

**Idaho Fish and Game Commission
August 17, 2009
Idaho Department of Fish and Game
Upper Snake Region
4279 Commerce Circle
Idaho Falls, Idaho**

MISCELLANEOUS

Chairman Wright called the meeting to order at 11:30 a.m. Commissioners Tony McDermott, Fred Trevey, Robert Barowsky, Randy Budge, Cameron Wheeler and Gary Power were present.

Executive Session

09-82 Commissioner Trevey moved and Commissioner Barowsky seconded a motion TO CONVENE IN EXECUTIVE SESSION PURSUANT TO IDAHO CODE SECTION 67-2345(1) (F) TO DISCUSS PENDING LITIGATION. The motion carried in a unanimous roll call vote.

09-83 Commissioner Trevey moved and Commissioner Barowsky seconded a motion TO COME OUT OF EXECUTIVE SESSION. The motion carried in a unanimous vote.

In executive session, the Commissioners discussed the gray wolf litigation with legal counsel.

The executive session ended at 1:28 p.m. with no action taken.

Opening Comments

Chairman Wright thanked all for attending the meeting and noted that today's agenda would include setting the limits for wolf harvest.

Chairman Wright introduced Representative Dell Raybould, Senators Jeff Siddoway and Steve Bair and Mike Webster representing the Governor's office.

Consent Calendar

09-84 Commissioner Power moved and Commissioner Barowsky seconded a motion TO ACCEPT THE JULY 1, 2009 MINUTES IN THE CONSENT CALENDAR. The motion carried in a unanimous vote.

RULES

Season Setting: Migratory Game birds

Season Setting: Sage-grouse

Jeff Knetter, Upland Game & Waterfowl Staff Biologist, presented the 2009-10 Waterfowl Seasons and the 2009 Sage-grouse recommendations (Appendix 42, Exhibit 72) to the Commission. Mr. Knetter stated that most of the waterfowl in Idaho are produced in Canada and habitat conditions this year were above average. Idaho's waterfowl season was set within a framework established by the U.S. Fish and Wildlife Service on July 30, 2009. The 2009-10 frameworks for Idaho are 107 days for both ducks and dark geese between September 26, 2009 and January 24, 2010. The light goose framework extends to March 10.

Mr. Knetter reported that the Sage-grouse seasons are set in August to allow managers to evaluate lek data and determine whether West Nile Virus outbreaks are affecting sage-grouse. In 2009, the Department will implement the sage-grouse season-setting protocol identified in the 2006 Idaho Sage-grouse Plan. The Plan protocol calls for comparison on 1996-2000 lek count averages to the most recent (2007-2009) three-year running averages, as well as minimum population and data criteria in determining season frameworks.

09-85 Commissioner McDermott moved and Commissioner Wheeler seconded a motion TO APPROVE THE WATERFOWL SEASONS FOR 2009-10 AS PRESENTED BY STAFF. The motion carried in a unanimous vote.

09-86 Commissioner Power moved and Commissioner Barowsky seconded a motion TO ACCEPT THE DEPARTMENT RECOMMENDATIONS FOR THE 2009 SAGE-GROUSE SEASONS AS PRESENTED BY STAFF. The motion carried in a unanimous vote.

Season Setting: Wolf Harvest Limits

Jim Unsworth, Deputy Director, provided a brief update report on wolves (Appendix 42, Exhibit 73). Dr. Unsworth reported that last year there were 88 packs of wolves and 39 breeding pairs in Idaho. In winter of 2008 the estimated count was 850 wolves. The Commission approved the Idaho Wolf Population Management Plan in 2008. Some of the highlights of the plan were to manage towards the 2005 population level, ensure the long term viability of the gray wolf population, always maintain greater than or equal to 15 breeding pairs, balance wolf and prey populations, minimize conflicts with humans and domestic animals, provide harvest opportunity, increase harvest in areas where there is high or moderate conflicts and to ensure wolves remain connected to other populations throughout the Northern Rocky Mountain area. Wolf connectivity has been documented through radio collared telemetry throughout the state.

