

**Idaho Fish and Game Commission
Special Meeting August 23, 2012
Idaho Department of Fish and Game
600 South Walnut
Boise, Idaho**

MISCELLANEOUS

Opening Comments

Chairman Budge called the meeting to order at 1:15 p.m. with Commissioners McDermott, Barowsky, Hurlock, and Naillon present. Commissioners Trevey and Anderson participated via video conference.

Consent Calendar

The consent calendar included the following items:

Minutes May 9-10, June 11, and July 3, 2012.

12-72 Commissioner McDermott moved and Commissioner Barowsky seconded a motion to accept the minutes as presented. All Commissioners voted in favor.

RULES

Season Setting: 2012/ 2013 Waterfowl

Jeff Knetter , Gamebird Staff Biologist presented the Department recommendations for the 2012/2013 Waterfowl seasons (Appendix 45, Exhibit 75).

Idaho's waterfowl season is set within a framework established by the U.S. Fish and Wildlife Service on July 27, 2012 after meeting with all state fish and wildlife agencies. The 2012-13 frameworks for Idaho are 107 days for both ducks and dark geese between September 22, 2012 and January 27, 2013. The light goose framework extends to March 10.

The Department's recommendation is to take the maximum allowed hunt days and bags allowed by federal framework. The proposed daily duck bag limit would be seven ducks; but not more than two female mallards, two readheads, two pintails, and one canvasback. The proposed daily dark goose bag limit for Canada and greater white-fronted geese would be four, and the proposed daily light goose limit for snow and Ross's would be 10.

12-73 Commissioner Hurlock moved and Commissioner Naillon seconded a motion to accept the staff recommendations on the 2012/2013 waterfowl seasons. All Commissioners voted in favor.

Renew Sandhill Crane Tag Price Reduction

In 2009, the Commission made sandhill crane tags available for purchase over the counter on a first-come, first-served basis rather than through the controlled hunt application process. In addition, the Commission reduced the fees associated with obtaining a sandhill crane tag to \$13.25/tag for residents and non-residents.

The Department's recommendation is to continue to reduce sandhill crane tag fees to \$13.25/tag for residents and non-residents for the next three years, see legal order number 12-24 (Appendix 45, Exhibit 76).

12-74 Commissioner McDermott moved and Commissioner Barowsky seconded a motion to adopt the staff recommendation on the sandhill crane discount and authorize issuance of the order accordingly. All Commissioners voted in favor.

Motorized Hunting Rules

Sharon Kiefer, Deputy Director, reported that the Commission has previously discussed the need for improved clarity and outreach to help both hunters and other motorized recreationists understand the Motorized Hunting Rule (formerly Motorized Vehicle Rule for Hunters) effects on motorized hunting travel against a backdrop of legislative discussions and actions during the 2010, 2011, and 2012 sessions.

The Commission adopted a scoping draft for a revised Motorized Hunting Rule (MHR) and directed staff to initiate rule scoping and outreach, including a random survey of hunters and registered ATV owners, which was presented in July, 2012. Staff discussed implications of survey results in regard to additional rule scoping and rulemaking.

Deputy Director Kiefer referenced a letter received from the Ada County Fish and Game League to the Commission regarding motorized use restrictions for upland birds (Appendix 45, Exhibit 77).

Copies of the rule proposal (Appendix 45, Exhibit 78) were distributed. The proposed rule would change the designation by hunt to designation by unit for a certain calendar period; the proposed rule would also drop Unit 39 from the Motorized Hunting Rule.

Commissioners were provided a copy of the executive summary regarding the motorized Hunting Rule – Effects on Mule Deer Harvest (Appendix 45, Exhibit 79). Research conducted in Idaho and elsewhere indicates high levels of motorized access can lead to increased vulnerability of big game, impacting quality and quantity of bucks and bulls and allowable hunting opportunity. Several regional and statewide public surveys through the years indicate general support among hunters for managing motorized access during hunting seasons. Additionally, research shows disturbance can affect distribution of big game; impacting public land hunting opportunity.

