

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

**DRAFT MINUTES**

**March 17-19, 2015**

**(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 MARCH 17, 2015 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), TOM LONG, GEORGE MCQUISTON, LOUISE STARK, AND BOB BAROWSKY WERE IN ATTENDANCE. ALSO PRESENT WERE EXECUTIVE DIRECTOR JAKE HOWARD; OFFICE SUPERVISOR LORI THOMASON; BOARD ATTORNEY ROGER HALES; BOARD PROSECUTOR MIKE KANE; AND EDUCATION/ENFORCEMENT SUPERVISOR RANDY WADLEY.**

**Agenda** - Director Howard reviewed the agenda.

**Cameron Jordan – Guide License Hearing** - A Guide License hearing was conducted before the Board by the Board’s prosecutor, Mike Kane. The applicant was identified and placed under oath. Mr. Kane explained that by board policy Director Howard had deferred Mr. Jordan’s guide license renewal application due to the Enforcement Division’s review of a past felony criminal conviction which he did disclose on his application. Mr. Jordan is seeking a guide license to work for Ouzel Holding Company. Mr. Jordan testified and certain exhibits were introduced into evidence. Brian Sykes who is his employing outfitter, appeared on behalf of Mr. Jordan. **MSC (MOTION: LONG, SECOND, MCQUISTON; AYES - HUNSUCKER, STARK AND BAROWSKY; NAYES – NONE) TO GRANT A GUIDE LICENSE TO MR. JORDAN WITH NO RESTRICTIONS**

**Board Training – “The Role of a Board Member”**- Board Attorney Hales summarized the slides that General Manning had presented at the November Board Meeting and discussed the role of individual Board members. The Idaho Ethics in Government Manual was handed out to each Board member for reference. Attorney Hales reminded the Board members they must recuse themselves from voting on matters if the vote affects just their individual business, but may vote on matters that affects the industry in general. The Board was reminded that any amendments or applications submitted by a Board Member involving their personal businesses must be reviewed and approved by the Board at its regular meeting, and that they will not be approved by the Executive Director and placed on the consent agenda. It was also discussed that individual members should not involve themselves with another outfitter’s applications or promote special handling of any application.

**Work Session – Statutory Powers and Duties of the Board** – Director Howard explained and the Board discussed the Statutory Powers and Duties of the Board provided in IC 36-2101 - Declaration of Policy and 36-2107 - Powers and Duties Of Board.

**Work Session – Setting Territorial Limits on an Outfitter License** – *Former Executive Director Dean Sangrey was present and was introduced by Director Howard.* Director Howard explained that over the course of the past thirteen years and during his time as this agency’s Executive Director, the Board has focused on improving its customer service, i.e., largely its level of efficiency and outreach to help licensees

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move through state and federal processes. He said while clearly this continues to be important; statutorily, the primary purpose of the Board continues to focus on those requirements discussed in the earlier work session.

Director Howard went on to say much of what the Board addressed in its earlier days has been delegated to the Board's Executive Director, with virtually all licensing matters with the exception of some disciplinary matters put in the Board's consent agenda and approved at its regular meeting. It has largely been at the discretion of the Executive Director to determine what must come before the Board. Whether due to timing considerations, preconceived expectations or earlier Board decisions on related matters, it seems now to have resulted in expectations from some applicants that a Board review or an appearance before the Board is an inconvenience imposed by the Executive Director. The Director pointed out several considerations:

*Administrative:* The Board discussed that over the course of time, matters that would be of its concern such as public use and access, outfitted public/non outfitted public conflict, public safety, fish and wildlife and other natural resources consideration may have changed, sometimes drastically. Therefore, the Board's review and consideration of outfitter use and non-use issues, sales and particularly sales of long standing businesses or other operational issues that would call for it to set limits and restrictions, or to make appropriate adjustments, must not be diminished.

The Board discussed that based on IC 36-2109 it must be focused on what constitutes the "*territorial limits*" of an outfitter's area of operation and license. The Board discussed that it must be careful not to lose sight of its discretion and authority and simply set territorial limits based on whatever a buyer can purchase. Similarly, based on IC -36-2110 the Board discussed the need to determine what constitutes adjustments to a license including when partial sales are appropriate.

*Equal Treatment:* The Board considered that there are land based outfitters licensed for hunting who have been required to hold more than one license, but in other instances there are outfitters licensed for hunting who have purchased and consolidated businesses and accompanying operating areas under one license. These consolidations come in different ways, largely whole business or partial purchases and via prospectus used to filled vacated areas with existing outfitters.

