

**Idaho Fish and Game Commission  
Special Meeting March 23-24, 2009  
Trophy Room, Idaho Department of Fish and Game  
600 South Walnut, Boise, ID**

**March 23**

**RULES**

**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 stated that the public meeting is a very important part of the process that the Commission goes through; and the public input is very valued. All of the public comments will be reviewed at the open commission meeting.

Bob Minter, President, Ada County Fish and Game League, proposed senior deer antlerless deer hunt 40-3 for 100 permits should be for all of Owyhee; Sawtooth elk should be any weapon spike should be limited; senior elk antlerless hunt needed in Unit 39 with 100 permits; South Idaho zone for wolf should open on September 1.

Bryce Cook, Idaho Waterfowl Association (IWA), spoke regarding IWA's opposition to all guided waterfowl hunting in Idaho.

Michael J. Schindel, stated that if the Sawtooth A and B tags are capped to achieve a 46% reduction phased in over three years based on 2008 tag levels, please do the same for the muzzleloader controlled permits. Mr. Schindel feels this proposal would spread the reduced hunting opportunity equally across all user groups while still providing a muzzleloader opportunity.

Darl Allred, Sawtooth Zone Outfitters, supports caps on the Sawtooth zone and cap muzzleloader for cow and would like to see a further reduction immediate; not a three year phase in, no A tag for cow or spike. The Outfitters would like to see a liberal season on predators, they are greatly reducing the elk herds.

Larry Velvick, Black Canyon Bowmen, supports the unlimited draw archery proposal.

Richard Beesley, President, Idaho State Bowhunters, supports the unlimited draw statewide for pronghorn.

Blake Fischer, President, Idaho Traditional Bowhunters, would like the Department to make Unit 40-2 an unlimited archery controlled hunt. It would allow archery hunters to put in for trophy species – can't put in for antelope.

Curtis Wiker, a member of the Idaho State Bowhunters and Treasure Valley Bowhunters supports the unlimited draw.

Tom Haver, Idaho State Bowhunter, supports the unlimited control hunt if the change must be made.

Larry Fischer, spoke regarding the history of the Unit 39-3 mule deer hunt. Would like to see the triangle opened back up – reducing overcrowding. Mr. Fischer has concerns with the unlimited draw for antelope.

Harry W. Knox would like the Department to look at the direction of the sheep program. He stated that in the 1990's there were 213 sheep tags and today we are at 82 tags. He would like the Department to look at the point system as it takes away from youth.

Debra Wiker, Treasure Valley Bowhunters, supports unlimited draw for antelope.

Dale Garrard, would like to see unlimited archery draw for antelope and a September wolf opportunity.

Tad Sherman, representing self, stated that the antelope archery should be changed to an unlimited hunt instead of limited.

Nathan Jones, South Central Idaho Archers, spoke regarding archery seasons for antelope and supports limited draw.

Grant Simonds, IOGA, spoke regarding big game regulations. He asked that the Department not label outfitters proposals, shorten seasons are concern; use controlled hunts with allocations, and move into 10(j) for the Sawtooths, and supports the unlimited proposal for antelope.

Lance Sellers, representing archery hunters, stated that he supports an unlimited draw for antelope, split Unit 54-1 and would like to see a September 1 hunt for wolves.

Matt Douthit, spoke regarding doe hunting and wolves in the Sun Valley area. Opposes late doe hunts in November. He stated that the wolves are killing feeding elk and that the hazing is not working.

Bruce Penske, representing self, stated that the deer season in the Upper Snake and Southeast Regions should end October 25 to allow a full weekend to hunt. This would have no biological effect on deer population.

Ken Smith, representing Ken Smith's Hunting Idaho, supports 36A eliminating cow to 50 permits for youth, supports total reduction this year for archery – not a three year phase for

archers, allocation for cowhunts and archery, controlled bull hunt go to 6 pt or better and do not brand outfitter proposals.

Nate Helm, Sportsmen for Fish and Wildlife (SFW), stated that SFW supports implementing the wolf plan, and provide an opportunity for archery hunters to hunt wolves, no expansion for mule deer doe tags until recovered, SFW will continue to work hard to keep the enhancement related to habitat restoration in any fee bill that comes before the legislature.

John Cramer, stated that if Idaho owns the deer and elk, why aren't the wolf advocates that introduced the wolves charged for the elk and deer lost by the state due to the wolves. Mr. Cramer would advocate complete closure of elk hunting in Unit 31 or several years.

TJ Elsbury, spoke regarding Unit 39 & 43 doe hunts stating that the doe hunts should be closed in these areas.

Mike Scott, White Cloud Outfitters, supports unlimited control for archery antelope and would like to see a full implementation of the reduction on the cap for the Pioneer A tag for archery not a three year phase in.

