



State of Idaho
Division of Occupational and Professional Licenses
Outfitters and Guides Licensing Board

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Board Meeting Minutes of 5/1/2024

Board Members Present:
Brad Compton - Chair
Tammy Overacker
Dennis Skinner
Erik Weiseth

Division Staff:
John Price, Executive Officer
Kent Absec, Licensing Unit Manager
Greg Loos, General Counsel
Zac Clifford, OGLB Program Coordinator
Skip Liddle, Investigations Unit Manager
Allegra Earl, Licensing Unit Supervisor
Christian Runnalls, Board Support Specialist

The meeting was called to order at 9:00 AM by Brad Compton.

Motion to Approve Amended Agenda: A motion was made and seconded to accept the amended agenda. The motion carried unanimously.

Approval of Minutes

A motion was made and seconded to approve the 2/29/2024 minutes. The motion carried unanimously.

PUBLIC COMMENT

Erik Weiseth, Orange Torpedo Trips, commented on a proposed addition to the Little Salmon River to operate commercial trips on the Little Salmon. He stated that it is a unique bit of water that can benefit the State's recreation. He wants to offer guide training on the Little Salmon. No other place in Idaho offers this as most water is inappropriate for this training. He stated he would not interfere with any fishing on the Little Salmon and would commence only float operations.

Aaron Lieberman, Executive Director of the Idaho Outfitters and Guides Association (IOGA), thanked the Board for attending the Nez Perce meeting. He gave an update on EIS on Hells Canyon and requested, per his letter sent to DOPL staff, that the Board review and provide comment on the Draft EIS once released. Additionally, he asked the Board to develop a letter to share with relevant MOU partners stating that it is the Board's position that there should not be any additional permitting processes or requirements for land managers to allow licensed outfitters to provide trapping excursions for outfitted clients.

Pamela Williams expressed her opposition to wolf hunting or trapping of any kind.

Louise Stark commented on the importance of the MOU between the Board, the Bureau of Land Management, and the Forest Service, and asked that cooperation with these federal agencies remain a priority of the Board.

DIVISION BUSINESS

2024 Legislative Session Overview: Mr. Price gave a legislative update on House Bill 404, House Bill 505, House Bill 767, Senate Bill 1429, House Bill 417, and House Bill 705.

Public Member Training: Mr. Loos presented training to the Board on the role and importance of public members appointed to regulatory boards.

Open Meeting Law Training: Mr. Loos gave a presentation on the Open Meeting Law.

Financial Update: Mr. Price presented the financial report.

BOARD BUSINESS

IDFG Update – Rick Ward: Rick Ward, Idaho Department of Fish and Game (IDFG), gave an IDFG update (see attached). He presented the 2024 Deer and Pronghorn emergency season changes based on new information on low deer survival over the winter. He gave an update on the Chronic Waste Disease sample collection and where the reported spread is located. Mr. Ward updated the Board on the ammonia outbreak in bighorn sheep in Hells Canyon. He presented the IDFG Rulemaking changes for licensing, hunting, and trapping. Mr. Ward discussed the Elk and White-tail Deer Management Plan. He gave a legislative update on House Bill 587, House Bill 696, and House Bill 586. Mr. Ward stated the July Commission meeting will present the nonresident tag limits and outfitter allocation. Mr. Ward also gave an update on wolf trapping.

Fall Chinook Salmon Season Discussion: Mr. Clifford stated that IDFG will support the amendment of all steelhead fishing outfitter licenses on the SA7(A-C) and SA8 to include fall Chinook salmon. The Board was supportive of staff amending the licenses for fishing outfitters on the SA7(A-C) and SA8 to include fall Chinook salmon as supported by IDFG.

GIS Mapping Funding: Mr. Price and Mr. Clifford have been working with IDFG to improve GIS mapping. Mr. Price asked the Board to authorize funding up to \$10,000 to work with IDFG to update IDFG GIS mapping. The Board asked staff to impart the importance of the sustainability of these maps to IDFG.

A motion was made and seconded to authorize staff to work with IDFG and spend up to \$10,000 to update GIS mapping. The motion carried unanimously.