As a comparison, boating outfitters are bound by limits imposed by IDAPA 25.01.01.059. As such, they must hold a license for each float or power boat or for each combined float and power opportunity on an individual river section, lake or reservoir included in .059. However, there are boating outfitters who have multiple businesses/river sections and have held them under one license. The Board concluded that there must be greater consistency.

*Financial:* With the passage of HB597 last year, IOGLB will likely lose up to 20 licensed outfitters operating on private lands during this coming license year. The Board considered this, combined with the consolidation of licenses coming as a result of licensed outfitters purchasing other licensed outfitters at an increasing rate, and annual relinquishment of licenses mostly from small recreation based outfitters to be filled by other existing outfitters, it appears the industry is slowly consuming itself. They considered that in 2007 there were 425 licensed outfitters, but staff anticipates approximately 350 licensed outfitters for the coming license year. They concluded as the result, a financial dilemma may be rapidly approaching this Board that will adversely affect the Board operations.

To help address this matter, the Board discussed providing direction using an appropriately worded policy to demonstrate what must come before the Board, what the Director might authorize or what is simply not acceptable. In doing so, the Board agreed that it must consider, or in some instances, reconsider earlier policies or decisions, related matters, as well as the effects.

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Director Howard said developing new or clarifying existing policies as guidance to itself, its Executive Director and staff as well as to the industry will provide consistency into the future as well as avoiding future difficulties. He said that it is appropriate for the Board to interpret in policy, its own statute and rules which have the force and effect of law but that the Board, in doing so must be careful not to create new laws in a “policy.” He then offered draft policy 2032-2015.

The Board discussed that existing statutes and rules state:

- A license granted by the board including any attachment thereto shall specify the activities licensed and the exact territorial limits of the outfitter's area of operation and shall specify the species of game to be hunted. In so approving and/or licensing any outfitter's or guide's activity, the board shall consider the following matters, among others:
  - The length of time in which the applicant has operated in that area;
  - The extent to which the applicant is qualified by reason of experience, equipment or resources to operate in that area;
  - The applicant's previous safety record;
  - The accessibility of the area, the particular terrain and the weather conditions normal to that area during the outfitter's or guide's season;
  - The total amount of outfitter's area requested by any applicant giving due consideration to the effect that such area license grant would have upon the environment, the amount of game that can be harvested, and the number of persons that can be adequately served in the area.
- No more than one (1) person may operate as an outfitter or guide under one (1) license.
  - An outfitter license is not transferable.
  - The purchase of an outfitting business from a licensed outfitter does not require the board to transfer the operating area(s) of the licensee to the purchaser or to issue to him an outfitter license; however, an applicant who has negotiated a purchase agreement with a licensee may be given priority for a license if he meets all other outfitter requirements.
  - The applicant “licensees” must pay an annual license fee for each license issued, submit annual use reports for each license, and be able to differentiate between each business and its clients.”
- The operating area as set forth on the outfitter's license including any attachment thereto shall be the limit of such operations for each licensee.
- When the Board issues an outfitter license it does so based on an operating plan it finds acceptable, and that the outfitter license specifies the activity(ies) for which the applicant is licensed, designate specific operating area(s) for each activity.
- In order to safeguard the health, safety, and welfare of the public and for the conservation of wildlife resources, the board may place a limit on the number of outfitter licenses issued within an operating area.
- An outfitter may not operate in an area for which there is no landowner or land manager statement

where applicable.

- The board may adjust the territorial scope of operations of any licensed outfitter, for reasons of game harvest, where territorial conflict exists, or for the safety of persons utilizing the services of outfitters.
- The outfitter shall operate only under the names licensed by the board and under no other names.
- An outfitter business that is a corporation, partnership, LLC or LLP must have a designated agent in order to be licensed and to operate.

Board member Long asked to be excused to address a personal matter and the Board decided to revisit this matter to later in the meeting, once they had full participation.

*Recessed for lunch at 11:55 p.m. Meeting reconvened at 1:30 p.m. with all listed above present.*

