

**Idaho Fish and Game Commission  
July 29-30, 2015  
Idaho Department of Fish and Game  
1345 Barton Road  
Pocatello, Idaho**

**July 29**

**MISCELLANEOUS**

Commission Field Tour: Pocatello Wellness Complex and the Big Desert Zone.

**Public Hearing**

Chairman Doerr called the meeting to order at 7:00 p.m. Commissioners Brad Corkill, Blake Fishcer, Lane Clezie, and Will Naillon were present. Chairman Doerr reviewed the rules for conduct of the hearing and the hearing was opened up for public comment.

The following individuals provided public comment:

Doug Sayer, Mike Settell, Shawn Cantrell, Bruce Mincher, Gary Peck, Robert Matthew Orth, Sim Warner and Shaun Morris.

Written comment was received from: Monte Mason, Tom Hinkle, Lou Griffin, Ed Lindahl, Scott Allen, Dr. Ingrid Brudenell, Jim Hagedorn and Bill Davidson (Appendix 48, Exhibit 40).

**July 30**

**Opening Comments**

Chairman Doerr called the meeting to order at 8:00 a.m. Chairman Doerr thanked Regional Supervisor Mark Gamblin and staff for a well-organized, educational and valuable field tour yesterday.

**Review of Public Comment**

There were 8 individuals who testified at the public meeting. Director Moore led the discussion and review of the public comments.

Topics included:

- Request from the National Wild Sheep Foundation to market the auction tag.
- Support for the Idaho Wild Sheep Foundation for lottery tag.
- Watershed Guardian regarding beavers and watershed education.
- Suggestion from Defenders of Wildlife to look at use for non-lethal tools for the Idaho Wolf Depredation Control Board to consider.
- Support for current bear baiting distance.
- Support from Idaho business leaders for a revenue proposal.
- Snow goose spring season.
- Request to use cross bow to take forest grouse.

- Archery velvet buck hunts suggestion for a hunt.
  - Commissioner Naillon comments that there is a hunt in Region 7. Chief Wooten comments that Unit 39 has an archery velvet hunt also.
- Suggestions for a waiting period for big game controlled hunts, improve drawing odds.
- Lighted nocks request for, does not feel they would give an extra advantage.
- Education about Lead Free Hunting and Fishing.
- Discounting nonresident second deer and elk tags comments received for both support and nonsupport of this proposal.
- Re-write of the Department's Compass.
- Against any revenue enhancements for the non-game side of the Department's budget enhancement.

### **Consent Calendar**

- Financial Report

**15-38** Commissioner Clezie moved and Commissioner Corkill seconded a motion to accept the financial report as presented in the consent calendar. All Commissioners voted in favor.

### **RULES**

#### **Release of bighorn Sheep Auction and Lottery Tags**

Jon Rachael, State Wildlife Manager, reported that at Commission direction, the Bureau of Wildlife staff developed guidelines for selection of organizations competing for opportunity to offer wildlife auction and lottery tags. When there are multiple bidders, Wildlife Bureau staff review and score all applications for the auction and lottery tags to assist in selecting which conservation groups receive these special wildlife tags to market through lottery or auction. Only two organizations have expressed interest in offering the bighorn sheep auction tag and bighorn sheep lottery tags in recent years. The Wild Sheep Foundation has been selected to receive the auction tag, and the opportunity to market the lottery tag has been granted to the Idaho Wild Sheep Foundation.

The auction tag sells for the highest price during odd-numbered years when the tag may be used in Game Management Unit 11 in Hells Canyon. The auction tag sold for high values of \$180,000 in 2005 and \$150,000 in 2013. In 2015, the tag sold for \$100,000. The winning bid for the tag was \$70,000 in 2012 and \$80,000 in 2014 when the tag could not be used in Unit 11. Since 1988, the auction tag has generated \$1,840,225 for bighorn sheep research and management.

Proceeds received from the auction tag are currently used to identify causes for and solutions to, disease in bighorn sheep. The funds may be used to match other funding sources resulting in a substantial multiplier effect.