Shane Meredith, representing self and a member of Treasure Valley Bowhunters and Idaho State Bowhunts, supports the unlimited draw antelope hunts, a wolf season during the archery season, does not support the limit of Sawtooth A tag.

Monte Mason, supports the unlimited draw for archery season. Mr. Mason would like to see the portable blinds in lieu of permanent blinds.

John Robinson, Idaho Conservation League,(ICL) invited Director Groen to attend a April 11 wolf tracking field trip, proposed mining at Moose Creek reservoir, and ICL supports the Department's hazing of the Phantom wolf pack near Sun Valley.

Steve Blackburn, does not support controlled hunt for pronghorn and supports unlimited control hunt.

Steve Blackburn, Jr. representing self supports unlimited controlled hunt. Mr. Blackburn asked the Commission what are the underlying facts and data that is being used when implementing rules.

Butch Sour, spoke regarding wolves and the elk in Unit 39.

Larry Thorngren supports scientific management of wolves. Mr. Thorngren is in favor of general fund money to support the Idaho Fish and Game Department.

Tom Domorest Diamond D Ranch in the Frank Church Wilderness Area stated that he has been attending Commission meetings since 1960.

Kenny Cantrell submitted an email stating that he is opposed to any kind of guiding or outfitting for upland game or waterfowl.

Paul Spurling submitted an email stating he is opposed to the issuing of any outfitter or guide licenses for waterfowl or turkey hunting in Idaho. Allowing guided hunting for these species would further erode public hunting opportunity on our shrinking amount of land and water available for hunting.

Bill Fuchs submitted an email to the Commission regarding outfitting for waterfowl.

David and Mary Ankenbauer, Idaho Traditional Bowhunters, would like to see IDFG look to the future and start thinking about a traditional/ primitive archery season/s.

Corey Jacobsen would support points for once in a lifetime draw hunts (moose, sheep, goats), supports unlimited draw for antelope archery, and thanks for looking at and adding archery tags on a controlled basis in units 18 and 45.

### **Adjournment**

The public meeting adjourned at 8:40 p.m.

### **March 24**

### **Review of Public Comment**

The Commission addressed comments relating to regulations for archers, Sawtooth and Lolo zones, 6 point only hunts, closing of deer hunting on October 25<sup>th</sup> giving a full weekend to hunt and outfitting for upland game and waterfowl.

### **Director's Report**

The Director's report covered the following items:

- Three new enforcement officers on board March 9<sup>th</sup>
  - Thanks to Jon Heggen for his recruiting efforts of enforcement officers
- A berm construction at Farragut Shooting Range is complete
  - Phase 2 will be shed and baffles
- Access Yes! Applications are way beyond the funding base
- Department is submitted a Hunting Heritage Partnership grant proposal to fund Access Yes!
- Reports a good fall steelhead season
  - Estimated harvest fish kept was 31,300
  - Close to 1000 steelhead were harvested in the Boise River

Director Groen stated that several significant developments have occurred over the past couple of weeks which could or will have an impact on the Department's budget and cash flow for FY 2010 and beyond (Exhibit 42, Exhibit 21).

The Joint Finance Appropriations committee (JFAC) has passed a mandatory reduction of 5% of budgeted personnel costs (salaries and benefits) for the next fiscal year and this action will apply to all agencies and all fund sources. The Department will be reviewing all options as to how to best proceed with the \$1.3 million of additional cuts required.

In other action JFAC also reduced the Department's capital budget request by just over \$ 1million for FY 2010 in an effort to conserve cash. The legislative intent was that the Department is to spend less on its fleet program in the coming year.

Director Groen reported that revenue from non-resident tags sales continues to lag significantly behind prior years and we have now reduced our forecasted cash flow by \$1.5 million for FY 2010 as a result of this trend.

### **Commission Reports**

Each Commissioner provided a Regional Update report.

Panhandle Region, Commissioner Tony McDermott:

- The Lake Pend Oreille "State of the Lake" angler incentive program netting is an ongoing program
  - Netting started 3 weeks ago
  - Averaging netters about 1,000 lake trout per week
- Reports the earth moving on the Pack River Delta project is complete
- Planting is started and will engage kids from Sandpoint schools and local community groups
  - Kathy Cousins is continuing to spearhead this project
- Aerial surveys have demonstrated very low calf production as a result of the 2007-2008 winter
- Over 500 people attended public meetings, with general support for reducing harvest, but varying ideas on how best to achieve that

Clearwater Region, Commissioner Fred Trevey:

- Reports that the crews and volunteers planted 10,000 bitterbrush and sage brush planted in the Craig Mountain WMA
- Staff continue to work on the Forest Travel plans and OHV Travel Plans on both the Nez Perce and Clearwater National Forests
- Staff has had several meeting with the Tribe to discuss the wolf policy
  - Very positive meeting
- Forecast is good for Spring Chinook
- This year we have experienced some of the most difficult work conditions to date on the Potlatch River
  - Twice this spring, flows changed from 200cfs to over 6,000 cfs in a matter of days
  - The Region was able to save our weirs and get them set back up for monitoring
- The Region conducted aerial surveys for the Palouse and Hells Canyon Zones this year
  - Overall elk were up in the Palouse Zone
  - Elk increased in all units of Hells Canyon Zone

- The Region co-hosted a Depredation Management meeting with the Nez Perce County Farm Bureau on February 28<sup>th</sup>
  - About 75 sportsmen, farmers, ISCAC, 3 legislators and one County Commissioner attended with Director Groen and Commissioner Trevey
  - Purpose was to address issues surrounding crop damage

South west Region, Commissioner Bob Barowsky:

- Reported that on March 16 staff radio collared 13 elk in the Mayfield area southeast of Boise along the interstate
  - Helicopter capture costs were covered by a grant from the Rocky Mountain Elk Foundation
  - Purpose of this project is to learn about movements of the large number of elk that occupy the front range and flats along the interstate
- Sage-grouse lek counts have started with 10 routs indentified
- Regional nongame wildlife staff is intensively trapping Southern Idaho Ground Squirrels (candidate species for ESA listing) on 5 sites to monitor population trend
  - Funding is a combination of U.S. Fish and Wildlife Service and BLM
- Reports hosting bird viewing groups and large numbers of the public at Ft. Boise to see flights of up to 50,000 snow geese
- The process to restore water to Roswell Marsh continues to move in a forward direction
- Reports more than 20,000 stopped by the Fish and Game display at the March 5-8 Sportsman's Show
- Fishing Equipment Trailer will be outfitted in the weeks ahead to be used to educate youngsters regarding fishing
- Volunteers began planting bitterbrush and sagebrush seedlings on March 4
  - Will continue through April 4, planting 27,000 seedlings on the Boise River WMA, Cherry Fire north of Sweet and Warm Springs Fire northwest of Weiser
- Reports that the buck to doe ratio went up about 95% this year in Unit 22

Southeast Region, Randall Budge:

- Reports that two rounds of Big Game regulations scoping and comment meetings were held in all five of major communities in the Region
- Results for deer management
  - 2 controlled deer hunts proposed last year – positive feedback
- There is sportsmen support to continue to do something to reduce opportunities and circumstances where the region is not meeting the objectives
- The Region is not meeting the buck to doe ratio objectives in a number of units
- The Region is continuing to make changes
  - One significant change is the 4 point only in Unit 73
  - Recommendation is to go back to an unlimited controlled hunt
- Youth Hunt with a cap of 500 tags for last year was very successful
  - Proposal for this year is to expand and no cap allowing youth to purchase their license over the counter
- Reports fawn survival looks good this year

- Survey reports using the Sightability Model confirmed significantly higher number of mule deer in Unit 76
- Aerial Big Game Survey for elk confirmed what hunters have been telling the Department that the elk are on the decline
- Access Yes program is going well but are facing a decrease in money available
  - Four contracts will have to be cut
- Shrub seeding planting is in full swing for the Region approximately 8,500 of 110,00 seedlings have been planted to date
- The Region and Commissioner Budge have met with local folks and legislators to discuss Coyote aerial shooting with powersails
- Commissioner Budge will suggest later in the meeting that the Commission give direction to the Department to take a further look at aerial shooting and present a report on what the issues that are arising out of that type of powersails and if the Commission should adopt a formal policy to give guidance not only to the Southeast Region but to other Regions as well
- Ice fishing has been very successful this year on Chesterfield Reservoir
- Agrium Mining Company is continuing its exploration for phosphate reserves on the Blackfoot River WMA and has notified the Department that they intend to submit a plan for reserves on the WMA
- Reports that constituents are very concerned with the pelican issues and the effects on cutthroat trout

Upper Snake Region, Commissioner Cameron Wheeler:

- Reports ice fishing is very good in the Region
- Concern about the low snow pack which is at 85% will need help to have sufficient water
- 150 mule deer have been collared
  - 20% fawn mortality
- Reports that the public scoping meetings for big game regulating went well
- Lots of concern with wolves in Island Park and Tex Creek
- Concerns with grizzly bears and the effects on moose

Salmon Region, Commissioner Gary Power:

- Salmon has 10 Access Yes bids with funding available for only 8
- Fisheries has been working with the Fish in the Classroom
  - Kids will take a field trip to the Kids Creek Pond for a day of fishing
- Winter feeding is not an issue in the Salmon Region this year
- Fawn survival is the highest since radio collaring
- Panther Creek reports seeing a large covey of chukars
- Fisheries folks are continuing to look at the rainbow red counts in the Lemhi
- Steelhead fishing is going well
- Aerial Surveys along the continental divide and Stanley Basin
  - Stanley Basin is in the tank
  - Salmon Zone overall is down
  - Continental Divide is holding up in Units 21 and 21 A
- Concerns with wolves populating the front range areas
- Depredation control 38 wolves taken out of the southern mountain