**Director's Report – Staff Update** - The board asked Director Howard at the November meeting how the Board could contribute to the staffs needs. Director Howard explained he held a staff meeting and the following were ideas that the staff brought up: salaries brought to midpoint, the purchase of a water cooler and continued staff training. **Processing applications for buying and selling of businesses and major amendments during renewal time** – Director Howard explained to the Board that during renewal time the staff focuses on processing outfitter and DA license renewals and that during the renewal cycle the office staff would like the Board to set December 15 to January 31 aside where buy and sell applications along with certain amendments are not accepted. Office Supervisor Thomason said that during this time the office is receiving phone calls on a daily basis with outfitters trying to get them pushed through prior to the end of the license year. She said that applications and the necessary documentation are often incomplete and take additional staff time to address. She said this is compounding a work load problem in that it takes staff away from processing renewals, entering outfitter use into the data system, handling allocated tags and other related matters. When time allows, staff process those applications, however most of the time those applications will get delayed by 30 to 45 days. The Director said the staff returning incomplete or poorly completed applications during this time takes additional staff time as does charging a special processing fee for returned applications. **Strategic Plan** – Director Howard explained that the Strategic Plan has been updated, and provided the Board a copy. He asked that the Board adopt the updated Strategic Plan. **Clark Fork River and Lake Pend Oreille applications** – The Director explained that due to competitive interests, prospectuses need to be issued for the Clark Fork River and Lake Pend Oreille. He said as result of a new spring season for a run of Kamloops Trout, limits will be put in the prospectus for the Clark Fork River along with operational limits on the existing outfitters possibly requiring an operational adjustment hearing. **MOU meeting** – Director Howard said he will try to schedule the annual meeting with federal agency official regarding the MOU before the June Board meeting. He said that he recently learned that two of the three regional contacts have left, thus requiring new contacts to be identified. The Board said it would prefer that the contacts be Idaho Forest and BLM officials rather than regional ones. **Clearwater Bear and Cougar Policy** – Director Howard said after discussing matters with Carol Hennessey who is the primary USFS contact for the Nez Perce and Clearwater NF, it was desirable to move into a new three year cycle. He said she had discussed the matter with the IDFG. He said that the current cycle ends June 2015. He said this was always the intention of this temporary authorization to encourage harvest of bear, cougars and wolves in order to maximize elk calf survival in a very limited area on these forests. He said that he has learned from the USFS that some outfitters have tried to sell these temporary authorizations, which is not acceptable. He said new applications will be accepted for the next three years later this year. **Boise River/Boise Parks Department** – The Director reported on a meeting with Boise City Parks Department in February 2015, dealing with outfitter boating and fishing activities on the Boise River within the Boise City Municipal Limits. IOGLB and the Parks Department were in agreement that licensing and permitting people on the Boise River was a good idea and agreed that this would safe guard the public. **Sandy**

**Podsaid case** - The Idaho Supreme court will hear the case April 9, 2015, Director Howard and Board Chairman Hunsucker will be attending the hearing in Lewiston. **Clearwater Nez Perce Regional Meeting** – The regional meeting will be held in Missoula, Montana April 20, 2015, Director Howard has been asked to participate in that meeting. **Brian Reynolds Wild Science Explorers** – The Board asked the Director about an email in its correspondence file regarding Mr. Reynolds would like an exemption letter of his nonprofit organization written and sent to him.

**Processing applications for buying and selling of businesses and major amendments during renewal time – Con’t** - The Board asked the Director to put an article in its newsletter explaining that outfitters need to understand that renewals are priority and that buy/sell applications and major amendments may be pushed back during the renewal period and processed as soon as possible once the renewals have been finished. They also suggested that incomplete or improperly completed applications could be returned and could be charged a late fee. The Director mentioned that by existing rule any incomplete application would not be processed and provided an example of a sale where the buyer refused to take the outfitter exam.

**MSC (MOTION: LONG, SECOND – BAROWSKY, AYES: STARK, MCQUISTON, AND HUNSUCKER; NAYES: -- NONE) TO APPROVE THE STRATEGIC PLAN.**

**MSC (MOTION: STARK, SECOND – MCQUISTON, AYES: LONG, BAROWSKY, AND HUNSUCKER; NAYES: -- NONE) TO APPROVE THE BEAR/ COUGAR AND WOLF OVERLAP POLICY CLEARWATER, NEZ PERCE AND BITTERROOT NATIONAL FORESTS FOR THE NEXT THREE YEAR CYCLE.**

**MSC (MOTION: LONG, SECOND STARK–, AYES: MCQUISTON, BAROWSKY AND HUNSUCKER; NAYES: -- NONE) TO DIRECT DIRECTOR HOWARD TO WRITE A LETTER TO BRIAN REYNOLDS’ ORGANIZATION WILD SCIENCE EXPLORERS FOR THE EXEMPTION AND STATING THAT IF IT PROVIDES SERVICE TO ITS BONAFIDE MEMBERS AND ITS LEADERS IT WILL BE EXEMPT FROM LICENSURE.**