**15-39** Commissioner Naillon moved and Commissioner Clezie seconded a motion to accept the staff recommendation to award the 2016 bighorn sheep auction tag to the Wild Sheep Foundation

and the 2016 bighorn sheep lottery tag to Idaho Wild Sheep Foundation. All Commissioners voted in favor.

### **Direction for Animal Damage Control Board (ADCB)**

Jon Rachael, presented the expenditure proposal for the ADCB (Appendix 48, Exhibit 41). Idaho statute annually appropriates \$100,000 of Department funds to the State Animal Damage Control Board for control of predatory animals and birds. Idaho statute authorizes the Commission to direct how these funds are to be used.

Typically, \$50,000 has been directed by the Commission to support Wildlife Services activities identified in the MOU between the Department and the Animal Damage Control Board for general control of predatory animals.

The additional \$50,000 has been directed for specific wildlife management activities such as intensive coyote removal in conjunction with the Mule Deer Initiative, wolf control in elk management zones at or below management objectives, feral pig control in the Bruneau Valley, and raven control conducted in SW and SE Idaho.

**15-40** Commissioner Corkill moved and Commissioner Fischer seconded a motion to adopt the staff recommendation to direct the expenditure of \$50,000 for general predatory wildlife control consistent with the MOU, and \$50,000 for control of wolves, black bears, and mountain lions in areas associated with Department Predation Management Plans. All Commissioners voted in favor.

### **Nonresident Deer/Elk Tag Quotas**

Jon Rachael, stated that annually the Commission establishes quotas for total nonresident deer and elk tags. Commission action is requested to establish quotas for nonresident deer and elk tags.

Staff recommendation: For the 2016 hunting season, staff recommends no change from the existing (2015) nonresident deer and elk tag quotas of 14,000 regular or white-tailed deer tags, 12,815 A or B elk tags for all zones, and 1,5000 white-tailed deer tags.

**15-41** Commissioner Naillon moved and Commissioner Clezie seconded a motion to adopt the staff recommendation on quotas for 2016 nonresident deer and elk tags. All Commissioners voted in favor.

### **Outfitter Set Aside Quota**

Jon Rachael, reported that the Fish and Game Commission annually establishes a quota on general nonresident deer and elk tags for use by hunters using the services of a licensed Idaho outfitter. Outfitter and set-aside quotas are a subset of the total nonresident deer and elk tag quotas, not an addition to the total nonresident deer and elk tag quotas. Any outfitter set-aside tags not claimed by outfitted clients by July 1 revert back to the Department for sale to nonresident hunters.

Staff recommendation: Staff recommends no change to the existing 2015 nonresident deer and elk tag outfitter set-aside quotas and recommends the following quotas for 2016:

- 1,985 deer tags (regular or white-tailed)
- 2,4000 elk tags (A or B tags for all zones)

**15-42** Commissioner Clezie moved and Commissioner Fischer seconded a motion to accept staff recommendation for establishing quotas for the 2016 deer and elk outfitter set-aside tags. All Commissioners voted in favor.

### **Nonbiological Rules: Mandatory Trapper Education Proposal – Public Comment Update**

Jeff Gould, Chief, Wildlife, presented the proposal (Appendix 48, Exhibit 42). Mr. Gould reported that the negotiated rulemaking comment period began April 1, 2015 and ran through April 30, 2015. The proposal was posted on the Fish and Game website. Additionally, key stakeholders were notified of the posting and a notice was released statewide and posted in newspapers around the state. The Department also sent requests for comments on the rulemaking proposal to the 4,000 trappers who have purchased licenses in the last 10 years and to active trappers who purchased a license in the last year.

During the initial public comment period, a total of 146 comments were collected and reviewed. About half of those that commented agreed with the proposal as written. An additional 25% said they would support the rule if the course was for new trappers only. About 12% said they were concerned about having enough courses available; some thought adding an online option would make completing the course easier.

