

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

FINAL MINUTES

December 1, 2009

**(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. DECEMBER 1, 2009, AT THE RED LION DOWNTOWNER HOTEL, BOISE, ID. MEMBERS WAYNE HUNSUCKER, (CHAIRMAN), LOUISE STARK, CHRIS KORELL, TOM LONG, AND ALEX IRBY WERE IN ATTENDANCE. ALSO PRESENT WERE EXECUTIVE DIRECTOR JAKE HOWARD; OFFICE SUPERVISOR LORI THOMASON; BOARD ATTORNEY ROGER HALES; EDUCATION & ENFORCEMENT CHIEF PAT BEALE

IOGA Species Conservation Committee- Director Howard spoke to the Species Conservation Committee regarding new polices and licensing outfitters for wolf hunting.

IOGA Governmental Affairs Committee – Director Howard gave a presentation on upcoming legislation.

Board recessed for Lunch at 12:00 Board reconvened at 1:45 with all present listed above.

IOGA Hunt Section - Director Howard explained the policies 2025 - Outfitting on State and Private Lands, 2026 - Public Need/capacity Assessment Framework, 2027 - Moratorium on Outfitted Waterfowl, Upland Game and Turkey Hunting.

Chairman Hunsucker recessed the meeting at 4:45 P.M. December 1, 2009.

THE RECONVENED MEETING OF THE IDAHO OUTFITTERS AND GUIDES LICENSING BOARD WAS CALLED TO ORDER AT 8:30 A.M. DECEMBER 2, 2009, AT THE IOGLB OFFICE AT 1365 N. ORCHARD BOISE, IDAHO. MEMBERS WAYNE HUNSUCKER, (CHAIRMAN), LOUISE STARK, CHRIS KORELL, TOM LONG AND ALEX IRBY WERE IN ATTENDANC ALSO PRESENT WERE EXECUTIVE DIRECTOR JAKE HOWARD; OFFICE SUPERVISOR LORI THOMASON, AND BOARD ATTORNEY ROGER HALES.

Directors Report – Director Howard gave a brief over view of the agendas for the IOGLB board meeting along with the IOGA agenda.

MSC (MOTION, LONG; SECOND, IRBY – AYES - KORELL, STARK, HUNSUCKER NAYES -- NONE) AT 8:30 A.M. THAT THE BOARD ADJOURN TO EXECUTIVE SESSION TO DISCUSS PERSONNEL ISSUES AND LITIGATION WITH THE BOARD ATTORNEY IN ACCORDANCE WITH THE PROVISIONS OF SEC. 67-2345(1)(b)&(d), IDAHO CODE. BOARD ATTORNEY ROGER HALES AND EXECUTIVE DIRECTOR JAKE HOWARD WERE PRESENT MSC (MOTION, LONG; SECOND, IRBY - AYES – IRBY, KORELL, HUNSUCKER;

NAYES - NONE) THAT THE BOARD END EXECUTIVE SESSION. EXECUTIVE SESSION ENDED AT 8:50 A.M. WITH NO DECISION MADE.

Fee Increase – Director Howard explained the difficulty of asking for a fee increase in this economy and hard times that the industry faces right now. He stated if the agency does not receive a fee increase soon it find itself find itself in a critical financial crisis and unable to continue the services we are currently providing.

Consent Agenda – Board reviewed consent agenda.

MSC (MOTION, IRBY; SECOND, LONG – AYES - STARK, KORELL, HUNSUCKER; NAYES - NONE) TO APPROVE AND ACCEPT CONSENT AGENDA

Enforcement Report – Enforcement Chief Pat Beale gave a description of the enforcement cases that he has been working on so far this year there have been 64 investigations, 40 licensed outfitter and 24 non licensed outfitter cases have been investigated. Several cases have gone through the court system. Two more are scheduled to be heard in December before the county prosecutors. The MOU for Fish and Game, Idaho State Police for the ILETS system has been signed. Metal signs and laminated signs are being purchased to post in the areas for education on the rivers at the put in and take out areas.