**Update USFS/BLM Resource Management Plan/River Rules – Monica Zimmerman and Jeremy Casterson – Upper Snake Field Office Manager, BLM** – Director Howard explained that at the November Board meeting the BLM appeared to discuss the process of rulemaking on the SS1 (South fork of the Snake River), SN1 (Main Snake) SH3 (Snake River – South Fork) and the TE3 (Teton River) that their intent was to work with the USFS and the Board to narrow down a preferred alternative on these river sections by March 2015 at which time the Board will begin its Rule Promulgation process. The Director explained that Board members Barowsky, Hunsucker and he had with met with officials of the Palisades Ranger District and Upper Snake BLM Field Office in February. He said that Monica Zimmerman and Jeremy Casterson, Upper Snake BLM Field Office Supervisor were present to explain the range of alternatives for the environmental assessment. They explained that alternative “E” has come out of that meeting involving IOGLB, USFS and BLM which may best represent the preferred alternatives. The Director reminded the Board that this will begin the first step of IOGLB’s rule making. To do so, the Board will need to prepare a first draft for review at its June meeting where public input will be taken and with the intent of adopting a proposed rule by the end of August 2015, targeting the 2016 Legislative Session. The BLM and USFS will simultaneously conduct its NEPA analysis and may issue a final decision at or subsequent to the June Board meeting. Director Howard will continue to work with the BLM and USFS on the preferred alternatives. He said that the Board should also include the TE-1 and TE-2 in the rule making and discussed several other river rules which need attention. The Board directed that he move forward only on SS1, SN1, SH3 and TE1, 2 & 3 as discussed during this session.

**IOGA – Big Game Tag Allocation Proposal** – *Brad Compton IDFG, Craig Wiedmeier IDFG, John May, IOGA Executive Director, Janie Bruesch IOGA Office Manager, and outfitters Darl Allred, Jeff Bitton, and D.R. Bledsoe were present.* Mr. Allred and Mr. Bitton stated that their goal was to revise the distribution of the allocated tags and to streamline the voucher system. Mr. Allred gave an overview of how he saw the Allocation system developed. He said in 1997 the House and the Senate passed a bill that outfitters were to receive allocation; that the current handbook was written in 1998 and 1999, and that the problems that existed back then are not the same problems that are happening today. One of the issues is a timing issue dealing with tags that are being turned back and not being able to access the pool once they are turned back until after July. He acknowledged that the handbook is in policy so it is able to be edited. One of the ideas discussed was to open the surplus pool so that outfitters who have not had allocation can build allocation and those who have allocation can add to it. Mr. Bitton stated that the time of low hunter totals is over and the numbers are starting to increase again.

It was discussed that to be creditable, outfitter use reports should include the hunter names, license and tag numbers and etc., rather than unsubstantiated user numbers. This would allow use information to base historical calculations required to allocate these tags. Director Howard said how to administer this simply from both an IOGLB and an IDFG perspective needed to be examined as well as whether it was financially possible. He also explained that because changing the historic calculations will impact outfitters differently and particularly those in hunt areas where all tags are being used, changes were not as simple as changing policy language. Any outfitter who feels they are losing tags may take exception. Consequently, the input from all users should be taken and considered by the Board before any changes are implemented. There was also discussion on how the voucher system might be modified or eliminated.

Chairman Hunsucker stated that the working group needs to provide suggested changes to the Board in writing and prior to the June 2015 meeting. Director Howard said he thought the process could be simplified and said that he would be happy to work with the outfitters to do so. Board members Stark and McQuiston said they would be happy to serve on a subcommittee to help do this.

D.R. Bledsoe from the OX Ranch, Seven Devils Lodge stated that in Unit 22 there are 6 controlled hunt tags for buck deer and they have one tag and the other outfitter has 5 tags. He stated that there is no way for him to increase his tags due to the historical use and the way the calculation is currently done. Director Howard explained the calculation system for controlled tags and explained that the way Mr. Bledsoe could increase the tag count, is if IDFG were to allocate more tags where the factor formula then allows both outfitters to increase tag numbers proportionally.

*Chairman Hunsucker recessed the meeting at 5:00 p.m. until 8:30 a.m. March 18, 2015.  
Board meeting was called back to order at 8:30 a.m. March 18, 2015 with all members listed above present.*