Following the initial comment period, the proposed rule was modified and posted on June 5. All 146 people who commented during the initial comment period were contacted and asked to comment on the new proposal. Only 29 of the original 146 chose to comment again. The comments were split with 49% agreeing with the modified proposal. The rest were divided on why they opposed the proposal; 10% think it should be required for all, 17% for new trappers only, and 24% just disagree with any new requirements at all. Two organizations provided comment on the second proposal: Idaho Trappers Association supported the proposal, while the Idaho Conservation League supported mandatory education should be required for all trappers.

The action requested by staff is consensus on whether experienced trappers should be required to participate in mandatory trapper education was not achieved and further negotiated rulemaking is deemed infeasible. Staff recommends advancing to formal rulemaking and adopting the staff recommendation.

**15-43** Commissioner Naillon moved and Commissioner Corkill seconded a motion to accept the staff recommendation for the trapper education rule. All Commissioners voted in favor.

## **MANAGEMENT PLAN**

### **Management Plan Conservation of Sharp-tailed Grouse**

Zach Lockyer, Regional Wildlife Biologist, provided a summary of the public comments received and an overview of the final draft plan. The Columbian sharp-tailed grouse (CSTG) is one of seven subspecies (one extinct) of sharp-tailed grouse in North America. They were once considered the most abundant and well-known upland game bird in the Pacific Northwest. Idaho supports an estimated 63% of the remaining CSTG in the United States.

Columbian sharp-tailed grouse were petitioned for listing under the Endangered Species Act (ESA) in 1995 and 2004. The finding under both petitions was that CSTG were not warranted for listing. The Idaho Department of Fish and Game classified CSTG as a Species of Greatest Conservation Need in the Idaho State Wildlife Action Plan.

The Draft Management Plan for the Conservation of Columbian Sharp-tailed Grouse (Plan):

- Will provide guidance to IDFG and partners to implement conservation measures that will enhance CSTG habitat and populations (e.g., CRP-SAFE).
- Prevent the need for ESA protection of CSTG in the future.
- Lead state efforts to proactively ensure the long-term persistence and viability of CSTG in Idaho.

The draft Plan was submitted to the Commission on May 20, 2015, prior to opening a 30-day public comment period. Staff reviewed and modified portions of the Plan based on public input. The final draft Plan is completed and presented for Commission review and action.

**15-44** Commissioner Clezie moved and Commissioner Corkill seconded a motion to adopt the staff recommendation to approve the final draft of the Management Plan for the Conservation of Columbian Sharp-tailed Grouse in Idaho. All Commissioners voted in favor.

## **RULES**

### **Season Setting: Mourning Dove/Sandhill Cranes and Special Early Canada Goose**

Ms. Wackenhut stated that Mourning dove, sandhill crane, and special early Canada goose seasons are set in July to allow for seasons to open as early as September 1<sup>st</sup> (Appendix 48, Exhibit 43).

The mourning dove season opens the earliest allowed by treaty September 1st and has been unchanged since 1988. The Pacific Flyway council recommended the “Standard” regulatory alternative as prescribed by the mourning dove harvest strategy for doves in the Western Management Unit. In Idaho, the season length shall be not more than 60 consecutive days with a daily bag limit of 15 mourning and white-winged doves in the aggregate.

Sandhill crane depredation on grain crops is a problem in some area; therefore, a season has been established to allow harvest of cranes that nest in Idaho before migration begins. Idaho’s 2015 crane harvest allocation, as directed by the Pacific Flyway Council Rocky Mountain Population Crane Plan, is 166 cranes, an increase from 120 in 2014. The primary reason for the increase in

the flyway allocation in 2015 is that the most recent three-year average of cranes counted during the September survey has increased.

Canada goose depredation on grain crops are a problem in some areas in southeast Idaho. The Pacific Flyway Council places a priority on expanded recreational hunting as a primary step in addressing Canada goose depredation problems in agricultural areas. Special early Canada goose hunting seasons are generally designed to reduce or control overabundant resident Canada goose populations. A 15-day special early Canada goose season is proposed for Bear Lake and Caribou counties beginning September 1, 2015.

**15-45** Commissioner Clezie moved and Commissioner Fischer seconded a motion to adopt the staff recommendation on mourning dove, sandhill crane, and special early Canada goose seasons; and to include the portion of Bingham County within the Blackfoot reservoir drainage hunt description for the early Canada goose season proposed hunt area. All Commissioners voted in favor.

