

**Idaho Fish and Game Commission
Annual meeting – January 27-29, 2009
Trophy Room, Idaho Department of Fish and Game
600 South Walnut, Boise, ID**

MISCELLANEOUS

January 27

Public Meeting

Chairman Wright called the meeting to order at 7:00 p.m. Commissioners Tony McDermott, Fred Trevey, Robert Barowsky, Randy Budge, Cameron Wheeler, and Gary Power were present. Chairman Wright introduced Representative Bert Stevenson, Maria Barratt DFM and Mitch Silvers from Senator Crapo's office.

Chairman Wright stated that the Commission takes the public comments seriously and that comments are reviewed during the regular business meeting.

Bob Minter, representing Ada County Fish and Game League, stated that Ada County Fish and Game League supports the revenue fee increase proposal, they would like to see more senior hunts 65 and older for deer, elk and turkey. After a meeting with IDFG staff it was suggested to Ada County Fish and Game League to present this proposal to the Commission. They feel that some of the youth tags could be allocated to seniors for this proposal. They would like for staff to study this and consider at the March meeting. Currently there are 1335 controlled youth deer hunts, and some of these could be allocated to seniors. As a sportsman Mr. Minter stated that the moose population does not need any reduction.

Grant Simonds, Executive Director, Idaho Outfitters and Guides Association spoke regarding 10(j) and wolf control that is need in the Lolo Zone.

Ken Smith spoke regarding proposals for Unit 36A. Mr. Smith would like to see a controlled bull hunt with a 6 point restriction. Eliminate the cow hunt in 36A-1 and keep in 36A-2. Mr. Smith suggests a gap between general season and the unlimited controlled hunt be considered to avoid party hunting in both seasons for the unlimited controlled mule deer hunt 2010. And eliminate the option of applying for and unlimited controlled hunt as a second choice.

Milton Coffman stated that the fees for hunting and fishing need to stay the same and is not a good time to propose. He feels if the prices are increased you would see more poaching cases. Mr. Coffman would like to see more opportunities for youth and seniors on WMA's. He suggests that for duck season that you do not spilt the season and feels it deprives the working sportsman on opportunities to hunt.

Chuck Middleton, representing himself, spoke on the proposed changes for bighorn sheep in Units 20-1 and 20-2. Mr. Middleton would like to see these two hunts combined and keep the total number of tags kept the same. He noted that it is a very difficult terrain.

Travis Bullock reported that he had a great hunt for California bighorn sheep this past fall. Mr. Bullock reported that the wolves are bad in the Middlefork area. He would like for the Department to scope the 6 point restriction in September or get rid of the season for the 6 point. He would like to see a 6 point restriction in the Selway Zone and extend back to November 18th.

Jim Justice is against a bonus point system.

Herb Meyer, stated that there is misinformation about bighorn sheep/domestic sheep; he feels that separation is needed and is a multi state problem. Mr. Meyer would like to see a fishing supplement at Harriman Ranch. He would like to see more auction tags available to raise revenue for the Department perhaps a Governor's tag. He does not feel the Department is getting their buck for the Access Yes program.

Nate Helm, thanked the Department for their outreach to Sportsmen for Fish and Wildlife and the availability of staff to answer questions. The large scale habitat project goals and ideas are in the works; 10(j) needed for wolf management; Wyoming petition for state delisting; LAP-Access Yes and opportunities for grizzly bear hunting if they were delisted.

Bill Fuchs, Chester, would like to know when the moratorium on waterfowl hunting for outfitters will be lifted and why has it been in effect for so many years?

William T. Smith, spoke regarding seniors and disabled hunting; 24 locations is not adequate; and no access in Units 32 and 32A due to Forest Service closure. Also would like to see the special hunt process changed for the unclaimed tags drawing.

Charles Clemmer stated that there should be more access to areas for handicapped hunters and seniors.

John Robinson, Public Lands Director, Idaho Conservation League (ICL), spoke regarding the "Be Outside" Program for children; stated that the ICL supports the fee increase and has written a letter; funding for nongame programs; outreach education for wolves and bighorn sheep. ICL is sponsoring a Wolf tracking field trip with Sun Valley Trekking outside of Ketchum on March 14 and April 11th. Director Robinson also noted a concern for mercury limits on fish that was being donated to food banks.