Board Chairman Wayne Hunsucker excused himself from the meeting. Acting Chairman Tom Long continued the meeting.

Financial Report – The Board reviewed the Director’s written report and discussed related matters with Office Supervisor Thomason. Director Howard was not present for the discussion.

MSC (MOTION, STARK; SECOND, KORELL;– AYES – LONG, IRBY : NAYES - NONE) TO ACCEPT THE FINANCIAL REPORT.

Meeting IOGA- A request was made that Board Members Tom Long, Louise Stark and Chris Korell meet with two Board of Director members from the IOGA to discuss the fee increase.

MSC (MOTION, STARK; SECOND, KORELL; AYES - LONG, IRBY; NAYES - NONE) TO CHANGE THE CURRENT AGENDA TO INCLUDE A MEETING WITH THE PRESIDENT OF THE IOGA.

Non Invasive Sticker - Board Member Tom Long discussed the non invasive boat sticker, and the proposed legislation. He is recommending that the Board collect the fee at the time of renewal. The outfitter would be responsible for reporting and paying the proper fees. The two individuals to work with from Idaho Department of Parks and Recreation are Renee Iverson and David Dahms. There needs to be more research done to see if this is a possible service the Board can provide.

Directors Report - Henry’s Fork Anglers/South Fork Outfitters - In response to a concern expressed in a letter from John Curney and Darren Puetz/ Black Dog Outfitter, the Board directed at their November meeting that information be provided regarding the process that took place with the sale between Henry’s Fork Anglers and South Fork Outfitters LLC. Director Howard provided the documentation. Board Attorney Roger Hales discussed matters between Henry’s Fork Outfitters and South Fork Outfitters. **World Cast Angler’s Use Report on the Teton River** - Director Howard also provided World Cast Angler’s Use Report on the Teton River that has been of concern to John Curney and Darren Puetz, Black Dog Outfitters. Mr. Puetz and Todd Lanning representing South Fork

Outfitters, and Gordy Gillett representing World Cast Anglers were present and responded to questions of the Board regarding these matters respectively.

MSC (MOTION, STARK; SECOND, KORELL – AYES – IRBY, LONG; NAYES - NONE) TO REVIEW USE OF OTHER OUTFITTERS ON THE TE 1, TE 2 AND TE 3. REVIEW THE DECEMBER 2007 BOARD MINUTES APPROVING THE LICENSE TO WORLD CAST ANGLERS AND HAVE STAFF FORWARD A LETTER TO WORLD CAST REQUESTING A RESPONSE

MSC (MOTION, KORELL ; SECOND, STARK – AYES - LONG, IRBY; NAYES -- NONE) TO BRING BEFORE THE BOARD AT THE FEBRUARY MEETING DIRECTING THE STAFF TO SEND A LETTER TO SOUTH FORK AND HENRY’S FORK ANGLERS REVIEW THE TRANSFER NATURE OF THE RELATIONSHIP TO REVIEW THE USE PRIOR TO AND AFTER THE TRANSFER OF THE LICENSE. REVIEW THE OPERATING PLAN SUBMITTED AGAINST THEIR PRESENT USE.

Board recessed for Lunch at 12:00 Noon and reconvened at 1:35 p.m. with all present listed above.

DGBK Disciplinary non use hearing - Enforcement Chief Pat Beale went through the list of documents pertaining to the SH2 section of the Snake River Henry’s Fork. Mr. Green, the designated agent for DGBK, explained that due to drought and fire, his business was down for the last four of five years. He also explained he does not operate from a lodge in order to provide trips for his customers. It is not easy to book clients for that section of the river when he has to transport them an additional 60 miles further. Mr. Green also explained that in his operating plan he only plans on taking around 20 clients a year, he does not plan to increase his use to compete with the same usage as other outfitters on the SH2.