## FISCAL

### Discounting Non Resident Second Elk and Deer Tags

Jeff Gould, Chief, Wildlife, reported that the Idaho Fish and Game Commission establishes a nonresident tag quota through Rule (IDAPA 13.01.01.600) that limits the number of nonresident elk and deer tags sold in Idaho each year. This quota has remained at approximately 12,815 nonresident elk and 15,500 nonresident deer tags available for purchase since 1990.

Historically, the department sold most if not all the nonresident tags available in the quota. In 2009, nonresident tag sales began a decline which continued through 2012 when 40% of the nonresident quota remained unsold at the end of the hunting season.

Any nonresident elk or deer tags remaining in the statewide quota after August 1 may be sold to residents and nonresidents as a second tag, at the nonresident elk or deer tag price.

In 2014, the Commission discounted the price of the second elk tag (\$299 down from \$415) and the second deer tag ((\$199 down from \$300). This discount did not apply to first tags purchased by nonresidents. The nonresident second tag discount stimulated a run on sales for both first and second nonresident tags.

The Commission Order to discount the price of the 2014 nonresident/resident second elk and deer tags has expired. Mr. Gould reviewed current sales and sales forecasts with and without price discounts to help determine if a nonresident second tag discount is desired for the 2015 big game season.

**15-46** Commissioner Fischer moved and Commissioner Naillon seconded a motion to discount nonresident second deer tags \$199 and nonresident second elk (\$299) tags for the month of August to residents only and after September 1<sup>st</sup> only residents will be allowed to purchase a second nonresident deer or elk tag at the full price.

**15-47** Commissioner Fischer moved and Commissioner Naillon seconded a motion to amend the motion to include both residents and nonresidents to full price starting September 1<sup>st</sup>.

**15-48** Commissioner Corkill moved and Commissioner Clezie seconded a substitute motion to discount nonresident second deer tags \$199 and nonresident second elk tag (\$350) tags for the month of August only to residents and nonresidents and after September 1<sup>st</sup> back to regular price. Ayes: Mark Doerr and Brad Corkill, Nays: Lane Clezie, Blake Fischer, and Will Naillon. Motion fails.

Commissioner Fischer withdrew his original motion and seconded by Commissioner Naillon.

**15-49** Commissioner Naillon moved and Commissioner Clezie seconded a motion to discount the nonresident second deer tag to \$199, and the nonresident second elk tag to \$350 for both residents and nonresidents for the month of August and back to full price September 1<sup>st</sup> for both second deer and elk for residents and nonresidents. All Commissioners voted in favor.

### **Commission Order, Discounted Fee for Special Controlled Hunt Applications**

Michael Pearson, Chief, Administration, provided a brief report on the process.

Most western state fish and wildlife agencies offer special big game auction and lottery programs to generate revenue for license funded conservation programs. One such program in Idaho is the Special Control Hunt Program (“Super Hunt”) established by Rule (IDAPA 13.01.08) which offers forty (40) big game tags through a random lottery draw process. Lottery applications in Idaho are sold for individual species (Super Hunt tags-10 deer, 10 elk, 10 pronghorn, 2 moose tags) and for combined species (Super Hunt Combo-there are 2 tag packages that bundle 1 deer, 1 elk, 1 pronghorn, and 1 moose tag per package). These tags are good for any open controlled or general hunt for each species.

The lottery fee structure has been revised twice since the program inception in 2006.

Last August, the Commission adjusted the Super Hunt application fee to remove the discount on bulk purchase (multiple applications are currently the same price, where previously there was a discount on the 2<sup>nd</sup> and subsequent applications purchased in one transaction). Since August of 2014 when this change was made, application counts and revenue have increased by \$100,000 when compared to the same period last year. (The majority of applications are from Idaho resident hunters.

