



State of Idaho

Division of Occupational and Professional Licenses

Outfitters and Guides Licensing Board

BRAD LITTLE
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Administrator

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Board Meeting Minutes of 05/23/2025

Board Brad Compton - Chair
Members Tammy Overacker
Present: Lonnie Allen
Kenneth Long

Division John Price, Executive Officer
Staff: Greg Loos, Legal Counsel
Zac Clifford, OGLB Program Coordinator
Allegra Earl, Licensing Program Manager
Skip Liddle, Investigate Unit Manager
Susan Knappek, Licensing Specialist
Christian Runnalls, Board Support Specialist

Others Eric Nelson, Board Prosecutor
Present:

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

Introductions: Mr. Price introduced the DOPL staff and Board members present.

Approval of Minutes

A motion was made and seconded to approve the 03/05/2025 and 04/17/2025 minutes. The motion carried unanimously.

Public Comment

Randy Schubert, Vice President of the Barber Valley Neighborhood Association Board, stated that the various homeowners' associations and residents his association represents living around the BO1A oppose the requested boundary changes. He stated that the two letters Barber Valley and Tom Hearn submitted have more information about their stance against the changes.

Martin Koenig, a Boise resident, stated that the requested changes are unnecessary and inappropriate. The Boise River is already crowded with public use. He stated the area is a wildlife refuge where human activity is discouraged to protect the 300 species of animals living in the conservation area. He also stated this section of the river is underdeveloped and does not have the facilities to support increased public use from guided fishing and floating.

Nick Gastelecutto, a native Idahoan, stated this section of the Boise River is one of the last wild and undeveloped ecosystems with nesting eagles and other protected wildlife. He stated that guided activities will exacerbate ecological pressures and increase habitat degradation. He also stated that guided activities will conflict with the existing public use of the area for fishing and lead to overcrowding and increased competition for fish, and that the current restrictions help environmental preservation.

Brandy Wilson, Board president for the Idaho Foundation of Parks and Lands, described the unique ecosystem of the BO1A that exists. It is isolated from most human activity which benefits the wildlife. She stated her foundation submitted a letter and wanted to emphasize the safety issues of commercial use

of this section of the river. She stated the river section is purposefully left with few access points only for dedicated angler fishers and inviting commercial outfitting will lead to safety and rescue issues.

Robert Gillingham, an outdoor enthusiast, stated he is opposed to the requested changes for similar reasons already stated. He stated this section of the river is intended for nature, and that it is not a large section of the river. He stated the river downstream is entirely open for recreational activities, so it is unnecessary to open this area up to more outfitting. He reiterated safety issues with fire and rescue access, and a lack of infrastructure to support commercial recreation in this area.

Matthew Housel, Vice Outdoors, stated that as an outfitter on the Boise river who could benefit from this proposal, he is against the changes due to the ecological sensitivity of the delicate ecosystem in that area, practical safety concerns due to this area not being suited for commercial use, and the harm to the quality of experience of the public that currently enjoy the area. Mr. Housel finished by stating that he is concerned about the Boise River as a rare gem that needs protection from overuse.

Brian Martin, President of Boise Valley Fly Fishers, stated the BO1A is one of the few places that is home to rainbow trout and mountain whitefish. He stated Idaho Fish and Game does not restock the fisheries, and the number of anglers and fly fishers has increased over the years. Mr. Martin stated his concern that outfitting in this section of the Boise River will negatively impact the fishery and put the unique fishing opportunity at risk.

Jeff Bitton, Idaho Outfitters and Guides Association (IOGA) President, stated the Association has proposed rule changes for tag designation that will be discussed during the meeting. This proposal addresses instances when an outfitter loses an allocated tag during the rounding on step one of the designation process. Mr. Bitton stated that their solution is to add a step to give any remaining tags to outfitters that lost a tag during step one.

Aaron Lieberman, Idaho Outfitters and Guides Association (IOGA) Executive Director, thanked Mr. Skinner and Mr. Weiseth for their service on the Board. He also thanked Mr. Price and Mr. Compton for attending the Association meeting in East Idaho, and Mr. Clifford for his ongoing communication with outfitters. Mr. Lieberman requested that the Board prioritize adding licensable sections on licenses to combat illegal outfitting. He stated the Association supports the Board's ongoing collaboration with Idaho Fish and Game on GIS mapping. Mr. Lieberman requested access to publicly available OGLB meeting documents in advance of the meeting to better prepare. He informed the Board that changes in Idaho Fish and Game rules to nonresident deer tags do not affect the Board's authority for tag transfers and tag credit.