**MSC (MOTION: STARK, SECOND, MCQUISTON – AYES: LONG, BAROWSKY AND HUNSUCKER; NAYES: - NONE) AT 9:00 A.M. THAT THE BOARD ADJOURN TO EXECUTIVE SESSION TO REVIEW AND SCORE APPLICATIONS FOR THE PROSPECTUS ON LANDS ADMINISTERED BY THE SALMON RIVER BLM FIELD OFFICE - AND TWO PROSPECTUSES ON THE KRASSEL RANGER DISTRICT, USFS INCLUDING ONE FOR HUNTING AND RECREATION AND ONE FOR FISHING AND RECREATION. IT IS NOTED THAT LINDA PRICE AND JAMES TOWNLEY SALMON BLM FIELD OFFICE PARTICIPATED BY PHONE IN THE PORTION OF THE MEETING SCORING THE BLM PROSPECTUS AND ANTHONY BOTELLO AND PATRICK BROWN FROM THE KRASSEL RANGER DISTRICT PARTICIPATED IN PERSON IN THE PORTION OF THE MEETING SCORING THE TWO PROSPECTUSES ON USFS ADMINISTERED LANDS.**

**IN ACCORDANCE WITH THE PROVISIONS OF SEC. 67-2345(1)(b)(c)(d), IDAHO CODE. MSC (MOTION: LONG, SECOND, STARK; - AYES:, HUNSUCKER, MCQUISTON AND BAROWSKY; NAYES: - NONE) THAT THE BOARD END EXECUTIVE SESSION. EXECUTIVE SESSION ENDED AT 10:20 A.M.**

**Prospectus Review/Scoring/Hunting/Recreation Prospectus on the Salmon River Field office BLM – MSC (MOTION: BAROWSKY, SECOND – STARK, AYES: LONG, MCQUISTON, AND HUNSUCKER; NAYES: -- NONE) TO AWARD JOHN CRANNEY, RAWHIDE OUTFITTERS, THE BLM PROSPECTUS IN IDAHO FISH AND GAME UNITS #28 AND #29. THIS IS TO BE COMBINED WITH THEIR ADJOINING AREA AND ACTIVITIES WITH EXISTING LIMITS AS AWARDED IN A USFS PROSPECTUS ON 3/18/2014. IN THE FUTURE THE TWO AREAS AWARDED VIA THIS PROSPECTUS AND THE 3/18/2014 PROSPECTUS MUST BE SOLD AS ONE BUSINESS.**

**Prospectus Review/Scoring/Recreation/Fishing Prospectus on the Krassel Ranger District – USFS - MSC (MOTION: LONG, SECOND – BAROWSKY, AYES: STARK, MCQUISTON, AND HUNSUCKER; NAYES: -- NONE) TO AWARD THE PROSPECTUS #2 FOR FISHING AND RECREATION TO JIMMIE DWAYNEBLAIR, THE LAST RESORT FOR FISHING AND TRAIL RIDE ACTIVITIES. NO HUNTING WILL BE ALLOWED. THIS NEW BUSINESS WILL REQUIRE AN ADDITIONAL OUTFITTER LICENSE.**

**PROSPECTUS REVIEW/SCORING/HUNTING/RECREATION PROSPECTUS ON THE KRASSEL RANGER DISTRICT – USFS – MSC (MOTION: STARK, SECOND –LONG, AYES: BAROWSKY MCQUISTON, AND HUNSUCKER; NAYES: -- NONE) TO AWARD THE PROSPECTUS OPERATING AREA #1 TO TRAVIS BULLOCK, MILE HIGH OUTFITTERS AND HAVE THIS NEW AREA ABSORBED INTO HIS EXISTING OPERATING AREA #1 WITH THE OPERATING AREAS MERGED AND OPERATING AREA #2 OF THE PROSPECTUS BE AWARDED TO TRENT BULLOCK, ELK CREEK OUTFITTERS. THIS OPERATING AREA WILL BE KEPT SEPARATE DUE TO IT BEING FOR DIFFERENT ACTIVITIES THAN TRENT BULLOCK’S EXISTING AREA #1 AND A DUE TO THE ROAD THROUGH THE PROSPECTUS AREA INTO HIS EXISTING OPERATING AREA #1. IN THE AREA AWARDED TO TRENT BULLOCK, MEAT PACKING AND DROP CAMP SERVICES ARE ALLOWED; HOWEVER AND CLIENTS MUST STAY IN THE OPERATING AREAS WHERE HE IS LICENSED FOR BIG GAME HUNTING OR MEAT PACKING HOWEVER CLIENTS CAN BE GUIDED ONLY IN AREAS WHERE HE IS LICENSED FOR BIG GAME HUNTING. TO AVOID FUTURE CONCERNS WITH BOTH OUTFITTERS, THESE AREAS ARE TO BE KEPT TOGETHER WITH EXISTING LICENSED OPERATING AREAS, AND CANNOT BE SOLD AS SEPARATE BUSINESSES.**

Director Howard pointed out that Trent Bullock has also submitted an application to purchase an adjoining outfitter business which included allocated tags. The location of this adjoining business and related matters were discussed with the USFS representatives. The Director pointed out this was not part of the prospectus but was relative due to policy 2032-2015. The Board discussed this matter and the Director was asked to clarify that Trent Bullock’s outfitter license for this new area must kept together with his existing license area and with the area received from this prospectus and cannot be sold as separate businesses.