Dr. Unsworth stated that the Department has chosen some very simple models to use to set the harvest limits. The mortality limits are based on statewide numbers. In Idaho the mortality rate is monitored through radio telemetry. The growth rate after depredations and natural mortalities has

been around 20%. We started with a EOY 2008 population of 850 wolves and we estimate by the EOY 2009 without any hunting season the population would be 1020 wolves. And both are conservative estimates.

Dr. Unsworth reviewed the season opening dates and rules set at the March meeting.

Season Dates:

September 1- March 31

Early Opener in Lolo and Sawtooth Zones

September 15-December 31

Provides early archery and wilderness

October 1 – December 31

Most of the state

Rules:

1 per tag/ 1 per person,

Evidence of sex (same as bear/lion)

Mandatory report 24 hours / check 5 days, no trapping

No hunting within ½ mile of feeding sites

Weapons restrictions same as deer

No electronic calls

No baiting

Meat retrieval not required

No use of dogs to attract or pursue

Dr. Unsworth presented the gray wolf harvest limit options (Appendix 42, Exhibit 74). Dr. Unsworth stated that three different harvest rates were modeled going from 15% to 49%.

Commissioner Budge stated that based on information from Alaska and Canada it would not be realistic for the Commission to rely upon 100 % success harvest in selecting a harvest limit option.

Dr. Unsworth stated that with his experience in managing other big game animals we will see higher rates of harvest in the open country south of the Salmon River, lower harvest in the back country and the timber country up north. At the conservative levels we have, it is unlikely we would reach the caps in those zones in any of the options. We will not know for sure until we get hunters in the field. From the literature and information he has seen from Alaska and Canada the harvest rates can be predicted to be quite low. It is unlikely that we will fill an entire limit across the state. The Department will learn a lot from this first hunting season.

Wolf Subcommittee Report

Commissioner Trevey reported that the subcommittee reviewed basic objectives for a hunting season to have a sound basis for whatever policy decision was made. The subcommittee

discussed and tried to analyze the biological, social, political, economical and legal ramifications as well as the technical feasibility of options.

The subcommittee looked at how we got to be where we are. A year has passed since the adoption of the 2008 plan. The subcommittee discussed basic policy questions: do we want to reconfirm our decision to have a hunting season? Do we want to reconfirm our commitment to the 2008 Management Plan? The subcommittee drafted a resolution that reconfirms those commitments. The subcommittee also discussed the rate and timing of achieving the 2008 plan objectives.

Commissioner Trevey suggests that the Commission look at the recitals contained in the draft resolution that display the history and potential rationale before the Commission takes a look at setting the harvest limits.

Commissioner Budge reads the Resolution of the Idaho Fish and Game Commission (Appendix 42, Exhibit 75) leaving the harvest limits blank to be taken up as a separate motion.

09-87 Commissioner McDermott moved and Commissioner Trevey seconded a motion TO ACCEPT THE RESOLUTION AND RECITALS AS PRESENTED, FULLY REALIZING THAT THE COMMISSION WILL NEED A SECOND MOTION TO FILL IN THE BLANK TO SET THE DEPARTMENT HARVEST LIMITS. The motion carried in a unanimous vote.

09-88 Commissioner McDermott moved and Commissioner Barowsky seconded a MOTION THAT THIS COMMISSION APPROVE OPTION 2 AS PRESENTED BY STAFF FOR THE HARVEST LIMITS FOR THE 2009 WOLF HUNTING SEASON.

Chairman Wright calls for discussion.

Commissioner Budge has concerns with the OPTION 2 harvest objective as being inadequate. His concern is based upon Dr. Unsworth's comment concerning the difficulty in harvesting wolves. The effect of OPTION 2 would essentially be continuing to manage wolves at the existing numbers and is somewhat inconsistent with our resolution where we suggest that we should have not only stabilization but some reduction in wolf populations. So for this reason he does support the number in OPTION 2.