- Public meetings were attended by 90 people

Magic Valley Region, Commissioner Wayne Wright:

- Reports new Regional Supervisor Jerome Hansen is doing a great job and is well received by staff and the community
- Enforcement is busy with the Phantom Hill wolf pack in Sun Valley
- Video's of wolves depredating on elk or interacting with local dogs have made the rounds on the internet
- The Region held open houses in Burley, Jerome and Hailey and were well attended
  - Over 160 people attended the meetings
- Elk surveys in the Smoky Zone and mule deer surveys in the South Hills were completed in Unit 8
- The Region prioritized \$156,00 for Access Yes money through the sportsmen review committee
- The Magic Valley is gearing up for shrub seedling planting
  - 14 area high schools will participate in this effort
- Magic Valley staff working with the Quigley Canyon subdivision proposal on the east side of Hailey
  - Staff provided comments to the Hailey City Council on potential fish and wildlife impacts of the proposed subdivision
- Met with Magic Valley ATV club to discuss motorized vehicle and wildlife and enforcement issues
  - Thanks to Chief Heggen for attending the meeting

**Consent Calendar**

Commissioner Budge referenced page 4 of the January 27-29, 2009 minutes discussion of the use of power sails and aerial gunning in the Southeast Region stated that the minutes are fine. Commissioner Budge would like to make a motion that the staff put together a report for the Commission to consider at a future meeting addressing the issue of aerial gunning and how the power sails might be used for predator control hunting as well as possible aid in some of the big game survey review so that the Commission understands well, the various ramifications that relate to the use of the plane or ultra light. Commissioner Budge stated that this a matter that has been working pretty well in the Region and we are on the cutting edge in establishing relationships between the folks that use the ultra lights and make so that they do in a manner that they are licensed, received lawfully and do not invade the modified property rights. This is an issue that the Department should study and come back to the Commission with a report on what some of the ramifications may be and what some of the issues are and following that the Commission can make a decision if it is appropriate to address it by a way of a formal policy and provide guidance to the Department and region.

Commissioner Budge stated that he would like the report to be finished within staff schedule to be completed by next Commission meeting since it is in Southeast Region. It would be appropriate since there are a number of constituents who use these devices in the Region and some may be attending the meeting so it would be appropriate to have on the agenda. If it does not fit for staff schedule the following meeting scheduled for July would be fine.

Commissioner Wheeler would like the Department to pursue this issue a little bit beyond the aerial gunning and take a look at the possibility of using this for aerial flying for survey work. Commissioner Wheeler stated that it could be a savings for the Department.

Items in the consent calendar:

Minutes, January 27-29, 2009

Financial Report for the period ending February 28, 2009

Budget Adjustments:

Fish Haven Creek / Bonneville cutthroat trout

Western Native Trout Initiative / Interior redband trout

Western Native Trout Initiative / westslope cutthroat trout

Status Review and Reclassification / federally listed bull trout

**09-28 Commissioner Barowsky moved and Commissioner Power seconded a motion TO APPROVE THE CONSENT CALENDAR AS PRESENTED. The motion carried in a unanimous vote.**

**09-29 Commissioner Budge moved and Commissioner Wheeler seconded a MOTION THAT STAFF INVESTIGATE THE ISSUES SURROUNDING AERIAL GUNNING AND THE USE OF POWER SAILS FOR BOTH PREDATOR CONTROL AND OR FOR ASSISTING IN BIG GAME SURVEY WORK DONE BY THE DEPARTMENT AND PROVIDE A REPORT TO THE COMMISSION AT THE NEXT MEETING IF POSSIBLE OR AT THE FOLLOWING MEETING. BASED UPON THE RESULTS OF THE REPORT THE COMMISSION CAN DETERMINE AT THAT POINT IF IT IS NECESSARY TO GO FURTHER OR ADOPT ANY SPECIFIC POLICY RELATED TO THOSE MATTERS. The motion carried in a unanimous vote.**

## **REPORT**

### **Wolf Update**

Jim Unsworth, Deputy Director provided an update to the Commission. Deputy Director Unsworth distributed a copy of the 2008 wolf activity map (Appendix 42, Exhibit 22). Deputy Director Unsworth stated that on March 6<sup>th</sup> Interior Secretary Salazar announced that they would publish a wolf delisting rule in the federal register. We are still waiting for the rule to be published. The FWS indicated that the rule should be published by the end of the month. The form of the rule will be the entire DPS except Wyoming which includes Montana, Idaho, the eastern third of Washington and Oregon and northern Utah.

