

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

DRAFT MINUTES

June 18, 2013

**(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. ON JUNE 18, 2013 IN THE MEETING ROOM, AT THE IDAHO OUTFITTERS AND GUIDES LICENSING BOARD OFFICE, 1365 N. ORCHARD STREET, ROOM 172, BOISE, IDAHO. MEMBERS WAYNE HUNSUCKER (CHAIRMAN), CHRIS KORELL, LOUISE STARK, TOM LONG AND ALEX IRBY WERE IN ATTENDANCE. ALSO PRESENT WERE EXECUTIVE DIRECTOR JAKE HOWARD, BOARD SECRETARY LORI THOMASON, EDUCATION/ENFORCEMENT CHIEF RANDY WADLEY, AND BOARD PROSECUTING ATTORNEY MIKE KANE.

Agenda - Director Howard gave a brief overview of the agenda.

Directors Report – Federal Agency Training Webinars - Director Howard explained that two training webinars have been prepared for federal agency administrators that are now on the IOGLB’s web site. Joe O’Neill with the BLM, Cottonwood field office and Grant Simonds with the IOGA helped prepare the two webinars. The webinars are intended to educate new Federal Agency administrators on the progressive steps of the Idaho outfitter buy/sell process outlined in the IOGLB/USFS/BLM Memorandum of Understanding in order that it helps all involved. Webinar #1 focuses on interagency actions and Webinar #2 supplements Webinar #1 by focusing on the use of OG-6 Land Managers Statement Form. He explained that the idea came out of the annual agency meeting earlier in the year. **Negotiated Rule Making** - Director Howard explained that the Negotiated Rule Making website has been updated with comments provided since the April meeting and reminded the Board that they had targeted the August Board meeting for a decision on these rules. **Vacated Areas** - Director Howard reported that the prospectus for a vacated outfitter area in Units 70, 73, & 73A has been published and placed on the IOGLB website and that all the other vacated areas discussed earlier in the year had now been filled with the exception of a couple. He said that Lori Ankrum from the Mountain Home Ranger District recently communicated that the USFS hopes to have a meeting in July to discuss the vacated areas near Idaho City and Anderson Ranch Reservoir. He said that he also understood that the Salmon/Challis NF had planned to do the analysis this summer in enabling a vacated outfitter area near the confluence of the Middle Fork and Main Salmon to move forward via a prospectus. **Notice of Intent to Permit/License** - Director Howard explained that the Salmon Challis National Forest, USFS is placing an ad in a local paper notifying the public and outfitters that the District Ranger intends to permit and that Director Howard intends to license Rawhide Outfitters in the vacated Twin Peaks area; action due to the fact that Rawhide Outfitters surrounds the vacated area on all sides. He said that if a response demonstrates a competitive interest in the area and someone’s ability to operate in the area without conflict, the Board would need to make a decision whether to issue a prospectus. The Board was in agreement with this approach on this specific matter. **Ken Smith Refund** – The Board reviewed a request from Ken Smith to refund his application fees and took no action to do so. It was discussed that the staff processed and the Board reviewed Mr. Smith’s outfitter application at their April meeting and denied it. It was also discussed the Board does not issue licenses when incomplete applications are provided and this includes those submitted without all the proper paper work and without fees. They said new application fees are used to recover agency costs associated with

processing and reviewing of an outfitter's license application. Director Howard pointed out that costs attributed to the review of Mr. Smith's outfitter application in April greatly exceeded the fees received. He also pointed out that the annual license fees Mr. Smith's had submitted had been refunded due to there not being a license to be issued to apply them to. **IDFG MOU** – Director Howard said that he recently discussed the status of reauthorizing the MOU with the Idaho Department of Fish and Game with Deputy Director Unsworth. He said he was told that the legislature had adjourned and that this matter would become a priority.

Office Supervisor- Lori Thomason, Office Supervisor explained to the Board that she had found a way to save an additional \$400.00 in yearly printing costs by printing our own letter head and finding a cheaper paper source than the agency were originally using.