The Special Control Hunt Program is established by Rule (IDAPA 13.01.08) and offers forty (40) big game tags through a random lottery draw process in Idaho. The Commission intent for this special controlled hunt program is to provide funding for the statewide sportsman access program (Rule adopted in 2006). The Rule states that application fees will be set by Commission Order under Section 36-415, Idaho Code, or will be the same as the controlled hunt application fee set in Section 36-416, Idaho Code.

The Commission applied a uniform, flat rate discount for Super Hunt and Super Hunt Combo applications during the July 2014 Commission meeting. The Commission Discount Order will

expire on August 10, 2015 and the price will default to the controlled hunt application fee set at \$6.25 for residents and \$14.75 for nonresidents if no action is taken.

**15-50** Commissioner Clezie moved and Commissioner Corkill seconded a motion to adopt the proposed discount via a Commission Order for a three year period beginning August 11, 2015 through August 10, 2018. All Commissioners voted in favor.

## RULES

### Revise Rule for Bear Bait Distance From Roads

The Department is advancing a nonbiological rule proposal through the negotiated rulemaking process that would reduce the distance bear baits must be placed from roads or trails from the current requirement of a minimum of 200 yards to 200 feet. The current rule (IDAP A 13.01.17.100.02) requires that all bear baits be located at least 200 feet from any water (lake, pond, reservoir, year round free flowing spring and year round free flowing stream), and at least 200 yards from any maintained trail or any road. The proposed change to this rule would make the distances consistent so that baits may be located at least 200 feet from roads and maintained trails rather than the current minimum distance of 200 yards from any roads or maintained trails. In addition, the proposed rule change would revise “any roads” to “established roads,” which is defined in IDAPA as any road that is established, built, maintained, approved or designated by any governmental entity or private landowner for the purpose of travel by full-sized automobiles. An established roadway shows evidence of repeated use by full-sized automobiles, and may include a traveled way of natural earth with depressed wheel tracks and little or no vegetation in the wheel tracks (IDAPA 13.01.08.411.03).

Temporary rule-making authority has not been granted for this proposed rule change. If a change is adopted by the Commission, the proposed rule would not go into effect until approved by the next legislative session.

Jon Rachael, State Wildlife Manager, provided a history and a public input summary on the proposal (Appendix 48, Exhibit 44).

Deputy Director Sharon Kiefer provided a handout (Appendix 48, Exhibit xx) with three options relative to the action the Commission may take on the rule. In the last five years there have been 51 citations and 60 warnings given for bear baiting. There are 27 states that allow black bear harvest. Eleven allow baiting, 16 allow hounding and 7 allow both practices.

After a short discussion the Commission decided to defer the decision to the August 11 meeting.

**15-51** Commissioner Naillon moved and Commissioner Corkill seconded a motion to defer the bear baiting distance from road until the new commissioners in regions 2 and 6 are appointed. All Commissioners voted in favor.

### Season Setting: Fall Chinook Salmon

Jim Fredericks, Chief, Fisheries presented the proposal for a fall chinook salmon season (Appendix 48, Exhibit 45).

**15-52** Commissioner Fischer moved and Commissioner Naillon seconded a motion to approve the proposed 2015 Chinook salmon fishing season. All Commissioners voted in favor.

**Fisheries Administrative Rules:**

IDAPA Rule changes to 1) add stream segment names and corresponding numbers so salmon and steelhead permits can be validated when fish are harvested in waters where seasons are open; 2) remove outdated references to possession limits; 3) allow the head and tail of trout, bass or tiger muskie to be removed when reduced to possession or transported when certain criteria are met.

- 1) Salmon and Steelhead permits require a stream segment number corresponding to where a fish is harvested be entered to validate the permit. Some streams that are open are not listed in IDAPA. We propose to update the list of streams with matching segment numbers in IDAPA 13.01.11.403.02;
- 2) IDAPA 13.01.11.004.03 and 13.01.11.202.01 reference the “bag limit equaling the possession limit.” We propose to strike these outdated references so the Commission can consider changes to bag and possession limits without having conflicting rules in IDAPA;
- 3) The Commission asked the Department to consider modifying IDAPA 13.01.11.104.02 which required heads and tails to remain attached to trout, bass and tiger muskie while in the field or in transit. We have collected public input on a proposed modification to the rule.