Adam Bass, Boise River Outdoor Opportunities, after hearing public comment, said the state values outfitting as the best way to utilize natural resources, and the requested boundary changes to the BO1A provide an accessible opportunity for individuals lacking experience or resources to engage with natural resources. He stated he is amenable to prohibiting outfitted fishing and to restricting the number of trips on the river to protect the natural resources. He also stated that increased access to the river will give less privileged people an opportunity to enjoy the Boise River.

DIVISION BUSINESS

2025 Legislative Session Overview: Mr. Price presented information on the following legislation:

- H0015 establishes that all accredited postsecondary schools in Idaho receive an exception to the requirement of being a licensed outfitter through the Idaho Outfitters and Guides Board; bill has been signed by the Governor on 2/27/2025.
- H0128 allows muzzleloader hunters one more choice in projectiles; bill was signed by the Governor on 3/28/2025.

- S1003 makes any person with outstanding fines for violations of Idaho Code § 36-1402 ineligible for any hunting, fishing, or trapping license, tag, or permit; bill was signed by the Governor on 3/19/2025.
- S1012 provides an appeal option for individuals experiencing depredation from wolves, grizzly bears, black bears, and mountain lions; bill was signed by the Governor on 3/12/2025.
- S1011 requires at least one member of a Winter Feeding Advisory Committee be an agricultural producer; bill was signed by the Governor on 3/19/2025.
- S1013 adds the requirement that students must receive instruction on trespassing and personal and real property tampering laws and allows individuals to trap under the supervision of a certified guide without the individual being certified themselves; bill was signed by the Governor on 3/12/2025.
- HJM004 is a memorial calling for an end to listing grizzly bears in the lower 48 states as an endangered species and returning management to the states; bill was delivered to the Secretary of State.

Mr. Price also presented information on the following legislation: H0014, H0107, H0151, H0152, and H0253.

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

Financial Update: Mr. Price presented the Board's financial report for the third quarter of FY2025, which indicated that the Board had a cash balance of \$468,989.03 as of March 31, 2025.

BOARD BUSINESS

Open Opportunities Procedures: Mr. Clifford presented the proposals for open opportunities. Mr. Clifford clarified that the minimum qualifications on the scoring sheet are from the statute and rules. Mr. Loos stated that the scoring sheet is designed to screen the outfitters who meet minimum qualification for licensure, and then for the Board to select an outfitter based on one of the proposals before them. The Board discussed additions to the scoring sheet based on experience, Idaho Fish and Game (IDFG) violations, criminal history, and land manager approval to provide for applicants that meet minimum requirements to ensure the health, safety, and welfare of outfitted guests. Following the discussion, the Board added a line item for criminal, IDFG, and/or federal violations, a line item for three or more years of experience outfitting, and a line item for three or more years of experience in the proposed or similar area.

A motion was made and seconded to accept the random draw proposal as a tie breaker with the mentioned edits to the scoring process for new opportunities. The motion carried unanimously.

Hot Pursuit: Mr. Price stated the U.S. Forest Service and the Bureau of Land Management have no issue with the Board treating hot pursuit agreements as predator overlap agreements. Ms. Overacker stated that trapping should also be added to overlap agreements.

A motion was made and seconded to direct staff to process hot pursuit as overlap agreements.

Licensable Activity Change – Trapping: Mr. Price referenced S1013. He stated there are currently no requirements in the rule for trapping.

A motion was made and seconded to direct staff to add the trapping requirements to guide applications and roster requests and authorize the EO or staff to add trapping as an activity to those outfitters eligible for trapping. The motion carried unanimously.

Negotiated Rulemaking: The Board reviewed proposed rule changes:

Rule 100.05 – Designated Agent: The Board struck the rule as duplicative of Idaho Code § 36-2102(b).

Rule 100.09 – Bear Identification: The Board reviewed the proposed addition of submitting a Bear Identification test passing score but made no changes due to its duplication of IDFG rule 13.01.02.221.

Rule 103.02.a.iv – Activity-Specific Qualifications: The Board reviewed the proposed addition of submitting a Bear Identification test passing score, but made no changes due to its duplication of IDFG rule 13.01.02.221.

Rule 103.02.h.i – Guide License Application Requirements: The Board reviewed the proposed addition of trapping as a licensable activity for guides, but the Board decided against the addition as duplicative of Idaho Code § 36-411(3).

Rule 203.04 – Hot Pursuit: The Board struck the rule as unnecessary because hot pursuit is now treated as a predator overlap agreement.

Rule 203.06 – Overlap Predator Areas: The Board added trapping as an authorized activity for predator overlap agreements.