Staff has completed our analysis 10 (j) Lolo Zone. With delisting this becomes an inactive document. It is ready to provide for public input and is sitting on a shelf right now. What the Department is proposing to do is to move forward with the document providing good analysis for predation management plan for the Lolo Zone. We will convert the document into that predation management plan as something the Department does. We have done it in the past in the Lolo Zone with our bear and lion management plans. The Department will also begin analysis on the

Sawtooth Zone and others watch zones that are appropriate from Department research radio collaring elementary work on elk and wolf predation. Those packages will be ready for any season decisions the Department might make later in the year. The Department can incorporate more aggressive management in those zones in the 2009 hunting proposals.

If the delisting rule does not come out by the end of the month the Department is proposing and encouraging letters from the Director and Governor's office to find out what the delay is on the delisting rule to Interior Secretary Salazar.

Deputy Director Unsworth reported that the Department has upped its efforts on media outreach for wolves per direction from the Commission at the January 2009 meeting. Mike Keckler, Communications Chief and others have done a tremendous job getting our message out with news releases and press conferences concerning delisting. Also presentations at the state house to the Resources and Conservation and Resources and Environment Committees, participated on Dialogue, a video to be developed on how the Department would like to manage wolves in the future, letters to Interior Secretary Salazar from Governor and Attorney General's office. We continue to move forward providing what we feel is the best science that the Department has.

Deputy Director Unsworth distributed a copy of the Wolf Conservation and Management In Idaho Progress Report 2008 (Appendix 42, Exhibit 23).

Deputy Director Unsworth reported that several wolves were collared in the Hailey area where wolves are causing problems. Harassment was used to push the wolves out but they were back in the area the next day. The Department will continue to monitor this situation.

### **Discussion 10(j) Rule**

Discussion followed on the 10(j) rule proposal and the delisting process.

Mr. Unsworth stated that the 10(j) document was ready to release for public review on March 13. On March 6<sup>th</sup> the Department was notified by Interior Secretary Salazar that delisting for wolves would occur. Commission direction was to hold the document in a ready position to go out for public review pending what happens with delisting.

Director Groen stated that Department has the 10(j) proposal ready to go should delisting not occur, however, the Department is looking at delisting path right now.

Commissioner Trevey stated that the Department has been told at least 3 different dates that the federal register would be published. The latest indication is that if it is going to occur it will be within a few days, by the end of the month. At this time it becomes a critical turning point for the Department. Once April 1<sup>st</sup> comes and we have not seen the delisting rule published in the federal register the Commission has a 10(j) decision to make at that time. The Department should make an inquiry on a quick turn around with Interior Secretary Salazar and say it did not happen and help us understand that. If there is no decision at that time the Commission has the responsibility to take a look at the 10(j) proposal and start the process. Commissioner Trevey does not feel it is appropriate to pursue until this critical day occurs for the legal reasons.

The Commission subcommittee on wolves will work with staff and keep the Commission informed on the delisting progress.

Mr. Unsworth stated that part of the package for moving forward for a lottery or auction tag was in the statues last year when we established wolf tags. The ability for the Commission to direct ten tags into a lottery or auction was established. The Commission needs to start thinking about how it should be framed up. Legislation allows these tags to be marketed by NGO's that the Commission would select and would retain 5 % for their marketing efforts.

Staff will prepare a formal proposal for the Commission to be presented at the July meeting.

## **MISCELLANEOUS**

### **Misinformation By Advocacy Groups**

The Commission is concerned about the inaccurate information and misrepresentations about the Department. Not all information is good information and the Commission needs to look at ways to counter this wrong information.

**09- 30 Commissioner McDermott moved and Commissioner Trevey seconded a motion THAT THE COMMISSION AUTHORIZE THE DIRECTOR TO LOOK AT MISREPRESENTATIONS AS THEY OCCUR AND IF HE FEELS APPROPRIATE THAT THE DEPARTMENT SHOULD RESPOND TO SELECTED LEGISLATORS AS WELL AS AUTHORS OF LETTERS RECEIVED IN AN ATTEMPT TO CORRECT THE RECORD UNDER COMMISSION DIRECTION.**

**After Commission discussion the motion was withdrawn by Commissioner McDermott.**

The Commission feels that the Department takes a positive approach and there is great information on the website. When the legislature or constituents have questions, the Department is very responsive. Commission consensus is for the Department and Commission to continue its current policies which have been working well and to respond in an appropriate way to this misinformation on a case by case basis.

## **RULES**

Brad Compton, Assistant Chief, Wildlife, presented the Department 2009/2010 Big Game Season recommendations for deer, elk, pronghorn, black bear, gray wolf and mountain lion (Appendix 42, exhibit 24) to the Commission. A draft Idaho Big Game Seasons and Rules 2009 was distributed to the Commissioners (Appendix 42, Exhibit 25).