09-89 Commissioner Wheeler moved and Commissioner Budge seconded a motion TO MAKE A SUBSTITUTE MOTION TO ACCEPT OPTION 3 AS PRESENTED BY STAFF.

Commissioner Wheeler speaks in support of his motion. Commissioner Wheeler stated that he has been involved in this issue since the first wolf oversight committee meeting. There has been a lot of work and effort by the State of Idaho. Idaho is totally responsible for the 10(j) effort. We have played by the rules, done everything right, and truly believed that if we did adhere to the law and did the best we could that wolves would be delisted. We believed we would never see the numbers like we have seen now and the devastation and hunting losses that have occurred.

He does not see any reason why we should change direction and not try to achieve what we set forth to do in 2008. We have to hold the line and do what we said we would do and adhere to our statutory requirements to provide hunting and fishing opportunities to our citizens. We have done everything in an honorable, decent way. As commissioners we need to defend our constituency and take care of our landowners and our credibility so we can go through these troubled times ahead of us. We must consider financial concerns and unintended consequences.

Chairman Wright calls for other comments and discussion.

Commissioner Barowsky states that we are looking at what number we are going to allow our hunters to harvest. If our hunters do not meet the harvest quota, we still have other management tools within the Department to manage these problem wolf packs.

Commissioner Power comments that his concern over taking this kind of step means that you are setting the Department up to fail as there is no way we will reach that number. Salmon was the first area impacted by wolves and has been impacted for the entire time. What he is hearing from folks is to start out with a season and learn what is going on. We do not know what the numbers and harvest levels will be. We know with other species even on controlled elk hunts if you get 50% hunter success rate that is pretty good. He does not disagree that whatever these numbers are that we are not going to get where we want to get in the first year.

Commissioner McDermott stated that as a member of the subcommittee he has struggled with these problems for the past year and for the four years he has been on the Commission. Commissioner McDermott agrees with Commissioner Wheeler's comments regarding where we started and where we are today with respect to our wolf population. Commissioner McDermott has talked to wildlife managers in Alberta and Alaska and experts in the Department. It is unrealistic to expect that the hunter harvest, which is the only tool we have in year one, will achieve the harvest objective for the harvest limit of 220 wolves. Given the fact that we only have hunters to do it and they are not going to get there, it is absolutely critical that we get through this legal process that we are wrapped in, and get a hunting season this first year. We need to adaptively manage based on what we find out from this first hunting season and get on with the process.

Commissioner Trevey states that there is no question in his mind that the objective of 518 is a valid objective. The concern that he has is the rate at which we get there. He shares the concern that we could set ourselves and the department up for failure if we are not able to achieve the higher numbers. He is concerned as well about the legal process that we find ourselves in. He thinks it is extremely important that we have a hunting season and lower pressure. We have a number of avenues for adaptability in our plan and that includes revisiting at the November commission meeting. He would like to demonstrate that we are adaptive and are able to manage successfully.

Commissioner Budge states that we need to clarify that even with the proposal, we cannot reasonably expect to achieve our goal of 518 in one year. If you assume some reasonable harvest percentage of a more aggressive quota of 430 as proposed by Commissioner Wheeler, it is still highly unlikely to achieve the goal even in three or four years. So the suggestion that number

would result in getting us down to 518 in one year is not realistic. Based on the numbers on OPTION 3 with a 100% harvest rate at the end of the year we would be down to 590. Probably 50% harvest is more realistic, which would put our end of the year numbers probably well over 800. That would seem to indicate 3-5 years. Having said that I have respect for the comments that have been made and would call for the question.