Rule 257.06 – Rounding: The Board proposed two different change options pending public feedback:

1. If an allocated tag designation results in a partial tag, the calculation will be rounded up when a decimal equals or exceeds six tenths (0.6) and rounded down when a decimal is less than six tenths (0.6). If there are sufficient remaining or additional tags in the hunt after rounding, one tag may be designated to only those outfitters whose designations were rounded down. When calculating after a reduction of allocated tags pursuant to Section 36-2121(4), Idaho Code, the calculation will be rounded up when a decimal equals or exceeds five tenths (0.5) and rounded down when a decimal is less than five tenths (0.5).

OR

2. If an allocated tag designation results in a partial tag, the calculation will be rounded up when a decimal equals or exceeds five tenths (0.5) and rounded down when a decimal is less than five tenths (0.5).

The proposed changes address tag loss from rounding in the designation process. Proposal one is based on language from the IOGA, and proposal two is based on staff-recommended language.

Rule 259.01 – Licensable Waters – River Sections (BL1) Blackfoot River through (PR1) Priest River – Table: The Board made no changes to the BO1 Boise River, South Fork. The Board made no changes to the BO1A Boise River. The Board created a new licensed river section, BO1C Boise River, from Discovery Park to Eckert Bridge Road, with one licensed outfitter limited to one (1) raft or up to five (5) paddle boards or kayaks per day with no fishing permitted.

Rule 259.02 – Licensable Waters – River Sections (MF1) Middle Fork Salmon River through (SE2) Selway River – Table: The Board changed the boundary of SN14 Snake River to Pittsburg Land to the Idaho/Washington State Line near Lewiston. The Board struck the boundary “Lewiston on the Snake River” for SA8 Salmon River to comply with IDFG. The Board struck a typo from SJ1 St. Joe River.

Rule 259.03 – Licensable Waters – River Sections (SH1) Henry’s Fork Snake River through (TE3) Teton River – Table: The Board more narrowly defined the boundaries of SN2 Snake River to:

- a) Gem State Power Plant to Shelley Boat Ramp
- b) Shelley Boat Ramp to Firth City Park
- c) Firth City Park to Porterville Bridge
- d) Porterville Bridge to Blackfoot Boat Access (Boating limited, walk-wade if there is access)
- e) Blackfoot Boat Access to Tilden Bridge
- f) Tilden Bridge to the McTucker Boat Access

A motion was made and seconded to move the discussed rule changes to proposed rules. The motion carried unanimously.

Outfitters and Guides Statute Review: The Board reviewed the recommended changes to the statute that will be made for H0014:

36-2102(b) – Definitions: Strike “lakes and reservoirs” from the definition of “Outfitters” as unnecessary.

36-2102(l) – Definitions: Change “Base Allocation” to “Base Designation” to be consistent and accurate with Board functions.

36-2102(p) – Definitions: Remove “out-of-pocket” language from the definition of “Compensation” as unnecessary.

36-2102(u) – Definitions: Strike the definition of “out-of-pocket” as unnecessary.

36-2106 – Appointment and Qualification of Members: Strike language about the vacancy of a Board member as obsolete and redundant of Idaho Code § 59-905 and update the compensation code reference to 59-509(p).

36-2107(a) – Powers and Duties for Board: Strike “conduct examinations to” as obsolete.

36-2107(b) – Powers and Duties for Board: Strike the requirement of a jurisprudence exam as obsolete.

36-2107(c) – Powers and Duties for Board: Strike as redundant to the DOPL statute.

36-2107(e) – Powers and Duties for Board: Strike as unnecessary, as the Board does not conduct hearings.

36-2107(f)(g)(h) – Powers and Duties for Board: Combine 36-2107(f)(g)(h) into a single enforcement clause, 36-2107(c), stating:

(c) The board shall have the power to cooperate with the federal and state government through its appropriate agency or instrumentality in matters of mutual concern regarding the business of outfitting and guiding in Idaho.

(d) The division administrator shall have the power to hire enforcement agents in order to conduct investigations and enforce the provisions of this chapter and section 36-2104, Idaho Code.

1. All enforcement agents appointed by the board shall have the authority to issue misdemeanor citations in accordance with the provisions of section 36-1302, Idaho Code.
2. No employee of the division shall carry or use a firearm of any type in the performance of duties set forth in this chapter.

3. Responding to express requests from other law enforcement agencies for aid and assistance in enforcing other laws. For purposes of this section, such a request from a law enforcement agency shall mean only a request as to a particular and singular violation or suspicion of violation of law and shall not constitute a continuous request for assistance outside the purview of enforcement of the provisions of this chapter.