Butch Suor is not happy with the wolf situation and stated that he would not be purchasing another license.

Kelton Larsen spoke regarding state rights; 4 point restriction for mule deer; youth and archery.

Adjournment

The public meeting ended at 8:15 p.m.

January 28**MISCELLANEOUS****Opening Comments**

Commissioner Cameron Wheeler called the meeting to order. Commissioner Wheeler thanked the Commission, Director and staff and passed the gavel to new Commission Chair Wayne Wright.

Agenda Changes

Agenda changes:

- Add December 9, 2008 Minutes to Consent Calendar
- Budget Adjustment Restore Fish Passage in Short Creek
- Add Public Input to Revenue Proposal on Wednesday, January 28
- Add Rules Approval item on Wednesday, January 28
- Move IFWF Report to Thursday January 29

Review of Public Comment

Items discussed in the review of public comment included senior and youth hunting opportunities, Unit 36A, 6 point, wolves and how they are affecting the ungulate population, auction tags, outfitting for waterfowl, handicapped access, Wyoming wolf petition and bighorn sheep changes. Staff will work with constituents on their concerns.

Commissioner McDermott submitted a copy of a letter from Rod Halvorsen requesting a proposal for consideration to a regulation change that would increase successful retrieval of wounded big game animals and reduce the needless waste of lost, wounded big game animals during hunting season. Mr. Halvorsen's request will be added to the public meeting comments and a copy sent to the Wildlife Bureau for consideration.

Director's Report

The Director's report covered the following items:

- Director Groen noted that 2009 tag sales to non-residents are down considerably from the same period last year
- Deer tags are off by 40% and elk tags are down 27% through December 19th
- The "Be Outside" Campaign will launch January 30
- Mike Keckler, Director Groen and Deputy Director Virgil Moore have met with various editorial boards around the state to promote the revenue increase proposal
- The Department is leading an updated status review for westslope cutthroat trout across its range in the western United States

- Wildlife biologists are capturing and radio-collaring fawns and adult deer
- USFWS announced that they are delaying their ESA listing decision on Greater Sage-grouse until at least May 2009
- Kudos to enforcement officers for their special investigation cases and the CAP program
- The forensics lab continues to be very busy this fall

MISCELLANEOUS

Commission Reports

Each commissioner provided a Regional Update report.

Salmon Region, Commissioner Gary Power:

- Commissioner Power reported that enforcement is doing a good job in the Region
- Staff is working hard on the Aquatic Education program
- The 18th annual ice fishing derby will be held at Hyde Creek Pond for kids
- Work continues on the Big Timber reconnect creating linkage to the spawning areas back to the river

Upper Snake, Commissioner Cameron Wheeler:

- Thanks to Regional Supervisor Steve Schmidt for the excellent job he is doing in presenting the revenue fee proposal
- Regional Supervisor Schmidt has collected over 70 letters of support
- The Region reported a wolverine was trapped and released
- Reports that the ice fishing is good

Southeast Region, Commissioner Randy Budge:

- Referenced the number of elk between Mountain Home and Boise along the interstate
- Reports that the goose hunting is good
- Several scoping meeting have begun in the Region regarding deer issues
 - Appears numbers are down on harvest
- The Winter Feeding Advisory Committee is working well
 - At this time no winter feeding going on
- Kudos to Regional Supervisor Mark Gamblin for his communication with sportsmen
- Reported on the use of power sails and aerial gunning in the Region
 - Commission may need to address this issue in the future
- Commissioner Budge suggested that staff put together an explanation of the Department budget, a condensed simplified version
 - Also suggests a financial meeting to be held in each Region once a year to explain the Fish and Game Budget to sportsmen
 - Would be helpful for future use when talking with sportsmen to explain the financial operation of the department

Southwest Region, Commissioner Bob Barowsky:

- Reported that there are some license software issues that need to be looked at
- Commissioner Barowsky would like clarity as to why grand parents or other individuals are not able to buy a license as a gift for children or grandchildren
- Reports that 156 turkeys were transplanted from the Panhandle Region to Andrus WMA
- No winter feeding going on at this time
- Wolves
 - Collared 16 new wolves and 6 re-collared in January 2009