Disciplinary Hearing Andrew Savage Heaven's Gate Outfitters – Prosecuting Attorney Mike Kane explained several matters had surfaced involving Heaven's Gate Outfitters with implication to matters at hand and asked for a continuance allowing him time to sort out these new matters. **MSC (MOTION: IRBY, SECONDSTARK – AYES: HUNSUCKER, KORELL, AND LONG; NAYES: -- NONE) TO GRANT HEAVEN'S GATE OUTFITTERS A CONTINUATION.**

Mike Kane left the meeting

Probation, Fine/Fee Setting Policy 4008 - 2012 – Enforcement Chief Randy Wadley explained a section of Policy 4008-2012 adopted by the Board in April needed clarification and he asked the Board to accept the revision. **MSC (MOTION: IRBY, SECONDSTARK – AYES: HUNSUCKER, KORELL, AND LONG; NAYES: -- NONE) TO ADOPT REVISED POLICY 4008-2012 DEALING WITH PROBATION, FINE/FEE SETTING.**

MSC (MOTION: KORELL, SECOND, LONG – AYES: IRBY AND HUNSUCKER; NAYES: - NONE) AT 8:40 A.M. THAT THE BOARD ADJOURN TO EXECUTIVE SESSION TO DISCUSS LEGAL MATTERS DEALING WITH PINELAND PROSPECTUS IN ACCORDANCE WITH THE PROVISIONS OF SEC. 67-2345(1) (B) & (F), IDAHO CODE. MSC (MOTION: LONG, SECOND, IRBY; - AYES: KORELL, HUNSUCKER AND STARK; NAYES: - NONE) THAT THE BOARD END EXECUTIVE SESSION. EXECUTIVE SESSION ENDED AT 9:30 A.M

Pineland Prospectus - Clem Pope, Permit Administrator on the Krassel Ranger District, Payette National Forest participated through teleconference with the Board to review the two outfitter applications submitted to the Board by Trent Bullock, Elk Creek Outfitters and Albert Bayer, Elk Springs Outfitters, who applied for the vacated Pineland Outfitter's operating areas in Idaho Department of Fish and Game Units 25, 26 and 27. **MSC (MOTION: IRBY, SECOND STARK – AYES: HUNSUCKER, KORELL, AND LONG; NAYES: -- NONE) TO GRANT THE APPLICATION FOR THE PROSPECTUS TO ALBERT BAYER, ELK SPRINGS OUTFITTERS.**

Discussion on Power Boating on SA4A, SA4B – Director Howard explained that based on direction from the Board, he had contacted Bill Bernt, an existing outfitter and former Board member familiar with this matter and these river sections; the Custer County Commissioners and its Water Ways Committee, and IDFG for information on the public use of the SA4A & B sections of the Salmon River. He said all responded with the exception of IDFG. Elizabeth Townley from the BLM who was participating by phone explained that the SA 4 section of the Salmon River does not support a viable business opportunity for commercial jet boating activities because of lack of interest, safety, potential conflict between user groups, and competition of available resources. This section of river can be narrow, shallow, and is very popular with local and regional non-motorized recreationists. Additionally, there is very little interest or demand for jet boating on this section of river. She said that the BLM believes that it is in the best interest of the

Licensing Board, the BLM and the public to not fill the vacant jet boating licenses/permits for the SA 4 sections of the Salmon River. Mr. Berndt wrote that he has had a permit on SA 4 for over 30 years, and there have never been more than 3-5 outfitters at a time who showed noticeable activity and that those few outfitters seemed to be able to accommodate the public demand. Board Member Stark said that her business, White Cloud Outfitters also operates on these river sections and that she agreed with Mr. Berndt's assessment. She said that he also felt it could not successfully support a jet boat use operation business. She said that the river is too small for commercial power boating activity which has resulted in safety issues largely brought about as those sections get busier with overall general public use. The comments provided by the Custer County Commissioners via their Water Ways Committee were that they supported commercial activities on the river for economic development purposes, but did not discuss the impact on individual outfitters, crowding or safety issues. Director Howard explained that at this time there are 2 (two) outfitters who operate power boat outfitter businesses on the SA4A and no (0) power boat outfitter businesses licensed on SA4B. He said that both were also licensed on the lower sections of Salmon River and that their use on SA4 was minimal. The Board discussed that adding competition would likely impact the two outfitters currently trying to make best use of this opportunity. **MSC (MOTION: STARK, SECOND IRBY – AYES: HUNSUCKER, KORELL, AND LONG; NAYES: -- NONE) TO LEAVE VACANT POWER BOATING OPPORTUNITIES ON SA4A AND SA4B.**

Kelly's White Water Park - A discussion took place dealing with the Kelly's White Water Park, Cascade Idaho, and that they do not have a license or permit to operate. Director Howard explained an earlier contact that was made with the City of Cascade about this operation and some confusion over the requirements. He was asked to check on this matter and report back to the Board at the August Board meeting.