Chairman Wright stated that normally the Chairman does not make comments or enter into debate but given the fact our board is less than 12, the Chair's participation is in accordance with Roberts's Rules of Order. If there are no objections he would like to make a comment. Chairman Wright stated that this is a tough decision. We were told if Idaho accepted 150 wolves, then you can start managing. Then we compromised, with five times the original plan by accepting 518 to ensure that we could prevail in court and start managing. Here we are again: you should be more conservative and wait 3-5 years to reach your compromised goal of 518. In the meantime our elk herds are declining, our sportsmen are not buying tags, ranchers are losing more livestock, and Idaho's economy is suffering from lost sportsmen dollars. Why should we believe the promises today anymore than yesterday. We should do the right thing for the right reasons. Let's do what is right for the resource. Deferring to those who will never be satisfied with the management objective today makes it more compelling for them to raise the bar even higher when we end up in court tomorrow. Abraham Lincoln said, "it often requires more courage to dare to do what is right than to fear to do what is wrong." If there are no further comments we are ready to vote.

09-90 Commissioner Wheeler moved and Commissioner Budge seconded a motion FOR A ROLL CALL VOTE. The motion carried in unanimous vote.

Chairman Wright state the motion being voted on is the substitute motion.

Commissioners Barowsky, McDermott, Power, Trevey voting nay and Commissioners Budge, Wheeler and Wright voting aye.

Chairman Wright states that the substitute motion is lost. Are we ready to vote on the main motion?

09-91 Commissioner Budge proposes a second substitute motion THAT WE ESTABLISH THE HARVEST LIMIT AT 300 WOLVES. The motion died for a lack of a second.

Chairman Wright asks again if we are ready to vote on the main motion. If there are no objections a roll call vote will be taken.

Chairman Wright states the primary motion is to accept OPTION 2.

Discussion follows:

Commissioner Budge states that this entire discussion is focusing on harvest. Detractors who like to bring suit against us like to discuss dead wolves, and we should be discussing live wolves. This recovery of wolves should be hailed as perhaps one of the greatest success stories of the endangered species act. Some 35 wolves were introduced in 1995-1996 in Idaho, and now we have an excess of 1,000. That is a tremendous success story and we all should be celebrating that

and walking hand in hand. It is very unfortunate that we have become mired in controversy, and in litigation. It is that litigation that is tending to influence our decision. I think the decision to manage on OPTION 2 at 220 wolves given the effect of the harvest success ratio is in reality saying that we are comfortable in maintaining wolf populations at existing levels in Idaho. That is not what our recitals suggest our goals are: to (1) stabilize, (2) reduce populations to our objective of 518 within a reasonable time period. If we are sincere and candid about that objective of 518, and he thinks we all are, we need to be realistic about what is the reasonable period of time within which to achieve that number, which is over 5 times the federal recovery level. He is not comfortable with OPTION 2 with 220 wolves, when we absolutely know that we will not come anywhere near achieving that quota, and that will not result in, reducing populations. OPTION 2 is unrealistic, low number and needs to be somewhat higher. He cannot support the motion and OPTION 2 on that basis.

Commissioner Wheeler states his comments are on the motion. He has spent 6 years on the commission dealing with credibility. We are putting together a package that does not reduce wolf numbers significantly at all. To really improve the situation that our hunters and that the state faces you cannot do this and maintain credibility. He thinks this is a step backwards. We will go right back to where we were 6 years ago and that is not a very fun environment to be in. In light of what the budget looks like, we need help to move this department forward in a way that we do not cripple it. He is extremely concerned about the unintended consequences of a vote like this. He cannot support this motion.

Commissioner Power states that as a former Department employee he went through the same situation with the mountain lion in 1972 when it became a game animal. A lot of the things we are discussing with wolves are the same with the mountain lion at that time. A lot of the fears are pretty much identical. The main difference was that the mountain lion was a part of our ecosystem all the way through, where wolves were removed and then brought back in. He was amazed the number of folks that came over to side of the mountain lion within a few years. He does not disagree with the numbers and realizes that we are going to learn a lot in this first year. He does not want wolves to get delisted and then go back on the list. We have gone through that once and he does not want to go through it again.

Commissioner Trevey states that his head is one place and his heart is in another. There is no question that 518, the implementation number of the 2008 Idaho Wolf Plan, is a good number. What we are talking about is one year. Because we have characterized the plan as being adaptive, we must demonstrate that. A vote on OPTION 2 on the motion before us is not an acceptance of anything other than what our plan says which is 518 within the 5- year post- delisting period.