Panhandle Region, Commissioner Tony McDermott:

- Commissioner McDermott provided a brief report from the WAFWA mid winter meeting he attended
- Other states are facing the same budget issues as Idaho
 - Alternative Funding
 - Missouri Fish and Game receives funds from a dedicated sales tax
- Pack River delta restoration project has been implemented
- The Department is working with IDEQ and the AG's office and negotiated an agreement with Avista to mitigate the impacts to fish from the excessively high total dissolved gas produced by a spill at Avista's Cabinet Gorge Dam
- After two weeks of heavy snow fall and cold temperatures the region implemented a feeding program targeting primarily white-tailed deer
- Earthwork was completed at the Farragut Range for the 50, 100, and 200 yard ranges
- The Region resumed its sportsmen breakfasts in Enaville and St. Maries

Clearwater Region, Commissioner Fred Trevey:

- Referenced poaching case in the Region
- Reported that the staff is working hard promoting the revenue fee increase to the public
 - Receiving good reports
- The North Fork Clearwater River capture effort should be completed next week
- Met with citizens group from Weippe
- Donation made from an individual from the area who has donated land with the caveat that a family fishing area be built on it
 - There is a 2010 deadline for the fishing area to be built
 - Constituents are very supportive and excited
- The Region will co host the Nez Perce and Latah Counties District Farm Bureau meeting on February 28th
- Staff continues to work with the Forest Service on the travel management plan

Magic Valley Region, Wayne Wright

- Reported that new Regional Supervisor, Jerome Hanson is doing a good job

- Youth waterfowl hunt was held at the Hagerman Wildlife Management Area the first two weeks of November
- Reported that enforcement had a unlawful taking of two red foxes and that they were confiscated from the individual
- Constituent reported that while he was goose hunting someone shot a rifle into his decoys narrowly missing the individual
- Reported that a cougar was caught under a porch in Sun Valley

Consent Calendar

09-01 The following items were approved by general consent. Items included in the consent calendar:

- Minutes for the November 5-6 and December 9, 2008 meetings.
- Financial Report for the period ending November 2008
- Winter Feeding Advisory Committee Appointments (Appendix 42, Exhibit 1)
- Budget Adjustment to Restore Fish Passage in Short Creek

REPORTS

Zero Base Budgeting

Jim Lau, Chief, Administration provided a overview of the Zero Based Budgeting (ZBB) process. Mr. Lau stated that Zero Based Budgeting is a directive from the Governor requiring all state agencies to go on a six year cycle so that every six years the agency would present a ZBB. ZBB does not consider the prior years level of spending when the agency is establishing a budget for the new year. All major activities must be reviewed and justified. Some advantages to the Zero Based Budgeting are that it will identify inflated budgets, wasteful or obsolete practices or programs, and identifies overall budget. Mr. Lau stated that the overall goal of ZBB is to relate activities and outcomes to the dollars spent on each activity. One area that has been identified as a high priority is the Department use of temporary help. ZBB will allow the Department to take a closer look at this. The Department goal is to have the ZBB ready to use for the FY 2011 budget. Commission discussion and questions followed on the use of temporary employees. The Department is looking closely at the whole temporary issue and for a solution to reduce this cost.

Nongame Funding

Jim Unsworth, Deputy Director provided a report on Nongame Funding (Appendix 42, Exhibit 2). Mr. Unsworth's report covered Nongame Funding Mechanisms, Nongame Program Expenditures, Revenue Trends and Management Actions and Policy Considerations.

Jeff Gould, Chief, Wildlife, reported on the Nongame Trust Account Program (Appendix 42, Exhibit 3). Mr. Gould reported that there are 28 different specialty license plates being sold. The Department wildlife plates receive one half of all the revenue from all the

different specialty plates. The Department has seen a decline in wildlife license plates sales.

Mr. Gould stated that in June 2008, expenses exceeded the cash balance in the Nongame Trust Account. In FY09, the following expenditures will be transferred to License budgets to help reconcile the cash shortfall that existed at the start of FY09: 1) Native Fish Program, 2) Wildlife Express, 3) Project WILD, 4) MK Nature Center, and 5) Information Systems.