Request for Rule Waiver: Mr. Loos presented an outfitter's request to be able to transfer tags without receiving use credit for the transferred tags. This constituted a request for a rule waiver under Idaho Code § 67-5230(2).

A motion was made and seconded to approve the rule waiver request. The motion carried unanimously.

Delegated Authority to Close Unfounded Complaints: A motion was made and seconded to delegate authority to Division staff to close unfounded complaints. The motion carried unanimously.

Recognition for Board Member Stark: The Board recognized Louise Stark and thanked her for her 15 years of service as a Board member.

Licensing Report: Mr. Absec presented the licensing report.

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 relating to the fitness of a licensee

to obtain or retain a license or registration. The vote was: Ms. Overacker, 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 Request

A motion was made and seconded to deny the Boulder Creek hardship request. The motion carried unanimously.

Discipline

A motion was made and seconded to close case numbers I-OGB-2024-26 and I-OGB-2024-41. The motion carried unanimously.

A motion was made and seconded to accept the Final Order in case numbers OGB-2023-19 and OGB-2023-20 and to allow the Board chair to sign on behalf of the Board. The motion carried unanimously.

BOARD BUSINESS

Proposed Rule Changes:

Rule 002.08 – Hazardous Desert or Mountain Excursions: The Board struck the rule as duplicative of Idaho Code § 36-2102(r).

Rule 100.03 – Examinations: The Board struck the rule as conflicting with Idaho Code § 67-9409.

Rule 103.02.b.i – Activity-specific Qualifications: The Board struck the language after the first sentence.

Rule 103.02.b.ii – Activity-specific Qualifications: The Board rewrote 103.03.b.ii to state “Guides with six (6) or more documented float boat trips on any other classified river section, under the supervision of a licensed outfitter or guide for that river, shall be deemed qualified once they complete one additional float boat trip under the supervision of a licensed outfitter or guide on the classified river section for which licensure is sought.”

Rule 103.02.b.iii - The Board added subsection 103.02.b.iii stating “One (1) documented float boat trip on a classified section of river, under the supervision of an outfitter or guide licensed for that river, for an applicant able to demonstrate log of at least 500 miles operating as a commercial float boat operator on select whitewater rivers with characteristics similar to Idaho’s classified rivers. To document this experience, a statement signed by the applicant under oath or affirmation should be recorded on a board-approved form that includes precise put-in and take-out points, miles logged for each trip, and the names and addresses of the boat operators who have employed them.”

Rule 103.05 – Renewal: The Board rewrote the second sentence to clarify a license expires biennially on the licensee’s birthdate and no reinstatement fee will be charged for a canceled license.

Rule 257.09.b – Undesignated Tag Pool: The Board clarified language in 279.09.b and added two subsections, 257.09.d and 257.09.e. 257.09d states an outfitter may be granted tags from the pool on a first come first serve basis prioritizing those without allocation first. 257.09.e defines ineligibility for tags when they are not picked up by the outfitter.

Rule 259.01 – (CF2) Clark Fork River: The Board updated the season dates to align with IDFG.

Rule 259.04 – Other – Table: All lakes were updated to allow two boats per operator per lake.

Rule 259.02 – Little Salmon: The Board added the Little Salmon River for float boat operations only.

A motion was made and seconded to have staff send the rule changes to stakeholders for comment. The motion carried unanimously.

Open Opportunities Discussion: The Board tabled this discussion to the next meeting.

Consolidated Licenses Updates: Mr. Clifford gave an update on the consolidation of outfitter licenses for non-contiguous areas.

Hells Canyon EIS: Mr. Price and the Board discussed designating a Board member to draft a comment representing the Board for the Hells Canyon EIS.

Update on Work Plan and Identify Medium/Low Priority Items: Mr. Price gave an update on the current to-do item status. The Board discussed what items are medium priority and low priority.

OASIS Update: Mr. Price gave an update on OASIS.

Adjourn

There being no further business, the meeting was adjourned at 5:02 PM.

The next meeting is on 6/27/2024.