MSC (MOTION, IRBY; SECOND, LONG – AYES - STARK, KORELL; NAYES -- NONE) TO DISMISS THE COMPLAINT WITH A LETTER OF CONCERN EXPRESSING THE NON USE FOR THE TWO YEARS AND TO ENCOURAGE DGBK TO USE THEIR OPPORTUNITY

South Fork Outfitters LLC Non Use Hearing – Mr. Todd Lanning, designated agent for South Fork Outfitters LLC, appeared before the Board. Enforcement Chief Pat Beale explained to the Board the list of non- use and negligible use South Fork Outfitters had on the BLKF, BL1, PAL, SN1, SN3, SN4, SS1 for power and float boating. Mr. Lanning explained that due to low water levels on some of these rivers he is unable to safely take clients. The fisheries are no longer desirable to some of his clients. On the BlackFoot Reservoir, it at one time, all but ran dry. The only fish to catch are carp in the reservoir. The Palisades Reservoir, at one time was drawn down to 2% of capacity; however, in the last several years it did fill to capacity, and is starting to come back and he has utilized it early in the season for fly fishing. Mr. Lanning explained that the SN1, SN2, SN3 has generally been good fishing early in the season and then again late in the season . Last year was not good due to a high water level.

MSC (MOTION, IRBY; SECOND, STARK – AYES - KORELL, LONG, NAYES -- NONE) AT 3:00 P.M. THAT THE BOARD ADJOURN TO EXECUTIVE SESSION TO DISCUSS LEGAL RAMIFICATIONS OF AND LEGAL OPTIONS REGARDING PENDING OR LIKELY LITIGATION WITH THE BOARD ATTORNEY IN ACCORDANCE WITH THE PROVISIONS OF SEC. 67-2345(1)(f), IDAHO CODE. BOARD ATTORNEY ROGER HALES. MSC (MOTION, STARK; SECOND, IRBY - AYES –KORELL; NAYES - NONE) THAT THE BOARD END EXECUTIVE SESSION. EXECUTIVE SESSION ENDED AT 3:10 P.M. WITH NO DECISION MADE.

MSC (MOTION, IRBY; SECOND, KORELL – AYES - LONG; NAYES -- NONE) TO DISMISS THE COMPLAINT AGAINST SOUTH FORK OUTFITTERS DIRECTING STAFF TO ISSUE A LETTER OF CONCERN REGARDING THEIR USE AND THAT THEY ATTEMPT TO FULLY

UTILIZE THEIR LICENSE OPPORTUNITIES WITH AN UNDERSTANDING THE BOARD WILL MONITOR THEIR PROGRESS

Acting Chairman Long recessed the meeting at 4:05 pm December 2, 2009.

Chairman Hunsucker reconvened meeting at 9:15am. with all listed above present

Kent Fritchman – Mr. Fritchman appeared before the Board to explain his request for an exemption on river safety training instructors. He wants to operate as a swift water rescue training business. The Board felt that river safety training is an important service, but that they cannot make exemptions to state laws. Board member Long explained that there are a number of outfitters who have trained employees who provide that training in Idaho. Mr. Fritchman stated that he works as a guide for Idaho Whitewater Unlimited, but wanted to expand his business to other rivers. The Board explained to him that he needs to continue to work for an outfitter in order to continue to be an instructor for his swift water rescue and explained the 3rd party and advertising requirements. They encouraged him to look for an opportunity to be licensed on an existing river and get licensed as an outfitter.

Board recessed for Lunch at 11:30 a.m. and reconvened at 1:35 p.m. at the IOGA meeting, Red Lion Downtowner with all present listed above.

IOGA meeting - The Board gave a presentation to the IOGA members explaining the positive changes that had taken place over the last several years. Education and Enforcement Chief Pat Beale explained the areas that enforcement has improved on. The Board also discussed the legislation and a proposed fee increase to the industry at large.

With no further business to come before the Board, Chairman Hunsucker adjourned the meeting at 4:30 p.m., Thursday December 3, 2009.

WAYNE HUNSUCKER, CHAIRMAN

ATTEST:

JAKE HOWARD, DIRECTOR