Mr. Gould is working on balancing the Nongame Trust Account and will take the following actions: 1) Reduce Wildlife Nongame program spending by \$240,000 (30% reduction), 2) Keep 2 Nongame Biologist positions vacant; freeze Nongame temporary hires, 3) Switch Windows to Wildlife to internet/electronic copy only, and 4) Transfer \$75,000 of Native Fish Program budget out of Nongame Trust Account and into a Federal Aid – DJ budget.

Mr. Unsworth stated that the Department would like direction on how much License funding is appropriate for conservation education programs that promote both game and nongame management? There is a perception that the Department is spending too much license money on nongame issues.

Chairman Wright stated that the Commission needs to be unified and give direction for staff on what is appropriate for the nongame program funding. Currently there are \$50,000 of license funds spent on educational programs that include nongame wildlife. Is it appropriate to continue to use license and tags dollars for education, such as Nature Centers, Project Wild and Wildlife Express? Commission discussion followed.

Commission consensus is to defer this policy decision pending the outcome of the final FY10 Department Budget approval or lack there of and will be discussed at a future meeting.

LEGISLATION

Public Input to Revenue Proposal

Bill Hutchinson, Special Assistant to the Director provided a report on support for the revenue fee increase (Appendix 42, Exhibit 4). Mr. Hutchinson noted that as of January 27th the Department has received 466 letters of support and 104 letters opposed to the revenue fee increase.

REPORT

Presentation to Clark Fleege

Director Groen, Chairman Wright and Mary Dudley an award to Clark Fleege, Luck Peak Nursery for exemplary service benefiting Idaho's wildlife by growing and processing seeds for native habitat restoration. The Department values the partnership with Lucky

Peak Nursery and relies on their services to enable the Department staff and volunteers to restore wildlife habitat throughout Idaho.

Luck Peak Nursery provides essential services by propagating hundreds of thousands of native plants, processing and storing thousands of pounds of seeds and providing technical information.

LEGISLATION

Legislative Update

Sharon Kiefer, Assistant Director introduced Intra-Governmental Policy Coordinator, Lance Hebdon who will be assisting with legislative liaison duties.

Sharon Kiefer stated that the 2008 Commission liaison to the Idaho Fish and Wildlife Foundation was Commissioner Wayne Wright who is now the Commission Chairman. Ms. Kiefer is seeking affirmation for the 2009 commission liaison.

09-02 Commissioner Wheeler moved and Commissioner McDermott seconded a motion TO HAVE WAYNE WRIGHT CONTINUE AS THE COMMISSION LIAISON TO SERVE ON THE IDAHO FISH AND WILDLIFE FOUNDATION. The motion carried in a unanimous vote.

Ms. Kiefer stated that in November the Commission set a legislative conference call schedule for Thursday mornings at 8:00 a.m. that would have commenced January 29th. Due to changes in the January Commission meeting made this weeks call unnecessary. The JFAC presentation is scheduled for February 5 and the staff seeks modification for next weeks call due to the presentation.

09-03 Commissioner Barowsky moved and Commissioner Power seconded a MOTION TO MOVE THE LEGISLATIVE CONFERENCE CALL TO WEDNESDAY, FEBRUARY 4TH AT 8:00 A.M. The motion carried in a unanimous vote.

Legislative Update

Ms. Kiefer provided a brief summary of legislative bills of interest to the Commission. She noted that Department sponsored Senate Bill 1008 has been printed and that this bill would provide a mechanism for Fish and Game to issue a big game tag to qualified organizations for a disabled veteran to hunt big game.

In addition there are currently five other bills printed, that directly affect the Department and Title 36.

HB 16 – Restrict Superhunt tag issuance to no more than 10% for nonresidents

SB 1015 – Directs IDFG to contact states to solicit interest in getting wolves

SB 1020 – Prohibits offenders convicted of unlawful wildlife possession from buying back their seized wildlife

SB 1022 – Increases the penalty to cover meat processing assessed to violators
 SB 1035 – authorizes collection of reasonable fees for services

Ms. Kiefer stated that a concept that would create a mechanism for those without a hunting, fishing or trapping license but who use Fish and Game properties to financially contribute to those properties and assist programs such as nongame is under legislator consideration for bill drafting. The Department has provided technical assistance only for legislative assessment of this concept.

