed on this matter which they might consider at their June meeting.

Private Lands - Mark Gamblin, Virgil Moore, and Brad Compton from IDFG appeared to discuss a previous meeting they had with Director Howard, Board Members Marc Gibbs, and Wayne Hunsucker concerning how IDFG provides input to the Board during the licensing process on the private lands. The Board stated that they felt the meeting was productive and the group was headed in the right direction. Virgil Moore stated that based on input from this meeting, he and the other IDFG representative would return and meet with the IDFG Executive Team and that he would provide some more specific

comments to the Board by their June meeting. The topic of allowing outfitters to hunt wolves also came up. The Directors explained he had discussed with several Board members globally adding wolves as an activity to all outfitter licenses currently providing bear, cougar, and/or any other type of predator hunting, such as coyote or bobcat. This includes nearly every big game outfitter in Idaho. For those few big game outfitters who are not already licensed for bear, cougar and another types of predator hunting, the outfitter will be invited to request that wolves to be added to their license through a minor amendment. A minor amendment requires minimal analysis on part of the Board and partnering agencies. The Director said that the Board's primary consideration has been how to simplify the process for the industry, and how to minimize the volume of individual requests being submitted to both this agency and partnering agencies from outfitters wanting to add wolf hunting to their license. Brad Compton said the Board might formally request a response from the IDFG on this concept based on the recently signed MOU. The Board asked the Director to prepare a letter to interested parties such as the IDFG, USFS, IOGA and legislators to obtain their perspective on how the Board might proceed allowing outfitters to hunt wolves which they might consider at their June meeting.

Chairman Farr recessed the meeting for lunch break at 11:50 a.m. and reconvened at 1:00 p.m. with all present.

Back Country Pilots – Board Attorney Roger Hales explained his review of back country pilot operations in respect to Idaho Outfitters and Guide statutes and rules that was requested by the Board earlier this year. The Board wants to determine how compensation is being taken, and what services are provided before moving forward. Director Howard explained that this matter had been discussed at a recent Idaho Recreation and Tourism Initiative meeting involving the USFS.

License Application Deferrals - Rulon Jones representing Broadmouth Canyon Ranch appeared before the Board about his outfitter license application. Mark Gamblin and Virgil Moore from IDFG were also present. The Board asked Mr. Jones questions about his operation and reviewed information and pictures that were taken by IDFG pertaining to close proximity of his proposed outfitter operation on his private land, and land leased from the state that were adjoining his high fence elk hunting operation. The Board stated they have no jurisdiction over the high fence operation; but had concerns with an outfitter operation next to the high fence elk operation. Mark Gamblin stated that the IDFG is taking no formal position on Mr. Jones' high fence operation, they do however, have a concern about public wildlife in close contact with the wildlife in a privately owned operation.

MSC (MOTION, JUDGE; SECOND, LONG– AYES FARR, HUNSUCKER; NAYES -- GIBBS) THE BOARD APPROVED THE APPLICATION SUBMITTED BY BROADMOUTH CANYON RANCH RULON JONES WITH A LIMITATION OF 5 ELK HUNTERS AND 20 DEER HUNTERS ANNUALLY.

Allocation Manual - The board continued the discussion about revising the allocation manual. The plan is for Will Judge and Scott Farr to have final revisions done so it can be approved at the June meeting.

SA4 A and SA 4B - A discussion took place concerning the non-use by outfitters on the SA4A and the SA4B. Direction was given to Director Howard to contact all outfitters that have reported non-use for the past three years on these sections of the Salmon River and ask them to respond following rule 25.01.01.024 with unresolved non-use issues to be addressed by the Board through a non-use hearing conducted at its August meeting. The Board asked these outfitters to respond by no later than June 9, 2008.

With no further business to come before the Board, Chairman Farr adjourned the meeting at 5:10 p.m., Thursday April 24, 2008.

MSC (MOTION, GIBBS; SECOND, JUDGE – AYES FARR, HUNSUCKER, LONG NAYES -- NONE) AT 8:00 A.M. THAT THE BOARD ADJOURN TO EXECUTIVE SESSION IN ACCORDANCE WITH THE PROVISIONS OF SEC. 67-2345, IDAHO CODE TO DISCUSS PENDING LITIGATION AND PERSONNEL MATTERS. MSC (MOTION, JUDGE; SECOND, LONG, AYES FARR, HUNSUCKER, GIBBS; NAYES - NONE) THAT THE BOARD END EXECUTIVE SESSION. EXECUTIVE SESSION ENDED AT 8:30 A.M. WITH NO DECISION MADE.

