

OUTFITTERS AND GUIDES LICENSING BOARD
Division of Occupational and Professional Licenses
P.O. Box 83720
Boise, ID 83720-0063

Board Meeting Minutes of 8/3/2022

BOARD MEMBERS PRESENT: Brad Compton - Chair
Tammy Overacker
Louise Stark
Erik Weiseth

DIVISION STAFF: Anne Lawler, Bureau Chief
Cesley Metcalfe, Board Support Supervisor
Christian Runnalls, Board Support Specialist

OTHERS PRESENT: Josh Scholer, Division of Financial Management
Misty Lawrence, Division of Financial Management
Joan Callahan, Naylor and Hales
Amber Christofferson, Idaho Department of Fish
and Game
Kathleen Trever, Idaho Department of Fish
and Game
Joe O'Neil, Bureau of Land Management
Jeff Bitton, Idaho Outfitters and Guides Association
Grant Simonds, Middle Fork Outfitters Association

The meeting was called to order at 1:00 PM MDT by Brad Compton.

PUBLIC COMMENT

Grant Simonds introduced himself as the Executive Director for the Middle Fork Outfitters Association. He stated that summer is a hard season for water-based outfitters to follow a major rewrite of the Board's rules. He voiced concern with the idea of independent guide licensure and deleting the table in Rule 059.

Jeff Bitton from IOGA stated that he is looking forward to receiving a final product with the proposed changes.

Amber Christofferson from Idaho Department of Fish and Game stated that the official IDFG position is that it does not support removing the table from Rule 59.

LAWS AND RULES

Ms. Lawler presented the comments from the negotiated rule-making session held on August 2, 2023. One comment was received in support of biennial license renewals. Multiple comments were received regarding the need for robust education for guides and outfitters if guide licensure is made independent. Division staff clarified to all attendees that guides would still be required to have an employment agreement with at least one Idaho licensed outfitter. One comment recommended including kayaks in the list of boats required to display identification so that the public knows which boats on the water are working with outfitters. Several comments were received in support of leaving the table in Rule 59 as the best way to ensure public feedback regarding potential changes.

Rule 059 – River, Lake and Reservoir Power and Float Outfitter Limits:

The Board discussed the feedback received and options for the table in Rule 59. The Board added the table back into the rule. Based on IOGA suggestion, the Board updated the description of SH2 because the current landmarks are no longer applicable. Based on numerous public comments to increase the limits on BO2, the Board increased the limit from two to six. The Board authorized Division staff to work with BLM to incorporate its suggested changes to this rule before the rule chapter is moved to proposed and printed in the Administrative Bulletin.

Rule 002.08 – Definitions – Hazardous Excursions:

In response to discussion at previous meetings regarding moving this rule to statute, Ms. Lawler stated that it may be better to leave this in rule and to more clearly define hazardous activity so that people understand which activities should be licensed. The Board removed the specific listed activities, which will be moved to Board Guidance that will be published on the website.

Rule 002.06 – Definitions – Fishing:

The Board discussed the fact that referencing the IFGC definition of fishing is sufficient. The Board deleted all subsections, which will be moved to Board Guidance that will be published on the website.

Rule 005 – License Production:

The Board updated the language to reflect that an “Authorized Person” may request proof of licensure.

Rule 044 – Boat Equipment Requirement:

The Board removed the exclusion for single-person watercraft to include kayaks in the identification requirement.

Rule 057.08 – Designation of Allocated Deer and Elk Tags – Stipulation by Outfitters:

The Board added language in subsection 08 allowing the Board to waive the signed stipulation requirement in special circumstances. The Board also updated the language in subsection 12 to clarify when designated allocated tags and tag use history transfer to a new owner.

Rule 034 – Guide License:

Ms. Stark voiced her objection to making guide licensure independent because it will likely increase illegal guiding. Mr. Compton supported the change to make guides more accountable. No additional changes were made. The Board stated that it looks forward to public comment on this topic.

Mr. Weiseth made a motion to move the rules modified through the ZBR process to proposed after Board chair approval of final revisions based on consultations with the necessary federal agencies. It was seconded by Ms. Overacker. Motion carried.

ADJOURNMENT

Mr. Compton adjourned the meeting at 3:58 PM.