**Discussion – Vacant snowmobiling area on the Payette National Forest –** The Board welcomed Jane Cropp with the Payette National Forest – Ms. Cropp explained that Payette National Forest is in the process of developing new opportunities for licensed outfitter guided snowmobiling activities in as many as three new operating areas in the McCall, New Meadows and Council areas for over 700,000 thousand acres.

Ms. Cropp explained the purpose of the project is to provide the general public the opportunity to use a licensed outfitter and guide to take them snowmobiling on the Payette National Forest. The need is over the past 10 years, the general public has come to both the Forest Service and local snowmobile shops, asking for guided services. Those services have not been available in the McCall, New Meadows and Council areas for many years. The need of the project is to provide a commercially guided snowmobile trip which ensures a quality experience for those individuals who are not familiar with the National Forest system lands, or those who may lack the necessary skill and equipment. A guided trip provides an opportunity for the knowledgeable professional to educate visitors about the area and snow safety.

**Office Supervisor's Report** – Office Supervisor Lori Thomason explained that there are three hundred twenty eight outfitters licensed so far for the 2015 license year. Fifty seven have not renewed, of those fifty seven, six are private land outfitters that may not renew.

**Financial Report** – The Board reviewed the financial report. Director Howard provided the Board with the end of year projections and stated that around one hundred thousand dollars may not be used. He reminded the Board that free fund account was spending authority and it was not cash returned. Based on projected revenue he said that he did not anticipate growth in revenue this year. He discussed the reconciliation report and said that he anticipates follow up with the Legislative Auditor and doing so will determine whether the new reconciliation report is addressing their earlier concerns. **MSC (MOTION: STARK, SECOND BAROWSKY; AYES: - LONG, MCQUISTON AND HUNSUCKER; NAYES: -- NONE) TO ACCEPT THE FINANCIAL REPORT FOR THE MONTHS OF NOVEMBER, DECEMBER, JANUARY AND FEBRUARY AS PRESENTED.**

**Consent Agenda** – The Board reviewed the consent agenda. **MSC (MOTION: BAROWSKY, SECOND – LONG, AYES: STARK, MCQUISTON, AND HUNSUCKER; NAYES: -- NONE) TO APPROVE THE CONSENT AGENDA AS PRESENTED.**

**Education / Enforcement Report** – Education and Enforcement Chief asked the Board to accept the fine payments on:

**Case No. 2013-091** – This matter involved Steve Laut the DA for S&D Adventures and Delbert Jepson (Guide) Blue Ribbon Charters (Unlicensed outfitter) concerning fishing clients with a boat on Priest Lake/Unprofessional Conduct/Unlicensed fishing trips/3rd party issues with S&D Adventures. Mr. Jepson to pay \$500 cost recovery (Paid 08/29/2014) and Mr. Laut to pay \$1000 cost recovery (Paid 10/30/2014). Director Howard pointed out his involvement in an agreement per stipulation by Bonner County Prosecuting Attorney, with no further administrative sanctions upon either party in aspect of this investigation. **MSC (MOTION: LONG, SECOND, STARK; AYES - HUNSUCKER, MCQUISTON AND BAROWSKY; NAYES – NONE) TO ACCEPT THE FINE PAYMENTS FROM STEVEN LAUT \$1000.00 AND \$500.00 DELBERT JEPSON.**

**Case No. 2013-095** - This matter involved Anthony D. Brown Unprofessional Conduct that Mr. Brown had shot and harvested (cow elk) during a closed season and exceed, possession of big game animal. Brown had previously taken a bull elk during the season. Director Howard deemed a \$200 fine and Letter of Intended Action and a \$50.00 special processing fee with 1 year general probation. Mr. Wadley discussed a Letter of Intended Action and Administrative Citation issued by enforcement. A \$200 fine paid in full 11/20/2014 with 1 year general probation till 11/20/2015. **MSC (MOTION: STARK, SECOND, LONG; AYES - HUNSUCKER, MCQUISTON AND BAROWSKY; NAYES – NONE) TO ACCEPT THE \$200 FINE AND ONE YEAR GENERAL PROBATION UNTIL 11/20/2015 FOR MR ANTHONY BROWN.**

**Case No. 2014-003** - This matter involved Jeremy Boswell and Unprofessional Conduct where he failed to validate steelhead permit, and where he possessed 2 Steelhead Trout. Director Howard deemed a \$200 fine