Enforcement Report - Enforcement Chief Bob Lund explained the case log. He has changed the format. He explained a guide checklist that he was working on with the Director to make available to newly licensed guides concerning certain responsibilities they have as guides.

MSC (MOTION, GIBBS; SECOND, JUDGE– AYES FARR, HUNSUCKER, LONG; NAYES -- NONE) THE BOARD APPROVED THE ENFORCEMENT REPORT

Work Session Policy Discussion Tax Exempt Trip Donations - Enforcement Attorney Steve Tobiason explained a proposed policy for whether individuals donating trips to non-profit organizations are exempt from licensure. Mr. Tobiason explained that this draft policy came as the result of the IOGA legislation concerning strengthening unlicensed outfitter laws in Idaho, and some confusion during the Senate Resources Committee hearing as the result of information discovered after the initial presentation of the bill, and provided in response to several Senators' questions. The Board asked that Mr. Tobiason redraft the policy and suggested that they might make a decision at the June meeting on how to move forward. This was concerning donated trips being conducted by non-licensed individuals. The Board believes the policy must examine the type of entity that receives the benefit, and how many times they donate during the year. The primary concern of the Board is the safety and welfare of the public. There was discussion that the Senators may consider changes to the statute regarding this matter, and the Board felt that it might be beneficial to provide the Senators with their input soon.

MSC (MOTION, GIBBS; SECOND, JUDGE– AYES FARR, HUNSUCKER, LONG; NAYES -- NONE) FOR THE BOARD TO RECORD THE WORK SESSION ON THE SOUTH FORK.

Work session on the South Fork Snake River – Director Howard explained that the work session had been scheduled, but due to a recent illness he was not fully prepared to discuss the matter. He provided information concerning a guidance letter initiated in September of 2007 clarifying the definition of a powerboat versus a float boat statewide. He said exception was the powerboat outfitters operating on the South Fork of Snake River. The Board stated that they did not feel South Fork power boat outfitters use of float boats with motors on the South Fork was a problem, and the matter was tabled for further discussion at a later time. Darren Puetz from Black Dog Outfitters attended the meeting to explain what he feels is occurring on the South Fork. He stated that the South

Fork is being outfitted by big corporations. The corporations are increasing the costs and creating a monopoly. He explained his relationship as a booking agent and as an outfitter. Executive Director Howard asked that the board approve a request for Mr. Puetz regarding the license for power boating for his previously licensed waterfowl hunting.

MSC (MOTION, JUDGE; SECOND, HUNSUCKER– AYES FARR, GIBBS, LONG; NAYES -- NONE) APPROVE THE OUTFITTER AMENDMENT SUBMITTED BY BLACK DOG OUTFITTERS, DARREN PUETZ FOR POWER BOATING LIMITED TO WATERFOWL HUNTING ON LANDS ADMINISTERED BY USFS ON THE SOUTH FORK OF THE SNAKE RIVER FROM CLARK HILL UPSTREAM TO PALISADES DAM AND LIMITED TO WATERFOWL HUNTING PURPOSES TO LANDS ADMINISTERED BY USFS ONLY ON THE SOUTH SHORE OF THE PALISADES RESERVOIR. FISHING OR GUIDED FISHING TRIPS MAY NOT BE ADVERTISED OR PROVIDED.

Show Cause Hearing - Bigfoot Outfitters/Russell Gilmore - Enforcement Attorney Steve Tobiason explained that the hearing has been reset for June. There was an attorney issue with Mr. Gilmore. The board has accepted that the hearing will continue at the June meeting.

MSC (MOTION, GIBBS; SECOND, JUDGE – AYES FARR, HUNSUCKER, LONG; NAYES -- NONE) AT 11:00 A.M. THAT THE BOARD ADJOURN TO EXECUTIVE SESSION IN ACCORDANCE WITH THE PROVISIONS OF SEC. 67-2345, (1) (a) IDAHO CODE TO DISCUSS PENDING LITIGATION AND PERSONNEL MATTERS. MSC (MOTION, JUDGE; SECOND, LONG, AYES FARR, HUNSUCKER, GIBBS; NAYES - NONE) THAT THE BOARD END EXECUTIVE SESSION. EXECUTIVE SESSION ENDED AT 12:30 P.M. WITH NO DECISION MADE.

With no further business to come before the Board, Chairman Farr adjourned the meeting at 12:30 p.m., Friday April 25, 2008.

SCOTT FARR, CHAIRMAN

ATTEST:

JAKE HOWARD, DIRECTOR