There is legislator discussion about a statute to allow the Department to receive vital statistics primarily death notices to allow us to update our license data base on a monthly basis. No bill has emerged from these discussions.

The JFAC presentation is February 5th at 8:20 a.m.

REPORT

Wolf Update

Deputy Director Unsworth provided a wolf update packet to the Commission (Appendix 42, Exhibit 5). Mr. Unsworth's report covered the Commission Directives to the Department given November 2008 followed by a status report.

To review and update the underlying data which support our Wolf Management Plan to include current data, review of conflict levels, population status, and harvest objectives need to hunt wolves in the fall of 2009, assuming de-listing occurs.

- Preliminary estimate of 824 wolves, 88 packs, 38 breeding pairs
- Final estimates available in February
- Staff will recommend 2009 wolf hunting season frame work in March
- Staff will recommend harvest quotas in July or August
- Wildlife Services has compiled the FY08 wolf conflict report

To develop and implement plans and methods to obtain methods to obtain census information on wolves within federally classified wilderness areas utilizing the "Minimum Tools Analysis" process.

- Staff will follow a similar analysis and decision making process as was used for bighorn sheep in the South Fork Salmon river drainage
- Staff have not attempted extensive ground-based efforts with limited success
- Wolf capture will coincide with scheduled elk surveys
- Middle Fork Zone – winter 2009/10
- Selway Zone – winter 2010/11
- Department continues to support Dave Ausband's (University of Montana) research to develop non-invasive and cost-effective population estimation tools using congressional appropriations

To develop and aggressively utilize all available tools and methods to control wolf-caused depredation of domestic livestock.

- Staff have worked with Wildlife Services to identify 25 wolf pack territories with chronic livestock conflicts (>3 occurrences in 2008)
- Staff will implement aggressive and efficient control measures, including entire pack removal, for wolf packs with chronic histories of livestock depredation
- Staff will work with the Office of Species Conservation to request a Department of Interior Solicitor's opinion on the 45-day window

To develop and aggressively utilize all tools and methods available under the new 10(j) Rule to control wolves in critical areas that are impacting ungulates starting with the Lolo Zone and progressing to other critical areas, in the event de-listing does not occur.

- Staff have developed a 10(j) proposal for the Lolo Zone and submitted it for formal peer review following federal guidelines

To continue to develop, implement and utilize wolf monitoring and estimation techniques and modeling.

- Department continues to support Dave Ausband's (University of Montana) research to develop non-invasive and cost-effective population estimation tools using congressional appropriations
- Patch-occupancy modeling using
 - Observational data
 - DNA analysis of scat
 - Howl boxes
 - Rub pads

To assemble and disseminate accurate factual information to inform and educate the public on wolf biology and successful wolf recovery.

- Staff continue to update the Department website to provide new information on wolf delisting; state perspective; management activities; and elk population status; survival, and cause-specific mortality
- Staff continues to coordinate and disseminate a bi-weekly email update

Commissioner Trevey reported that the Commission wolf subcommittee met on Tuesday. The subcommittee includes Commissioners Trevey, Power and McDermott. The committee looked at the delisting process and the potential 10(j) rule and the existing plans relationship to current situation. Misinformation is all over the place on wolves. The committee feels that providing current and educational information to the public is the key. Chairman Wright stated that the subcommittee was formed with direction from Director Groen to be the liaison between the Department and the Commission and to keep abreast of all the latest issues on wolves. The committee will provide reports to the Commission as the subject requires.

LEGISLATION

Commissioners adjourned to meet with Senate Resource and Environment Committee

January 29

REPORT

Crime Scene Investigation

Jon Heggen, Chief, Enforcement; Karen Rudolph, Wildlife Laboratory Biologist, and Tricia Hebdon, Wildlife Laboratory Biologist, provided a Crime Scene Investigation (CSI) and forensic laboratory presentation (Appendix 42, Exhibit 6). Mr. Heggen reported that Idaho Department of Fish and Game (IDFG) is home to a premier forensic program that offers state-of-the-art DNA forensic services, a program available at only a handful of other wildlife resource agencies in North America. IDFG has supported a forensic program, in some capacity, since the 1970's. Today the forensics program uses cutting edge technology to offer a full service biological testing program.