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and Letter of Intended Action and a \$50.00 special processing fee with 1 year general probation. Mr. Wadley discussed a Letter of Intended Action and Citation issued by enforcement 04/23/14. A \$200 fine paid in full 11/14/15 with 1 year general probation until 11/14/2016. **MSC (MOTION: LONG, SECOND, BAROWSKY; AYES - HUNSUCKER, MCQUISTON AND STARK; NAYES – NONE) TO ACCEPT THE \$200.00 FINE AND ONE YEAR GENERAL PROBATION ON JEREMY BOSWELL UNTIL 11/14/2016.**

**Case No. 2014-065** - This matter involved Layne Matthews Guide for Clark Fork Outfitters Unprofessional Conduct IDFG misdemeanor and infraction convictions of hunting in closed area and bait, trap convictions during closed season. Director Howard deemed a \$200.00 fine and Letter of Intended Action and a \$50.00 special processing fee with 1 year general probation. Mr. Wadley discussed a Letter of Intended Action and Administrative Citation issued by enforcement and paid in full 11/10/2014. **MSC (MOTION: STARK, SECOND, MCQUISTON; AYES - HUNSUCKER, BAROWSKY AND LONG; NAYES – NONE) TO ACCEPT THE \$200.00 FINE \$50.00 SPECIAL PROCESSING FEE AND A ONE YEAR GENERAL PROBATION UNTIL 11/10/2015.**

Education/Enforcement Chief Wadley gave an overview of the cases from January 01, 2015 to March 10, 2015 as follows:

**CASES OPENED:** 11 – Total Active Enforcement Investigation Cases for 2014, 8 - Total Active Enforcement Investigation Cases for 2015, Arrests/Criminal Cases- Criminal arrests and/or cites were made and/or waiting on trial, 9 - Arrests/Citation Individuals for 2014/2015, 6 – Criminal Cases- Counts For Court Hearings for 2014/2015, 3 – Waiting On Trial - Disposition for 2014/2015, 3 – Court Convictions for 2014/2015, 4 – Court Dismissals/Plea Agreements for 2014/2015, Cites - IOGLB - Administrative Citations were issued waiting on payment, 3 - Citations 2014 (3 paid in full), 0 - Citations 2015, Working/Covert/Undercover - active cases being worked covertly, 8 - Active/Under cover for 2014/2015, Referred to Prosecutor - Mike Kane - Cases at the Enforcement Attorney's office, 2 - Referred for 2015 (2 Scheduled Board Hearings in March 2015), Referred to from outside agency - cases referred for assist in investigation by outside agency, 22 – Referred for 2014/2015, Total Completed Enforcement Investigations /Closed Cases 60 – Total Completed/Closed Cases for 2014 10 – Total Completed/Closed Cases for 2015, Total Enforcement Investigations Cases 71- Total Investigations for 2014 18 – Total Investigations for 2015.

**INVESTIGATIONS CITATIONS:** – 2015 Idaho Criminal Citations or Criminal Complaints Filed: 3 — Total/1 Closed ( 2 U.S District Court, 1 IDF&G - Jerome County), Other Agency Citations, 1— Idaho Fish & Game Violations, 2 USFS, IOGLB Citations 3 — IOGLB Issued Violations (3 Paid 2014 - 0 2015); Administrative Complaints, Violations, and/or Board Action: 4 — Total Board Violations Reviewed for 2014, 1— Disciplinary Board Review - 3 Administrative Violations for 2014, 1— Disciplinary Board Review March 2015 (3 Future Board Review in June 2015):

**LICENSE APPLICATION DENIALS/DEFFERALS FOR BOARD HEARINGS:** 10 - Closed with past Board Hearings, License Granted, Denied, or Dismissal for 2014, 1 - Scheduled for Board Hearing March 2015, 2 - Scheduled for Future Board Hearing June 2015;

**PROBATIONARY LICENSES:** 25 - for 2014 Year;

**EDUCATION:** 0 - First Aid Courses Approved 2014/2015

**White Otter Outfitters** - Chief Wadley said that he received a call and letter from Doug Fenn asking if White Otter Outdoor Adventures could be allowed to use their logo on their boats. The Board said the letters on the logo identifying the outfitter business must be three inches to be in compliance with current law.