Deputy Director Kiefer noted that staff has presented this rule as a proposed rule, meaning it would not become effective unless upheld by the legislature. If the legislature rejects this rule, the current rule would remain in effect.

12-75 Commissioner McDermott moved and Commissioner Barowsky seconded a motion to adopt the proposed changes to the proposed motorized hunting rule as made by staff. All Commissioners voted in favor.

FISCAL

FY 2014 Budget Review

Michael Pearson, Administration Chief, provided an update and requested the Commission's approval for the state fiscal year 2014 Legislative Budget Request (Appendix 45, Exhibit 80). The 2014 budget request is due to the Governor's office on September 4, 2012.

12-76 Commissioner Naillon moved and Commissioner Hurlock seconded a motion to approve the Fiscal Year 2014 budget as presented. All Commissioners voted in favor.

RULES

Season Setting: Sage-Grouse

Don Kemner, Wildlife Program Coordinator, presented the department recommendations (Appendix 45, Exhibit 81) to the Commission.

The Department's recommendations include:

- Closed areas;
 - Sage-grouse Reporting Zone 3A (Murphy Complex Fire area); No change from 2011
 - West Central; No change from 2011
 - Sage-grouse Reporting Zone 5 (east of Interstate 15 and south of State Highway 26); No change from 2011
 - That portion of Sage-grouse Reporting Zone 4A within Elmore county; new closure in 2012
 - All other portions of the State not within a sage-grouse reporting zone; No change from 2011
- 7-day season from September 15 through September 21, 1 bird daily bag limit, 2 bird possession limit;
 - Zones 1, 2, 3B, 4A, 4B, 5A,6, 7B, 7C, 7D, 8A and 8B (that portion of 4A in Elmore county will be closed is a proposed change from 2011)

The Department's Suggested Motion is:

Commission adopts staff recommendation on the 2012 sage-grouse seasons. Changes from the 2011 season are:

- Move the opening date from October 1st to the third Saturday in September (September 15 in 2012), to correspond with the opening of chukar, gray partridge, and quail as previously set by the Commission. This change in date would apply to the 2012 season and future seasons.
- Close the remainder of Elmore county due to lack of sufficient data and recent wildfires.

12-77 Commissioner Barowsky moved and Commissioner Hurlock seconded a motion to accept the staff recommendations as presented. All Commissioners voted in favor

Landowner Appreciation Rules

Jeff Gould, Wildlife Chief, reported that at the July 2012 Commission meeting, the Commission directed the Department to consider changes to existing Landowner Appreciation Program (LAP) rules, including drafting of rule language. The Commission directed to the Department to consider, and draft rules for the following issues:

- 1) Equitable distribution of landowner appreciation program tags among eligible landowners in over-subscribed hunts
- 2) Lack of proportional benefits to sportsmen in LAP hunts with a 25% allocation and inconsistency with units with a 10% allocation, and
- 3) Sportsmen concern about landowners leveraging trespass fees with LAP tags.

Mr. Gould provided a briefing on the three issues and draft rule changes addressing the three issues (Appendix 45, Exhibit 82).

In summary staff recommends the following rule change:

- 1) implement a 1-year waiting period for antlered deer and elk LAP hunts oversubscribed by a ratio of 2:1 or greater

Staff evaluated, but does not have a recommendation on the following rule changes:

- 2) cap LAP allocation to an additional 10% of regular controlled hunt permit levels in all LAP hunts, and
- 3) define "designated agent(s)" as referenced in §36-104(b)(5)(B) as immediate family, with an option that includes youth, disabled veterans, and/or direct employees as valid designations.

The Commission feels that they need to make a decision to either allow sale of tags unrestricted or preclude the sale of tags unrestricted.

12-78 Commissioner Naillon moved and Commissioner Anderson seconded a motion to adopt all three proposed rule changes; item one as recommended by staff and items two and three, which staff did not make a recommendation on. All Commissioners voted in favor.