A summary of recommended changes includes:

### **DEER**

- Reduce antlerless harvest in north Idaho to help rebuild white-tailed deer populations.
- Standardize general season closing date to October 24 in south-central and eastern Idaho.

- Provide additional youth opportunity.
- Adjust controlled hunt permit levels in response to population changes, and to address chronic depredation concerns.

### **ELK**

- Reduce antlerless harvest in north Idaho to help rebuild populations.
- Implement caps on Sawtooth 'A' & 'B' tags and, Diamond Creek 'A' tags,
- Adjust controlled hunt permit levels in response to population changes, and to address chronic depredation concerns.

### **PRONGHORN**

- Implement restrictions on general archery pronghorn hunts to reduce hunter congestion concerns, achieve management objectives, and provide an equitable distribution of participation and harvest among user groups.

### **BLACK BEAR**

- Increase hunting opportunity in Clearwater Region.

### **MOUNTAIN LION**

- No changes proposed.

### **GRAY WOLF**

- Establish hunting season dates. Notes: 1) harvest quotas would not be established until summer, and 2) regulated hunting would be contingent on wolves being removed from Endangered Species Act restrictions.

Mr. Compton stated that the 2009 Proposed Elk Zone Tag Caps (Appendix 42, Exhibit 26) would be phased in over a 3 year period. With allocation whenever the Commission caps or places limit on general hunt opportunity the existing rules state that reduction will be proportionate among 3 user groups: general resident tags, non outfitted nonresident tags and outfitted hunters. Outfitted hunter information is provided to the Department by the Outfitters and Guides Licensing Board using historic use numbers.

**09- 31 Commissioner Budge moved and Commissioner McDermott seconded a motion TO ADOPT BY PROCLAMATION THE PROPOSED BIG GAME HUNTING 2009/2010 SEASONS AS OUTLINED BY BRAD COMPTON. The motion carried in a unanimous vote.**

## **LEGISLATION**

### **Legislative Update**

Ms. Kiefer provided a summary of legislative bills of interest to the Commission and distributed a copy of the senate and house bill tables showing the status of bill (Appendix 42, Exhibit 27). Ms. Kiefer reported that so far this legislative session the Commission has had 7 legislative conference calls, discussed or reviewed 35 bills, taken policy positions on 12 bills and staff

followed up with testimony on the bills where the Commission has articulated a specific policy decision.

The Department started the legislative session with 4 department sponsored legislative proposals which are known as a RS short for routing slip. Two of these remain in a drawer somewhere and were never given a print hearing to become a bill.

The two active bills are SB1008 and SB 1141.

Bills of Interest:

SB 1149 A newer version of SB 1035 which would allow the Commission to conduct rule making to establish fees for technical services. SB 1149 received two tied motions so the bill is active in Committee.

SCR 110 Stating findings of the Legislature supporting and encouraging all government and business employers in the development and implementation of telework policies and programs for their employees; and encouraging the continued exploration and, to the extent feasible within available resources, assistance in the improvement and availability of the appropriate technology infrastructure which will aid employers and their employees in maximizing the full potential deployment of telework within the state of Idaho. Information only to the Commission.

HB 194 Sports Shooting Activities

The Commission took support position on HB 194 and when it is up for hearing the department will testify in favor of the commission support.

HB 240 – Amends existing law relating to fish and game to delete certain payment priority provisions relating to the expendable Big Game Depredation Fund.

HB 239 Amends existing law relating to fish and game to revise the definition of "senior resident"; and to revise senior resident combination license provisions. Held in committee and Commission opposed.

SB 1141 revenue fee increase proposal is in the 14<sup>th</sup> order with a 8-1 vote in the Senate Resource Committee. The Department is hearing of various amendments that are of interest to Senators but unless they choose to share those amendments with the Department the amending part is really not a public process until it has been formally adopted as an amendment. The Department is tracking and will provide technical information when requested.

**09-32 Commissioner Barowsky moved and Commissioner Wheeler seconded a motion TO CANCEL THE LEGISLATIVE CONFERENCE CALL SCHEDULED FOR MARCH 26<sup>TH</sup>. The motion carried in a unanimous vote.**

Ms. Kiefer noted that there is still some bighorn sheep bill activity so a new legislative proposal dealing with bighorn sheep management and domestic sheep management will likely be printed in the next couple of days. The Department has not seen it at this time.

## **Fee Increase Status Report**

Director Groen spoke regarding the fee increase status report. He stated that it has truly been a team effort. Director Groen thanked Commissioners Wright and Wheeler for their testimonies. The Department had three opportunities to go in front of the Legislative Committees. At the first hearing Director Groen talked about the mechanics of the Department accompanied by Sharon Kiefer and Jim Lau. The other two opportunities had strong public testimony with 18 testifying in support of the fee increase and a few testifying against.