*Recessed for lunch at 12:00 p.m. Meeting reconvened at 1:30 p.m. with all listed above present with the exception of Tom Long. Board Attorney Roger Hales entered the meeting.*

**Gary Stueve – Outfitter Disciplinary License Stipulation Hearing** - An outfitter Disciplinary License Stipulation hearing was conducted before the Board by the Board’s prosecutor, Mike Kane. Rex Finney, attorney representing Mr. Stueve participated by phone. Mr. Kane explained that Director Howard by Board policy had denied Mr. Stueve’s Outfitter and Guide license applications for the forthcoming license year due to the Enforcement Division’s identifying several recent criminal convictions. **A STIPULATION AGREEMENT WAS AGREED TO BY MR. STUEVE AND HIS ATTORNEY REX FINNEY. MSC (MOTION: STARK, SECOND, BAROWSKY; AYES - HUNSUCKER, AND MCQUISTON; NAYES – NONE) TO ACCEPT THE STIPULATION OF TWO THOUSAND (\$2000.00) DOLLARS PAID WITHIN TEN (10) DAYS OF THE DATE OF THE BOARD ORDER, THEN THREE THOUSAND (\$3000.00) PAID WITHIN SIX (6) MONTHS OF THE DATE OF THE BOARD ORDER AND A TWO YEAR RESTRICTIVE PROBATION AS DEFINED IN THE BOARD’S POLICIES WITH SAID PROBATION COMMENCING ON DATE OF THE ORDER. MR. STUEVE MUST APPEAR BEFORE THE BOARD TO AMEND HIS LICENSES. UPON PAYMENT OF THE TWO THOUSAND (\$2000.00) DOLLARS, A TEMPORARY AUTHORIZATION LETTER WILL BE ISSUED BY DIRECTOR HOWARD UPON PAYMENT OF THE FULL (\$5,000 FINE) AND WITH ALL FINES AND LICENSE FEES PAID IN FULL, A LICENSE WILL THEN BE ISSUED. THE BOARD WILL NOT LICENSE A BUYER UNTIL ALL FINES/FEES HAVE BEEN PAID SHOULD MR. STUEVE WISH TO SELL HIS OUTFITTER BUSINESS.**

*Chairman Hunsucker recessed the meeting at 3:30 p.m. until 8:30 a.m. March 19, 2015. Board meeting was called back to order at 8:30 a.m. March 19, 2015 with all listed above present.*

*Roger Hales Board Attorney and Ed Schriever Deputy Director Operations IDFG entered meeting.*

**Discussion – Ken Gebhardt, North Fork District Ranger, Salmon/Challis National Forest, USFS** – Mr. Gebhardt appeared before the Board to meet the Board and explained that his purpose for appearing before them today was to build the relationship between the Board and the Salmon Challis National Forest. The Board expressed the importance of keeping areas that have been previously outfitted filled due to the public’s need in utilizing outfitted services and not over complicating permitting and licensing processes. They also discussed the Federal Agency/IOGLB – MOU and suggested that the Salmon Challis NF might want to participate in an annual update meeting.

**MOU Update – Ed Schriever, Deputy Director – Operations, IDFG** - Mr. Schriever said he was responding to the need to get the IOGLB/IDFG MOU updated, and he has not had an opportunity to review the draft offered by the Board several years ago. He said that he hopes by the November Board meeting he will have a response available for discussion. Director Howard explained the MOU formally defines the expectations of how the two agencies work together and that it would be helpful if the IDFG were to provide concise and substantiated documentation regarding limits and restrictions on licenses when offered. Several other changes suggested earlier by the Board were also discussed.

*Board took a break at 10:40 to 10:50*

**Policy 2032-2015 revisited** - Board Member McQuiston said that he agrees with outfitters holding an additional license but he was not comfortable with a Designated Agent license needing to be required with it. Director Howard explained that due to statutory requirements it would be difficult to separate the two and even if possible, to do so would likely bring a considerable amount of confusion as to who the responsible

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party was for a specific outfitter license. He said there are a number of businesses currently holding more than one outfitter license and more than one DA. He said the purpose of the policy is to bring consistency. The Director was asked by the Board to clarify by grouping the river sections in rule 59 together and to explain that existing licenses will be grandfathered. He briefly explained how he intended to do so, and said it would be incorporated into the policy. **MSC (MOTION: LONG, SECOND – STARK, AYES: STARK, BAROWSKY, AND HUNSUCKER; NAYES: -- MCQUISTON) TO ACCEPT THE POLICY 2032-2015.**

The next Board Meeting date has been set for June 17 and 18, 2015.

With no further business to come before the Board, Chairman Hunsucker adjourned the meeting at 11:55 a.m., Thursday, March 19, 2015.

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WAYNE HUNSUCKER, CHAIRMAN

Date

ATTEST:

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JAKE HOWARD, DIRECTOR

Date