Governor's Wildlife Partnership Tag Rules

Jeff Gould presented a summary briefing on the Governor's Wildlife Partnership Tag (Appendix 45, Exhibit 83) and a copy of the draft rule for the partnership tag (Appendix 45, Exhibit 84). The draft rules for the Governor's Wildlife Partnership tag address several concerns expressed by the Commission during the previous meeting. The majority of information is contained in the Eligibility (701.02) and License/Controlled Hunt Tag (701.04) subsections to clarify who may receive these tags and under what conditions.

New and modified rules are needed to support the nonbiological framework of SB1256 and accommodate the administration of Governor's Wildlife Partnership Tags should the Commission issue these tags in the future. Rules will clarify the issuance of tags, and the eligibility requirements (to auction and purchase).

The 2012 Legislature provided public involvement through bill hearings in the Senate and House. Following rule development, the Commission will consider biological and social issues surrounding the issuance of Governor's Wildlife Partnership Tags. This process will involve public scoping

12-79 Commissioner McDermott moved and Commissioner Naillon seconded a motion to adopt the proposed rule changes to Rules Governing Licensing and Rules Governing the Taking of Big Game Animals in Idaho. All Commissioners voted in favor.

LEGISLATION

Legislative Process Update

Sharon Kiefer, Deputy Director provided an update on the legislative process (Appendix 45, Exhibit 85). The following proposals have been approved by the Governor's office and will be submitted as legislative bills.

Proposals:

Clarification Proposal (2)

- Exempt duplicate licenses and tags (class 7) from the set-aside requirements in 36-111 (b) and 36-111 (c). These are set-asides of \$2.00 for every combination or hunting license sold and \$1.50 for every antelope, elk, and deer tag sold.
- New – Delete obsolete reference to state wildlife veterinarian in Idaho Code 36-107.

New Proposals, Non-fee Related (2)

- Create a new class (class 9) for Disabled Combination-Fishing License for residents to provide for exception from the set-aside requirement in 36-111 (b), which is a set-aside of \$2.00 for every combination or hunting license sold.

- Revise provisions of the Jr. Hunting License for residents and the Jr. Mentored Hunting License for nonresidents to incorporate hunting provisions of the Youth Small Game License and the Youth Hunter Education Graduate Hunting License for residents and nonresidents.

New Proposal, Includes Fee Adjustment (1)

Create a new license type with a three (3) year term for season Combination, Hunting, and Fishing licenses for residents and nonresidents. Annual licenses would not be affected. The fee would be three (3) times the annual license fee with only one vendor (issuance) fee. License expiration would occur on December 31 of the third year following issuance. Any resident license would remain valid if the purchaser becomes a nonresident during the term of the license, but the customer would be required to purchase nonresident tags if they did not already possess a tag (similar to lifetime license approach).

The following proposal was not approved by the Governor's Office to progress in the legislative process.

- Create Commission authority to dispose of surplus property by amending 58-335A, Other Lands Exempt From Act, and possibly 36-104, General Powers and duties of Commission, to add the Idaho Department of Fish and Game to the list of agencies excluded from the provisions of Idaho Code sections 58-331 through 58-335 regarding land sale and to give the Idaho Fish and Game Commission the authority to sell and/or dispose of surplus real property and to promulgate rules to govern the sale of properties

REPORT

Wildlife Summit Briefing

Mark Gamblin provided a summary overview of the upcoming Wildlife Summit scheduled for August 24-25-26, 2012. The Summit will convene at the Riverside Hotel in Boise and six concurrent satellite sites in Coeur d'Alene, Lewiston, Salmon, Twin Falls, Pocatello and Idaho Falls. People also may participate online.

MISCELLANEOUS

Public Comment

Written comment (Appendix 45, Exhibit 86) was received from Andrea Santarsiere, Greater Yellowstone Coalition, regarding 2012 Sage-grouse Hunting Proposals; and Joseph N. Peterson, Flying B Ranch, regarding Land Owner Appreciation Program.

Adjournment

The meeting adjourned at 1:40 p.m.