Idaho Fish and Wildlife Foundation Report

Gayle Valentine, Executive Director, presented the Idaho Fish and Wildlife report.

- The 2009 Online Trip Auction has acquired Active Network as a major sponsor to help offset online auction expenses. Auction scheduled for February 27 through March 9, 2009.
- The Idaho Fish and Wildlife Foundation welcomes new Region 3 board member, Joan Hill Yost from Boise, Idaho. Ballots are currently being gathered on a Region 4 candidate, C. David McClain from Buhl, Idaho. By February 2009, we will have 18 directors.
- The Idaho Fish and Wildlife Foundation conducted their board meeting in Boise on December 5 and 6, 2008. The 2009 IFWF budget proposal was approved and passed by the Board of Directors.
- The Board unanimously passed the Craig Mountain Wildlife Management Area Enhancement Fund MOU between IFWF and IDFG at the December board meeting. The purpose is to provide a mechanism for donations to a fund to be used to enhance wildlife habitat on the Craig Mountain WMA and support other projects defined in the MOU. The fund must first attain a minimum of \$10,000. The MOU has been reviewed by legal staff and signed by Director Groen.

- Due to the downturn in the economy, the Idaho Fish and Wildlife Foundation agreed to not fund 2008 project funding requests. Typically \$25,000 is allocated for selected project proposals. All applicants were notified in December 2008. The IFWF Project Funding Committee and the IFWF Finance Committee will discuss ability to fund 2008 projects in Fall 2009.
- Foundation board members expressed an interest in partnering with IDFG in the decision-making for awarding revenue from the annual online trip auction.
- The Foundation Wildlife License Plate Committee is conducting marketing efficiency with 2009 advertising for the wildlife license plates. The Committee will continue with major city-billboard advertising, monthly traffic reports in the Treasure Valley, and renewal postcards mailed to new and renewed license buyers. New for 2009 – purchasing new elk digitized plates to replace old elk design on a portion of the IDFG fleet. Reduction in spending is commensurate with decline in royalty fees used for plate marketing.
- The Foundation has received a 40-acre conservation easement in the Boise Foothills.
- The Foundation's next scheduled meeting is a teleconference call on Saturday, February 7, 2009.

RULES

Rules Approval

Sharon Kiefer, Assistant Director presented the rule proposal (Appendix 42, Exhibit 7) to the Commission. Ms. Kiefer stated that during the 2009 legislative rules review, it became apparent that two of the fourteen pending rule dockets had language in conflict with the related Commission motions. These errors are expected to result in legislative rejection of the two dockets in error. Rule rejection presents opportunity to correct the rules.

During November 15-17, 2007, the Commission adopted nonresident deer and elk tag quotas and nonresident deer and elk tag outfitter set-aside quotas. Pending Rule Docket No. 13-0104-0803 – Rules Governing Licensing, has incorrect quotas that do not accurately reflect the Commission action. Furthermore, there is still reference to the obsolete Clearwater deer tag in this chapter. The guiding Commission motions were 07-93 and 07-94.

During May 21-22, 2008, the Commission adopted nonbiological rules for a wolf hunting season, should delisting occur. Pending Rule Docket No. 13-0108-0801 – Rules Governing the Taking of Big Game Animals, has an incorrect rule that does not accurately reflect the Commission action in regard to exempting fur buyers and

taxidermists from requirements for possession of raw wolf hides (Commission motion 08-47). In addition, the descriptive summary in the public notice of this pending rule created confusion because of a “Wolf Management Plan” reference; there is no plan by this specific title. The 2002 legislatively-adopted plan is the *Idaho Wolf Conservation and Management Plan* and the 2008 IDFG plan is the *Idaho Wolf Population Management Plan, 2008-2012*.

The Governor’s Office has approved temporary rulemaking allowing the Commission to adopt new rules that correctly reflect motions made at the November 13-15, 2007 meeting and at the May 21-22, 2008 meeting. The Commission has authority to adopt these rules as temporary/proposed rules.