Commissioner McDermott states that he agrees with Commissioners Budge and Wheeler as they articulate the mess that we are in. He made the motion to accept OPTION 2 and does not really like it. But he knows that hunters are not going to achieve the limits that we have set in OPTION 2. Therefore it does not make any sense to increase that option. Once we get through this lawsuit on its merits, hopefully next year, this commission can open the tool box and do some other things. He is absolutely convinced that this state needs an intensive management policy that deals with predators statewide, bears and wolves and how they affect our ungulate herds. He sees more wolves than elk when he has been hunting in the Lolo Zone. None of these options are

good options. He could not be more proud to have served with this group of commissioners in dealing with this issue because it is an emotional, political issue that we have never faced before. We must make a decision and move on. If he thought we could get to the 518 in one year it would make sense but we can't. He is prepared to support his motion.

Commissioner Wheeler called for the question. The motion did not receive a 2/3 vote and the debate continued.

Commissioner Barowsky asked for clarification that setting hunter harvest would not limit other options for controlling the wolf population. Before he makes his vote, he wants to be perfectly clear that we still have every other option similar to the 10(j) rule where the regional supervisors can still act and take care of problem wolves.

Chairman Wright asks for clarification on whether or not the Department has the authority with delisting to increase or augment hunter harvest with other control methods.

Deputy Director Unsworth stated the Commission has the control authority just as you would on an elk depredation. The Department could work with Wildlife Services to do direct control, the commission has other options to increase hunting season lengths, review quotas at any time within a zone, and the Director always has the ability to stop a season if needed.

Deputy Attorney General Trever stated that with wolves delisted and no court injunction in place all of the tools that are listed on pages 30 and 31 of the 2008 Idaho Wolf Management Plan would be in effect. If hunter harvest is not successful in achieving population objectives, the plan outlines other control techniques that are available for the Commission.

Commissioner Wheeler calls for the question.

Chairman Wright states that the motion is to set harvest limits according to OPTION 2 which would be a statewide harvest limit of 220 wolves.

Commissioner Wheeler asks for a roll call vote.

Commissioners Barowsky, McDermott, Power and Trevey voting Aye with Commissioners Budge, Wheeler and Wright voting Nay. Motion carries.

REPORTS

Headquarters Building Update

Deputy Director Moore provided an update on the Headquarters building. Deputy Director Moore stated that the Headquarters Office project would consist of the construction of an approximately 80,000 square foot, three story building. The building would be built with the goal of improved personnel productivity and safety, and the highest affordable energy efficiency. This

building would include a new public meeting area; incorporate the MK Nature Center visitor center (eliminating the existing building) including meeting areas suitable for public meetings, general public outreach and educational facilities.

The building will be bid on a lease-to-own basis similar to the Clearwater, Magic Valley, Upper Snake and Salmon Regional Offices. We have continued our analysis of affordability and we can now show with cost moderation, an increase in federal overhead and reduction in the utility/maintenance that a new building will be annual revenue neutral in the short term (first five years) and save money in the long run.

The Headquarters Office building was constructed in 1965 to accommodate programs, needs as they existed at that time. Since then additional programs and personnel have been gradually added in support of changing Department functions, and public expectations of service. We outgrew the existing building some 15 years ago and currently lease approximately 21,000 square feet of similar vintage office space next to the Walnut Street Building. Both buildings are very outdated in terms of energy efficiency, electrical supply, and heating and ventilation systems. The buildings are overcrowded and we are facing environmental/safety issues with the current facilities that must be addressed.

Nate Helm, Byrd Golay and Jack Oyler SFW, provided a handout to the (Appendix 42, Exhibit 76) regarding their interest in the construction of a new headquarters building.