Director Groen thanked the Regions for their efforts and they did a good job of telling people what this fee increase proposal was about. There were 85 groups that supported the direction of the Department. Not all supported the fee increase but they supported the direction of the Department. Some had conditional support based on Access Yes. There were a number of Chambers that supported the Department. This shows that how important wildlife is not only to sportsmen but to producers, public, and businesses as part of our economy.

The Department is looking forward to seeing what the amendments will be for the fee bill. There was a strong 8-1 vote. The question came out asking what makes your Department different than other state agencies. Commissioner Wheeler's answer to the Committee was that essentially the Department does not take any general fund money and that everyone should pay to play which the governor supports.

## **REPORT**

### **Idaho Fish and Wildlife Foundation Report**

Ms. Kiefer presented the Idaho Fish and Wildlife Foundation (IFWF) report for Gayle Valentine, Executive Director.

The 2009 Online Trip Auction ended March 9, 2009. Bidding started February 27, 2009 at 9:00 am with some trips receiving unusually active bidding. Staff is still reviewing all of the financial information. There were 37 trips and 3 items sold. IFWF did receive some underwriting support from Outdoor Central to help facilitate the auction and that assisted with the Foundation grossing just over \$15,000 total from the auction proceeds. The designated beneficiary of the auction money will go to the "Be Outside" Children's Campaign".

During the February 7, 2009 board meeting teleconference, the Foundation Board of Directors authorized completion of a land exchange with a private individual near King Hill in Elmore County, Idaho. The exchange provides more beneficial wildlife habitat to the Foundation and facilitates a homesite for the private individual.

In addition to the above motion, the Board of Directors authorized acceptance of a private land donation with mineral rights in Camas County, Idaho.

The Foundation has requested final project funding reports from applicants whose projects were funded in 2008. Reports are due May 2009.

The annual board meeting will be held near Sandpoint on April 24, 25, 2009. The agenda includes election of new officers and preliminary discussion of five-year strategic planning slated for December 2009.

## **REPORT**

### **Grizzly Bear Recovery Update**

Chris Servheen, U.S. Fish and Wildlife Service, provided an update on the Yellowstone grizzly bear and the Bitterroot Ecosystem Recovery plan (Appendix 42, Exhibit 28).

Director Groen stated that there is concern regarding experimental non essential populations and citizen management as it relates to Commission authority. For example the wolf populations which are well over the recovery goal and we are still not allowed to manage.

Commissioner Trevey would like for the record to reflect that he opposes reintroduction of grizzly bears.

**09-33 Commissioner Trevey moved and Commissioner Wheeler seconded a motion THAT THIS COMMISSION BE IN OPPOSITION TO THE REINTRODUCTION OF GRIZZLY BEARS INTO THE STATE OF IDAHO. The motion carried in a unanimous vote.**

## **MANAGEMENT PLAN**

### **Draft Pelican Management Plan**

Rex Sallabanks, Conservation Sciences Manager, presented the draft pelican Management Plan to the Commission (Appendix 42, Exhibit 29).

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 primary 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 changes made to the draft plan since the January Commission meeting when the plan was remanded back to staff for additional clarification. Having made further revisions, the

Wildlife Bureau again seeks approval from the Commission to solicit public review of the draft plan.

The 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 at any time. 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.

To date, there has been no public involvement in developing the draft plan. We are 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 the management plan for pelicans.

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

**09-34 Commissioner Budge moved and Commissioner Trevey seconded a motion TO ACCEPT THE DRAFT PELICAN MANAGEMENT PLAN AS PROPOSED ALLOWING THE PLAN TO BE SENT OUT FOR A 30-DAY PUBLIC COMMENT PERIOD. The motion carried in a unanimous vote.**

## **RULES**

### **Salmon Season Spring Chinook**

Pete Hassemer presented the staff recommendations (Appendix 42, Exhibit 30) for the 2009 spring Chinook salmon seasons. Mr. Hassemer distributed a handout (Appendix 42, Exhibit 31) showing streams and boundaries for the Idaho 2009 Spring Chinook Salmon season.

This agenda item covered the setting of fishing seasons targeting spring Chinook salmon on the Snake River, Lower Salmon River, Little Salmon River, Mainstem Clearwater River, North Fork Clearwater River, South Fork Clearwater River and Lochsa River. Chinook salmon fisheries were conducted on these waters in 1997 and 2000 through 2008. For all proposed fishing areas, staff is forecasting that a sufficient number of hatchery salmon will return to allow sport fisheries that target the non-tribal harvestable share when hatchery production and brood stock targets are considered. Mr. Hassemer noted that the forecast is for 105,600 hatchery spring summer Chinook salmon to come across Lower Granite Dam.