Public involvement was affiliated with the Commission meetings when the referenced motions were adopted.

Staff supports legislative docket rejection in order to correct the rules. Staff recommends adopting new rules as presented.

Rules accurately reflecting Commission action are needed for 2009 nonresident tag quota sales and potential wolf harvest season should delisting occur.

09-04 Commissioner Budge moved and Commissioner Power seconded a motion TO ADOPT THE STAFF RECOMMENDATION THAT CORRECTLY REFLECTS MOTIONS MADE AT THE NOVEMBER 13-15, 2007 MEETING AND AT THE MAY 21-22, 2008 MEETING TO SUPPORT THE LEGISLATIVE DOCKET REJECTION IN ORDER TO CORRECT THE EXISTING RULES AND FURTHER TO ADOPT THE NEW TEMPORARY RULES AS PRESENTED IN RULE 13.01.04 AND HIGHLIGHTED PORTION OF RULE 13.01.08. The motion carried in a unanimous vote.

Trophy Species Regulations for 2009-2010

Dale Toweill, Trophy Species Coordinator, presented the Department recommendation for moose, bighorn sheep, and mountain goat rules for the 2009/2010 hunting season (Appendix 42, Exhibit 8) and a draft of the new trophy species brochure (Appendix 42, Exhibit 9).

09-05 Commissioner Power moved and Commissioner Barowsky seconded a motion TO ACCEPT THE MOOSE, BIGHORN SHEEP AND MOUNTAIN GOAT SEASONS AS PRESENTED BY STAFF. The motion carried in a unanimous vote.

REPORT

Update on Chinook Salmon

Peter Hassemer, Anadromous Fish Manager presented a report (Appendix 42, Exhibit 10) to inform the Commission, of the forecasts for spring and summer Chinook salmon returning to the Snake River and the prospective salmon fisheries this spring. Mr. Hassemer reported that the salmon will begin leaving the ocean and entering the Columbia River in late February and early March. Fisheries staff will be returning to the Commission in March with recommendations for 2009 Chinook salmon sport fisheries to be conducted in the Clearwater River, Salmon River and Snake River drainages.

LANDS

Land Legacy Trust Update

Mr. Servheen reported that the establishment of the Land Legacy Trust has been proposed by the Commission as a funding mechanism that will help secure financial resources that are needed to address the loss of wildlife habitats in Idaho. The implementation strategy to create and manage the Trust for habitat purposes was adopted in concept by the Commission during their May 2006 Commission meeting.

Since then the Department has laid the groundwork for the future sale of land assets and mitigation debt settlement that could establish or add to this Trust fund.

This Commission update covered the status of surplus land disposal, settlement with BPA, and outreach and communications concerning the project. Staff seeks policy level direction that will help guide the implementation strategy used to create and manage the Land Legacy Trust.

Chairman Wright appoints a subcommittee of Commission members McDermott, Budge and Wheeler to work on the Land Legacy Trust Account to review and work with Department staff.

09-06 Commissioner Budge moved and Commissioner Barowsky seconded a motion TO AUTHORIZE THE DEPARTMENT AND GREGG SERVHEEN TO PROCEED WITH THE WITH THE SALE OF PROPERTIES IDENTIFIED; PLACE PROCEEDS FROM THE SALE INTO A SEPARATE ACCOUNT DESIGNATED AS A LAND LEGACY ACCOUNT, FROM WHICH ACCOUNT FUNDS WILL NOT BE DISTRIBUTED UNTIL THE COMMISSION APPROVES GUIDELINES FOR SUCH EXPENDITURES; AND ESTABLISH AN AD HOC SUB COMMITTEE OF THE COMMISSION TO WORK WITH STAFF AND LEGAL COUNSEL TO GATHER INFORMATION REGARDING FINANCIAL STRUCTURE AND OPERATION OF A LAND LEGACY TRUST FUND. The motion carried in a unanimous vote.

MANAGEMENT PLANS AND POLICES

Draft Pelican Management Plan

Rex Sallabanks, Conservation Sciences Manager, presented the draft Pelican Management Plan to the Commission (Appendix 42, Exhibit 11). Mr. Sallabank's

presentation covered the following topics: Pelican Populations, Fish Populations and Impacts, Pelican Management Plan, Goals and Objectives and Public Comment and Next Steps.