**15-53** Commissioner Corkill moved and Commissioner Clezie seconded a motion to approve the rule changes as presented by staff. All Commissioners voted in favor.

Commissioner Fischer requested that the Department look in to adding the river location codes to the license or permit. Staff will research options on this and get back to the commission at the August meeting.

**Season Setting: Mountain Lion Take Season -- Dogs Prohibited Dates**

Jon Rachael, State Wildlife Manager, reported that at the March 24, 2015 meeting, the Commission adopted 2015-2016 and 2016-2017 mountain lion and black bear season dates for Units 4, 4A, 6, 7, and 9.

The fall black bear take seasons in these units now runs August 30-November 30. The use of dogs to pursue black bears is prohibited in these units October 10-October 31, but dogs may be used to pursue black bears from November 1- November 30.

Staff recommends the Commission adjust the dates the use of dogs is prohibited for pursuit of mountain lions in Units 4, 4A, 6, 7 and 9 to October 10-October 31 for the 2015-2016 and 2016-2017 season.

**15-54** Commissioner Corkill moved and Commissioner Fischer seconded a motion that the Commission adopt the staff recommendation to change the dates the use of dogs is prohibited for pursuit of mountain lions in Units 4, 4A, 6 7, and 9 to October 10 – October 31 for the 2015 - 2016 and 2016-2017 seasons. All Commissioners voted in favor.

## FISCAL

### FY17 Budget Direction

Michael Pearson, Chief, Administration reported that the Department has begun the planning process for preparation of the fiscal year 2017 budget request to be submitted to the Governor's Office by September 1. Mr. Pearson updated the Commission on what the Department plans to request from the Legislature for spending authority. The report covered supplemental and license revenue.

## REPORT

### IDFG Marketing Update Efforts including MKNC Messaging Efforts

Mike Keckler, Communications, Chief and Ben Studer, Web and Digital Communications, provided reports on recent Fish and game marketing efforts targeting anglers who do not purchase licenses every year and plans being developed for a fall marketing campaign. The report included improvements to the Fish and Game website that will improve overall marketing efforts. Mr. Keckler updated the Commission on messaging efforts at the Fish and Game MK Nature Center.

## LEGISLATION

### Update About Progress On 2015 Legislative Issue (LAP, Auction Tags, Bonus Points)

Deputy Director Ed Schriever provided an update per discussion from the May 19, 2015 to develop strategic objectives for developing a legislative fee proposal in 2016. A strategic approach to development of a successful legislative fee proposal in 2016 should include:

1. Further addressing those issues or programs with our stakeholders that generated legislative interest as evidenced by draft legislative proposals modifying HB32,
  - A. Bonus Points
  - B. Landowner Appreciation Program
  - C. Auction Tags

The Director's Office has developed committees to facilitate the tasks necessary to address the primary legislative issues. We propose to survey sportsmen and women by conducting random surveys to determine their unbiased opinions of the *issues* related to Bonus Points, Auction Tags and LAP. For example; Bonus Points is one possible mechanism aimed at redistributing draw odds in highly competitive controlled hunts. Hunters may not want Bonus Points *per se*, but they may want the Department to consider different mechanism(s) to address the issue of draw odds.

Mr. Schriever reported that the Department is implementing a change in the LAP registration process. This intent of this change is to administer the program more consistently with Commission intent.

The Department will also survey landowners currently enrolled in the LAP program to get their opinions of the current LAP program framework, opportunities for improvement and how providing more flexibility in the Department's approach to depredation management might alleviate problems and/or make the LAP program more effective.

The Department plans to send out a survey to sportsmen regarding potential changes to Idaho's controlled hunt drawing system, bonus points. The survey will also include questions on tags for auction. A draft copy will be sent next week to the Commissioners for review and presented for approval at the August meeting.