09-92 Commissioner Budge moved and Commissioner Wheeler seconded a motion TO ACCEPT THE STAFF RECOMMENDATION TO REQUEST AFFIRMATIVE POLICY DIRECTION ON MOVING FORWARD WITH SOLICITATION OF RFP AND BIDS (IN CONJUNCTION WITH PUBLIC WORKS). The motion carried in a unanimous vote.

09-93 Commissioner Budge moved and Commissioner McDermott seconded a motion TO IF IN FACT THE BIDS ARE WITHIN COST PROJECTIONS AFTER COMMISSION APPROVAL THAT WE PROCEED WITH AWARDING AND CONSTRUCTION OF A NEW HEADQUARTERS BUILDING FOR IDAHO DEPARTMENT OF FISH AND GAME TO REPLACE THE EXISTING BUILDING. The motion carried in a unanimous vote.

LEGISLATION

Legislative Proposal Update

Sharon Kiefer, Assistant Director provided an update on the 2010 legislative proposals (Appendix 42, Exhibit 77). Ms. Kiefer noted that the Department has 3 clarification proposals and all have been cleared for development in the legislative process. The clarification proposals are clarify “waste” defined as a misdemeanor, clarify “Trophy” Big Game animal and clarify salmon/steelhead permit language.

There are 3 other proposals that are non-fee related and have been cleared for approval:

- Broaden Hunter Education certificate of completion to address military arms training, scout shooting merit badge, or foreign certification as valid in lieu of the “Field Day”.
- Increase fine and forfeiture allocation for shooting ranges.
- Change the youth age to apply for a turkey controlled hunt so a resident /nonresident nine year- old can apply but must still be ten years old to hunt.

Ms. Kiefer reported that 5 proposals were disapproved. September 18th is the deadline to have the approved proposals ready for bill format and entered into the system.

FISCAL

FY2011 Budget Approval

Jim Lau, Chief of Administration presented the FY2011 budget (Appendix 42, Exhibit 78). Mr. Lau noted that this Commission meeting is somewhat earlier than traditionally than in the past so the numbers that you see in the proposed budget are still somewhat tentative as staff is still working with the numbers. Mr. Lau reported that the FY 2011 budget overall represents approximately a 5 ½ % increase over the FY 2010 budget. Mr. Lau noted that The Commission is required to approve the Department’s budget. No fee adjustments are being requested in this budget. Our budget request is partially based on the assumption that license revenues will bounce back from the current reduced levels to more historical unit sales. We may also see additional incremental revenue from the sale of wolf tags. The Department anticipates requesting 39 new FTE’s to replace 53 benefitted temporary positions as an initiative under our zero based budget analysis. We estimate a net personnel savings of \$210,000 primarily as a result of reduced benefit costs for the temporary staff that would be eliminated. The Department is also requesting approval to restore the cuts that were made in FY 2010 to our fleet capital budget and reestablish our fleet rotation plan. Like all other state agencies our budget will include a new charge for health care benefits for employees who elect not to participate in the plan. Previously we paid the state matching contribution for only those employees who were enrolled in the plan. We estimate this new expense will be approximately \$600,000.

09-94 Commissioner Budge moved and Commissioner Barowsky seconded a motion TO APPROVE THE FY 2011 BUDGET REQUEST CONCEPTS WITH THE UNDERSTANDING THE FINAL FIGURES WILL BE COMPLETED OVER THE NEXT FEW WEEKS AND WILL BE PROVIDED TO THE COMMISSION FOR FINAL APPROVAL AT A LATER DATE. The motion carried in a unanimous vote.

RULES

Set the 2009 Fishing Season and Methods of Take for Fall Chinook Salmon in the Snake River

Ed Schriever, Chief of Fisheries presented the 2009 Fall Chinook Salmon Fishery Proposal (Appendix 42, Exhibit 79). Mr. Schriever stated that this agenda item concerns the setting of a fishing season for fall Chinook salmon on the Snake River in September and October of 2009. A fishery for fall Chinook salmon was conducted on the Snake River in October 2008. Staff is projecting that sufficient numbers of hatchery origin adipose fin-clipped fall Chinook salmon will return to the proposed fishing area to meet hatchery broodstock needs and permit a non-tribal sport fishery on the harvestable share available. Natural origin fall Chinook that return to the proposed fishing area are listed as threatened under the Endangered Species Act and allowable encounter rates on these listed fish are stipulated in the fisheries management plan for steelhead in the current NOAA Fisheries permit (1481). Staff has consulted with NOAA and established that the incidental encounter rate on natural origin fall Chinook during the proposed fishery is consistent with rates observed during the traditional steelhead fishery in recent years.

