



# State of Idaho

## Division of Occupational and Professional Licenses Outfitters and Guides Licensing Board

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### Board Meeting Minutes of 9/21/2022

<b>Board Members Present:</b>	Brad Compton - Chair Tammy Overacker Dennis Skinner Louise Stark Dennis Skinner	<b>Division Staff:</b>	Anne Lawler, Bureau Chief Kent Absec, Licensing Supervisor Nicholas Krema, General Counsel John Price, Investigations Supervisor Cesley Metcalfe, Board Support Supervisor Christian Runnalls, Board Support Specialist Susan Knapek, Licensing Specialist
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<b>Board Members Absent:</b>	Erik Weiseth	<b>Others Present:</b>	Joan Callahan, Naylor and Hales
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The meeting was called to order at 9:00 AM by Brad Compton.

#### BOARD BUSINESS

**Public Comment:** Kathryn Sandy, Fish and Fur Outfitters, addressed the Board requesting an exception to hunt coyotes in an overlap area.

Mr. Lieberman welcomed Mr. Skinner as a new Board member and asked the Board when it will publish its letter to the SNRA and requested a copy.

**Update From Governor's Office:** Nate Fisher gave an update from the Governor's Office regarding the expectations of Idaho's regulatory boards. He also provided a brief update on the Governor's Leading Idaho Plan, an expected budget surplus, and potential future investments.

**IDFG Update on Commission Allocation of Nonresident Tags:** Rick Ward presented information on tag allocation for limited general hunts. The commission will meet this December to review general and limited hunts.

**Tag Designation Update and Hardship Process:** Ms. Lawler presented the tag designation schedule. The Board discussed possible ways to better communicate with outfitters. The Board also briefly discussed the hardship request process and what it would like to see on the request form.

**SNRA Final Letter from OGLB:** Ms. Lawler presented the response letter that was sent to the SNRA regarding its proposed Outfitter and Guide Management Plan.

**Status of 2021 Stan Potts Scoping Project:** Ms. Lawler stated that she has been unable to reach the new district manager for the Stan Potts area, and therefore, does not have a status update. Ms. Stark shared historical information regarding outfitting in Stan Potts. The Board agreed to move forward with a Stan Potts prospectus.

**Prospectus and Competitive Application Process:** Ms. Lawler and Mr. Absec asked the Board for information on the prospectus and competitive application processes. Based on the information provided, Division staff will draft Board Guidance for these processes, for review at a future meeting.

**TE2:** Ms. Lawler informed the Board that there is now a single opening on the TE2 river section and that two outfitters are on the waiting list. The Board directed Division staff to contact the outfitters on the waiting list and provide information on how to apply.

**Priest Lake and Upper Priest Lake – Evaluate Outfitter Inquiry:** The Board reviewed an outfitter inquiry regarding Priest Lake and whether it is considered one or two bodies of water. Mr. Compton stated that Idaho Fish and Game manages the two bodies of water as separate lakes. The Board unanimously agreed to consider Upper Priest Lake as a separate body of water from Lower Priest Lake. The Board directed Division staff to clarify this with outfitters currently licensed on these lakes.

**Request to Combine Operating Area – United Flying & Guide Service:** The Board reviewed a request to combine operating areas. After review, it was determined that the request was not to combine the operating areas, but to combine licenses because the two operating areas are contiguous.

A motion was made and seconded to approve the request from United Flying and Guide Service to combine the licenses as represented in the request. The motion carried unanimously.

**Clearwater Outfitter Authorizations and Licensing:** Mr. Absec informed the Board that there is an outfitter who missed the renewal deadline but wants to renew his license. The Board directed Division staff to investigate why the outfitter failed to timely renew before proceeding with posting this as a new opportunity.

**Licensing Report:** Mr. Absec presented a licensing report regarding new licenses issued from 6/22/2022 to 8/31/2022.

#### **Consent Agenda**

The Board reviewed the Consent Agenda. A motion was made and seconded to accept the Consent Agenda without the 2021 Transferred Tag Report. The motion carried unanimously.

**Financial Update:** Ms. Lawler stated that the finance team is currently closing out the 2022 finances so there is no financial report to review.

**Zero-Based Regulation:** Ms. Lawler informed the Board that its proposed rules were printed in the September 6<sup>th</sup> Administrative Bulletin. She stated that the only comments received at this point are regarding the changes to the BO2 river section limits. Multiple comments opposed raising the limit from two to six outfitters because of the environmental impact. One comment was received in support of the increased limit. One individual asked about how independent guide licensure would work, but didn't offer comment.

**Staffing Update:** Ms. Lawler informed the Board that an individual has been hired to work on tag designations for the Board.

**Board Training:** Mr. Crema presented the open meeting law training presentation to the Board.

### **Executive Session**

A motion was made and seconded to enter executive session under Idaho Code § 74-206(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law, Idaho Code § 74-106(9). The purpose of the executive session was to discuss documents related to the fitness of a licensee to retain a license or registration. The vote was: Ms. Overacker, aye; Ms. Stark, aye; Mr. Weiseth, aye; Mr. Skinner, aye; and Mr. Compton, aye. The motion carried unanimously.

A motion was made and seconded to exit executive session. The motion carried unanimously. No decisions were made in executive session.

### **Hardship Objections:**

A motion was made and seconded to seek additional information from Idaho Fish and Game, and depending on the information found, either uphold the original order or approve the petition for reconsideration. The motion carried unanimously.

**Investigative and Discipline:** Mr. Price presented the complaint memorandum with information on the status of the complaints received. He stated that the investigative team has been working with local authorities regarding unlicensed practice.

A motion was made and seconded to approve the Stipulation and Consent Order in case numbers OGB-2021-002 and OGB-2021-61 and to allow the Board chair to sign on behalf of the Board. The motion carried unanimously.

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A motion was made and seconded to exit executive session. The motion carried unanimously. No decisions were made in executive session.

### **Discipline**

A motion was made to dismiss case numbers I-OGB-2022-009 and I-OGB-2023-001 with no action. The motion died for a lack of a second.

A motion was made and seconded to dismiss case number I-OGB-2022-009. The motion carried unanimously.

A motion was made and seconded to close case number I-OGB-2023-001 with an advisory letter. The motion carried unanimously.

### **Planning for Next Meeting**

The following meetings were scheduled to begin at 9:00 AM MT:

October 4, 2022

November 1, 2022

November 17, 2022

December 16, 2022

**Adjourn**

There being no further business, the meeting was adjourned at 3:04 PM.

The next meeting is on 10/04/2022