Work Session Zero Based Budgeting – Dave Hahn, Rich McAllister and Richard Budzich from the Division of Financial Management (DFM) appeared before the Board to discuss the Governor's initiative to improve agency efficiencies, effectiveness and performance based on the Statutory mandates and to tie it in with the strategic plan. Mr. Hahn complimented Director Howard and the Board, stating that this agency was one of the best in the state at stretching a dollar and that very clearly, the agency was efficient and effective. He emphasized that while IOGLB was a small agency operating on dedicated funds from a small industry; its mission was to benefit the public at large and in doing so, the Board's decisions and the function of the agency involves other agencies and affects a large number of the public. He also said that he wanted to emphasize that there was not a problem and this exercise was not about problem solving. Mr. Hahn spoke about the ZZB as a tool to make sure that everything is perfectly in line with the Board Mission and Statutory Responsibilities, its Strategic Plan, Performance Measures and Budget. The goals of Zero Base Budgeting are to:

- Identify the agency's core mission and any gaps between what we are required to do, what we are doing, and what we should be doing as a result of a thorough review of our agency's legal mandates
- Ensure that every resource is utilized to its maximum potential for the purpose of creating the most efficient and effective organization possible within the dollars appropriated to it.
- Account for every appropriated taxpayer dollar by identifying and scrutinizing the cost centers in our agency's base budget.
- Assess alternative approaches to current cost center structures and practices to ensure that best practices are employed.
- Priority ranking of the cost centers that makes up the agency's base budget.

He emphasized that what was included in the reports and focus on changes to the Governing Statutes,

Strategic Plan, Performance Measures and Budget could be substantiated using the processes provided by DFM in the initiative. He said that the Board had some flexibility in modifying the forms for individual agency with his authorization.

The Licensing Board stated that that they endorse the Governor's Zero Based Budgeting initiative and plan to participate in the review to guarantee that the Licensing Board is utilizing the budget, legal mandates and requirements to the best of our ability.

Recessed for Lunch at 12:01 p.m.

Meeting reconvened at 1:30 p.m. with all Board members listed above

Prospectus Interview Unit 66- At the April 2013 Board meeting the Board reviewed applications submitted in response to prospectus issued on the Caribou-Targhee National Forest, Palisades Ranger District to fill licensed areas for hunting and for trail rides/summer pack trips that had been vacated by a former outfitter. At that meeting the Board narrowed the applications to two outfitters, Kelly Christensen, Rafter C Outfitters and Blaine Hamilton, Tapadeera LLC at that time they decided to interview Kelly Christensen from Rafter C Outfitters and Blaine Hamilton, Tapadeera LLC at this meeting and that they would do so in executive session to protect each outfitter's business interests.

MSC (MOTION: KORELL, SECOND, STARK – AYES: LONG, IRBY AND HUNSUCKER; NAYES: - NONE) AT 1:37 P.M. THAT THE BOARD ADJOURN TO EXECUTIVE SESSION TO DISCUSS LEGAL MATTERS DEALING WITH AWARDING THE PROSPECTUS IN ACCORDANCE WITH THE PROVISIONS OF SEC. 67-2345(1) (B) & (F), IDAHO CODE. MSC (MOTION: LONG, SECOND, IRBY; - AYES: KORELL, HUNSUCKER AND STARK; NAYES: - NONE) THAT THE BOARD END EXECUTIVE SESSION. EXECUTIVE SESSION ENDED AT 2:25 P.M

MSC (MOTION: STARK, SECOND IRBY – AYES: HUNSUCKER, KORELL, AND LONG; NAYES: -- NONE) TO LICENSE RAFTER C OUTFITTERS FOR HUNTING IN THE PROSPECTUS AREA NUMBER 2 AND TO LICNESE BOTH TAPADEERA LLC AND RAFTER C IN THE AREA 1 FOR TRAIL RIDES AND SUMMER PACK TRIPS. THAT THE EXECUTIVE DIRECTOR CLARIFY WHAT SUMMER PACK TRIPS AND TRAIL RIDES ARE, AND WHEN THEY CAN BE CONDUCTED. FURTHERMORE, THE BOARD SUGGESTS IF THE OUTFITTERS WOULD LIKE TO PROPOSE CHANGES IN THE OPERATING AREA BOUNDARIES IN THE FUTURE, THEY DO SO BY PROPOSING THOSE CHANGES TO THE FOREST SERVICE AND ULTIMATELY TO THE BOARD FOLLOWING STANDARD LICENSE AMENDMENT PROCESSES.

Next regular Board meeting is scheduled for August 13, 14 & 15 in Boise.

Board Meeting Minutes
June 18, 2013

With no further business to come before the Board, Chairman Hunsucker adjourned the meeting at 2:48 p.m., Tuesday, June 18, 2013.

WAYNE HUNSUCKER, CHAIRMAN Date

ATTEST:

JAKE HOWARD, DIRECTOR Date