This is a new fishery that was conducted on a limited basis in 2008. This fishing opportunity arises from ESA coverage for fall Chinook encountered incidentally in the existing and well established steelhead fishery. To date there has been no public process specific to this fishery. The Department is preparing a new fisheries management plan for steelhead and fall Chinook for implementation in 2010 that will be subjected to full public review and comment.

09-95 Commissioner Trevey moved and Commissioner Barowsky seconded a motion TO APPROVE THE STAFF RECOMMENDATIONS TO ESTABLISH A SEASON AND METHODS FOR HARVESTING FALL CHINOOK SALMON IN THE SNAKE RIVER IN 2009. The motion carried in a unanimous vote.

REPORT

Updates on Pelican Management Plan and Wilderness Aircraft Landing

Deputy Director Virgil Moore provided an update to the Commission. The Department is currently implementing the pelican management plan to reduce impacts to Blackfoot River Yellowstone Cutthroat; and the wolf monitoring portion of the Wolf Management plan coordination. Both require coordination with federal agencies, the USFS for aircraft landings for big game marking and the USFWS for pelican population management.

Issues of state sovereignty in wildlife management and federal responsibilities for land management and migratory birds are being discussed and moved forward.

Deputy Director reported that his meeting with USFWS went well and they understand our Pelican Management plan and we are working on a proposal to allow directed take of these animals relative to Idaho Department of Fish and Game needs for a permit.

The Department has been working with the Forest Service in trying to obtain the necessary coordination with them for landings of helicopters during our big game surveys in the Middlefork. The Department has communicated with the Forest Service letting them know that a non decision is unacceptable. We need to have some kind of decision one way or the other relative to this issue. Regional Supervisor, Jim Lukens, Salmon Region, is taking the lead in preparation of documents to submit to the Forest Service. We are working very closely with the Forest Service to insure we do not have a disconnect with what we submit and that the wording is correct. The Forest Service stated that the Department will have a decision by December 31st.

09-96 Commissioner Budge moved and Commissioner Wheeler seconded a motion THAT IN THE BLACKFOOT RIVER DRAINAGE WHERE YELLOWSTONE CUTTHROAT TROUT ARE BEING ADVERSELY AFFECTED BY PELICANS AND IN THE BEAR LAKE, BEAR RIVER DRAINAGE WHERE BONNEVILLE CUTTHROAT TROUT ARE BEING ADVERSELY AFFECTED BY PELICANS THE DEPARTMENT IS AUTHORIZED AND DIRECTED TO PURSUE ALL LEGAL MEANS TO ELIMINATE GROWTH AND REDUCE POPULATIONS OF PELICANS AS DIRECTED BY THE PELICAN MANAGEMENT PLAN PENDING APPROVAL BY USFWS, INCLUDING BUT NOT LIMITED TO:

- **LETHAL CONTROL BY PERMIT**
- **ALTERATION OF NESTING HABITAT**
- **INTRODUCTION OF NATURAL PREDATORS**
- **HARASSMENT**

The motion carried in a unanimous vote.

MISCELLANEOUS

Executive Session

09-97 Commissioner Wheeler moved and Commissioner Barowsky seconded a motion to convene in executive session pursuant to Idaho Code Section 67-2345(1) (b) to discuss personnel. The motion carried in a unanimous vote.

The executive session ended at 7:00 p.m. with no action taken.

In executive session, the Commissioners discussed the Director's annual evaluation.

Wayne Wright
Chairman

Cal Groen
Secretary