Staff recommendation is to approve the proposed 2009 fishing rules for Chinook salmon seasons on the Snake River, Lower Salmon River, Little Salmon River, Mainstem Clearwater River, North Fork Clearwater River, South Fork Clearwater River and Lochsa River.

**09-35 Commissioner Barowsky moved and Commissioner Trevey seconded a motion TO ADOPT BY PROCLAMATION THE 2009 SPRING CHINOOK SEASON RULES AS PROPOSED BY THE AGENCY. The motion carried in a unanimous vote.**

## **REPORT**

### **Hunter Education Awards**

“Continuing the Heritage” awards were presented by Don Sturtevant, Hunter Education Technician, to Wade Palmer, Nampa and Michael Asplund, Emmett who have reached the 35,000 level in providing hunter education classes.

### **Update on Outfitting Upland Game and Waterfowl**

Deputy Director Virgil Moore provided an update to the Commission.

Deputy Director Moore noted that there has been a moratorium on outfitted upland game and waterfowl hunting since 1989 due to concerns over public access. Exceptions have included minor activities such as forest grouse, chukar, and gray partridge hunting while engaged in other major guided activities. In 2002, an additional exception was made to allow outfitting for turkey hunting on private land owned by the licensed outfitter. Expansion onto public land had been discussed but not recommended since 2002.

In June 2008, the Idaho Outfitters and Guides Association (IOGA) proposed that outfitters currently licensed for turkeys on their private lands/ground also be licensed for additional leased land. Doing so could make some of those lands available to the public because the outfitter is facilitating use on those lands that might otherwise be closed to the general public. IOGA’s perspective on outfitted turkey hunting is that it is a public access issue because there are people who do not know how to hunt turkeys, and who do not have the proper equipment to do so. They choose to use an outfitter because outfitters have the capability of providing this public service.

This type of expansion captures the concerns that were expressed by a majority of Idaho turkey hunters surveyed by IDFG in 2002. The Idaho Outfitters and Guides Licensing Board (IOGLB) tabled the matter and indicated they will not make a decision regarding outfitted turkey licensing until after the matter is fully discussed with the IDFG. Since that meeting, a few members of IOGLB and IDFG have met to discuss the development of broader policy changes that may help resolve future issues primarily on private land.

IOGLB would like to develop policy that addresses outfitting on private lands. Policy will improve the evaluation of license applications and substantiate the need for such services which together will serve to develop a clear record of decision. IOGLB is consulting with IDFG on policy development.

Additional discussions are needed before a timeline and scoping process can be recommended to the Idaho Outfitter and Guides License Board and the Idaho Fish and Game Commission. Mr. Moore will provide an update report at the July meeting.

Chairman Wright introduced Representative Bert Stevenson.

## LANDS

### Benson Land Acquisition

Steve Elam, Mitigation Staff Biologist, presented the Benson Land acquisition. Mr. Elam stated that this 1030.35 acre property borders Tex Creek WMA in the Upper Snake region, lies within critical mule deer and elk winter range, and currently has active sharp-tailed grouse leks. There are 670 acres in CRP with an annual income of \$27,790. Acquisition cost is \$860,500 in license funds. PILT is estimated at \$898/year. O&M costs are estimated at \$3000 annually. This property was previously presented to the Commission during Executive Session in November of 2008

County commissioners will be notified and asked for their input. The public will be informed and contacted for their input regarding management of the property.

The Lands Committee recommends proceeding with the acquisition.

**09-36 Commissioner Wheeler moved and Commissioner Barowsky seconded a motion TO ACQUIRE THE BENSON LAND ACQUISITION. The motion carried in a unanimous vote.**

## MISCELLANEOUS

### Executive Session

**09-37 Commissioner McDermott moved and Commissioner Barowsky seconded a motion TO HOLD AN EXECUTIVE SESSION PURSUANT TO IDAHO CODE 67-2345(1) (C) (F) TO DISCUSS LAND ACQUISITION AND LEGAL. The motion carried in a unanimous vote.**

**09-38 Commissioner Barowsky moved and Commissioner Trevey seconded a motion TO COME OUT OF EXECUTIVE SESSION. The motion carried in a unanimous vote.**

The executive session ended at 4:55 p.m. with no action taken.

## **LEGISLATION**

The meeting reconvened for a brief update on SB1141 revenue fee increase. Ms. Kiefer stated that the SB1141 was amended today in the Senate. Under the amendment there would not be a fee increase for Idahoans and nonresidents fees would be raised to increase the license portion of the budget about 5%. Ms. Kiefer indicated that she would have the full report of the amended changes on March 25<sup>th</sup> and will keep the Commission informed of the changes.

## **MISCELLANEOUS**

### **Adjournment**

The meeting adjourned at 5:05 p.m.

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Wayne Wright  
Chairman

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Cal Groen  
Secretary