Numbers of American white pelicans, including adult nesting birds, have increased dramatically in southern Idaho since 2002. The increase in nesting birds has been documented at Idaho's two nesting colonies located on islands in Blackfoot Reservoir and Lake Walcott (Minidoka National Wildlife Refuge). Increases in pelican populations are generally considered as positive contributions to pelican conservation goals in the Western population segment, but the increased number of pelicans has also resulted in documented predation impacts on native cutthroat trout subspecies and other important recreational fisheries. The Department believes there is a need to develop an approach to manage conflicts in Idaho between pelicans and fish populations that balance conservation and recreation interests for both. This brief presentation will provide an overview of the management actions the Department proposes to implement to reduce conflicts between birds and fish in southeast Idaho. The Wildlife Bureau seeks approval from the Commission to solicit public review of this draft plan.

This draft plan establishes management direction and provides objectives for pelican conservation. The plan contains both non-lethal (hazing birds, physical deterrents) and lethal (shooting birds, oiling eggs) management actions. Non-lethal methods could be implemented in 2009 following Commission approval of the plan. Because the American white pelican is federally protected under the Migratory Bird Treaty Act, however, authorization from the USFWS will be required before lethal take beyond that already permitted could occur. The Wildlife Bureau intends to seek Commission approval of the pelican management plan in March 2009; following such approval, the Department will request USFWS authorization to implement lethal control components of the plan. Prior to taking any action on the merits of this management plan, public review and comment is necessary.

To date, there has been no public involvement in developing this draft plan. The staff is seeking Commission approval for a 30-day public review period. Following this public comment period, the Wildlife Bureau will analyze and summarize results for the Commission for future action on this management plan for pelicans.

The Wildlife Bureau seeks Commission approval for a 30-day public comment period on this draft plan.

A motion was made by Commissioner Power to approve the draft pelican management plan and allow a 30 day public comment. The motion died for a lack of a second.

09-07 Commissioner Budge moved and Commissioner Wheeler seconded a motion TO SUBMIT THE DRAFT PELICAN MANAGEMENT PLAN BACK TO STAFF FOR CLARIFICATION, INCLUDING THE FACT THAT THE OBJECTIVE WOULD BE STATED IN NUMBERS OF BREEDING BIRDS, AVERAGES SHOULD BE BIRDS NOT NESTS, AND THAT THE RE-EVALUATION

SHOULD INCLUDE MANAGEMENT ACTIONS FOR BOTH POPULATIONS (BLACKFOOT AND LAKE WALCOTT). The motion carried in a unanimous vote.

LEGISLATION

Commissioners adjourned to meet with House Resources and Conservation Committee

MISCELLANEOUS

Reconvene

The Commission reconvened at 4:00 p.m.

LEGISLATION

Discuss Legislation

Director Groen and Chairman Wright led a discussion on the Department's Revenue Fee Increase Proposal with the Commission. After discussion the Commission decided to revise the revenue fee increase proposal to reflect a 15% increase due to the situation with the current economy.

09-08 Commissioner Barowsky moved and Commissioner McDermott seconded a MOTION FOR STAFF TO REWRITE THE REVENUE FEE INCREASE PROPOSAL AND REVISE IT TO REFLECT A 15% INCREASE, TO FIX THE FISHING TOURNAMENT PERMITS AND THAT THE DIFFERENTIAL FEES WILL REFLECT RESIDENT AND LICENSE PREFERENCE. The motion carried in a unanimous vote.

MISCELLANEOUS

Executive Session

09-09 Commissioner Barowsky moved and Commissioner Power seconded a motion TO HOLD AN EXECUTIVE SESSION PURSUANT TO IDAHO CODE 67-2345(1) (B) (C) (F) TO DISCUSS LAND ACQUISITION, LEGAL AND PERSONNEL. The motion carried in a unanimous vote.

Adjournment

The meeting adjourned by general consent at 5:40 p.m. with no official action taken.

Wayne Wright
Chairman

Cal Groen
Secretary