36-2108(a) – Application for Licensure: Strike outdated language requiring physical application forms.

36-2108(a)(1) – Application for Licensure: Remove unnecessary language and move the word “outfitter” away from the general sentence that also applies to guides to the outfitter specific sentence.

36-2108(a)(2) – Application for Licensure: Strike duplicative language about signatures.

36-2108(b) – Application for Licensure: Strike language about arrangements as the Board does not make arrangements for applications.

36-2108(c) – Application for Licensure: Strike the clause as redundant to the DOPL statute.

36-2108(d)(2) – Application for Licensure: Strike the clause as unnecessary language about money and dedicated funds.

36-2108(d)(3) – Application for Licensure: Strike language specifying fee amounts as unnecessary.

36-2108(d)(4) – Application for Licensure: Change “penalty” fee to “reinstatement” fee.

36-2108(d)(6) – Application for Licensure: Define the fees in the clause as “non-refundable” fees and removing unnecessary language.

36-2109(a) – Form and Term of License: Strike unnecessary language about application review because not every application is brought before the Board.

36-2109(b) – Form and Term of License: Change “shall specify the species” to “may specify the species.”

36-2109(c) – Form and Term of License: Remove “suspended sentence” as unnecessary, strike “forest service,” so the clause will apply to all federal agencies, strike unnecessary language requiring financial stability of an applicant, and strike the last sentence as redundant of the application denial procedure.

36-2109(d) – Form and Term of License: Strike the clause as unnecessary.

36-2111 – Disposition of Funds – Continuing Appropriation: Strike the last sentence as unnecessary, as the Board does not have a separate fund from DOPL.

36-2113(b) – Revocation or Suspension of License – Grounds: Strike the clause as an unnecessary definition of “conviction.”

36-2113(d) – Revocation or Suspension of License – Grounds: Strike the clause as redundant of the DOPL statute.

36-2114 – Revocation or Suspension of Licensure: Strike the section as unnecessary and redundant of Chapter 1, title 74, Idaho Code and Chapter 52, Title 67, Idaho Code.

36-2115 – Review of Board Action: Strike as unnecessary.

36-2117(1) – Penalty for Violations: Change “It shall be the duty of the prosecuting attorney of each country in the state to prosecute, in the county where the violation occurs, any person...” to “The prosecuting attorney of each county may prosecute any person...” to reflect prosecutorial discretion.

36-2119 – Board Orders and Rules: Strike the section as unnecessary.

36-2120 – Designation of Allocated Tags: Change all wording of “allocation” to “designation,” and add “and limited” after “capped” hunts to be consistent with IDFG statute.

36-2120(3) – Designation of Allocated Tags: Strike “controlled hunts.”

Standardized Disciplinary Matrix: Mr. Liddle presented the disciplinary matrix that showed current and historical discipline for code violations. The Board directed Mr. Liddle to change the minimum fine for the first-time offense of employing an unlicensed guide by an outfitter from \$150 to \$250. The Board requested that this matrix be reviewed again at the next quarterly meeting.

OASIS Update: Mr. Clifford presented the status of the OASIS update requests for OGLB. He stated no substantive changes to the system functions have been made since the last Board meeting.

Work Plan Update: Mr. Price gave an update on the work plan. He reviewed items and tasks that have been completed. The Board set the task to develop an MOU with the Idaho Department of Lands as a low priority.

Licensing Report: Ms. Earl 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: Mr. Long, aye; Ms. Allen, aye; Ms. Overacker, 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.

Discipline

A motion was made and seconded to close case numbers 1439636, 1454020, and 1447502. The motion carried unanimously.

A motion was made and seconded to close case numbers 1618052 and 1538528 with an advisory letter. The motion carried unanimously.

A motion was made and seconded to authorize the negotiation of a Stipulation with the terms discussed in executive session for case numbers 1403045, 1403501, 1403502, 1418460, and 1462839 and to allow the Board chair to sign on behalf of the Board. The motion carried unanimously.

A motion was made and seconded to direct staff to table case 1537852 pending receipt of additional documentation. The motion carried unanimously.

Applications

A motion was made and seconded to approve application 8771255. The motion carried unanimously.

A motion was made and seconded to deny applications 1639265, 1514878, 1652670, and 1658019. The motion carried unanimously.

A motion was made and seconded to deny the fee waiver. The motion carried unanimously.

Adjourn

There being no further business, the meeting was adjourned at 5:42 PM.

The next meeting is on 09/04/2025.