### **Legislative Proposals and Public Process for the 2016 Session and Fee Increase**

Deputy Director Sharon Kiefer provided reported that agency sponsored ideas must be submitted to the Executive Agencies Legislation System (EALS) for Governor approval by August 3, 2015. Governor approved ideas must be drafted as legislative proposals and submitted to EALS by September 14. The EALS timeline does not apply to legislative ideas that may be sponsored by legislators or non-executive agencies. Copies of the proposals were provided to the Commission (Appendix 48, Exhibit 46).

### **Bill Proposals Not Related to Revenue Strategy**

- Clarify existing aircraft restrictions I Idaho Code 36-1101 includes unmanned aircraft systems (UAS).
- Pursue new restriction for unmanned aircraft systems (UAS) per outcome of Commission direction, Agenda Item #13.
- Raise the minimum age, necessary to possess a WMA Pheasant Permit to hunt pheasants on WMAs where pheasants are released, from 17 to 18.
  - This proposal would make the state provisions for all ages (10-17) hunting with a Jr. hunting / combination license consistent for license simplification.

### **Proposal Related to Revenue Strategy**

- Fee increase bill with several changes to Idaho Code 36-416:
  - Create nonrefundable resident/nonresident control hunt application fee specifically for moose, sheep, and goat hunts that is  $\approx 3x$  the existing fee and drop requirement to submit tag fees during the application period.
  - Increase the Daily Fishing (1st-day) License fee by  $\approx 20\% = \approx \$11.70$  resident/ $\$13.20$  nonresident (currently  $\$9.75/\$11.00$ ) and increase the Consecutive Day Fishing License fee by  $\approx 20\% = \approx \$6.00$  resident/ $\$7.20$  nonresident (currently  $\$5.00/\$6.00$ ).
  - Increase fees for all resident licenses, tags, and permits by about 20%.

- Move “Trapping License” from Commercial License designation to Sport License designation.
- Include certainty, such as through legislative intent language, for Commission implementation of “Price Lock” via Commission Order (i.e. individuals with an annual 2016 license prior December 1, 2016 sale of 2017 licenses “lock in” 2016 prices via Commission discount as long as they continue to purchase an annual license).

## REPORTS

### Idaho Fish and Wildlife Foundation Report

Deputy Director Sharon Kiefer provided the report for Ann Dehner, Executive Director.

- The Board elected new officers of the Foundation at its annual meeting on May 2. President is John Carlisle from Region 2, First Vice-President is Wayne Wright (R4), Second Vice-president is Greg Gaddis (R3), Dan Deagle, Treasurer (R4), and Pam Morris, Secretary (R4).
- The Foundation’s audited financial statements for 2014 have been completed and approved. Total awards and distributions to the Department of Fish and Game exceeded \$450,000 for a variety of projects that include habitat restoration, public access, capital improvements and conservation education.
- Also in 2014, the Foundation transferred habitat and public access properties to the Department with a total value of approximately \$1.9 million.
- The Foundation is processing requests for its 2015 competitive grants program. There are 17 applications from tax-exempt organizations. The Board will approve grant awards at its August 15 meeting in Pocatello.
- The Foundation is celebrating its 25<sup>th</sup> anniversary this year. We hope to increase public awareness and support of the Foundation’s work through new avenues for philanthropic giving.

### Compass Update

Mike Keckler, Chief, Communications provided the update to the Commission.

In 2005, the Idaho Fish and Game Commission adopted the 15 year strategic plan “The Compass” with the intent that it be reviewed every five years. At its November 2014 meeting, the Idaho Fish and Game Commission directed staff to conduct a review of the Compass and to bring it up to date. A draft copy (Appendix 48, Exhibit 47) was provided to the Commission for review and the final draft will be presented to the Commission for approval at the November meeting.

### **Policy Development: Current Restrictions of Use of Aircraft and Drones for Hunting**

At the request of the Commission Deputy Director provided a report to the Commission.

Background: Unmanned Aircraft Systems (UAS), also known as Unmanned Aerial Vehicles (UAV) or “drones”, with high quality visual capacity have been integrated into the commercial market and are readily available and affordable by the public as model aircraft. Model aircraft operations are for hobby or recreational purposes only. The statutory parameters of a model aircraft operation are outlined in the FAA Modernization and Reform Act of 2012. Individuals who fly within the scope of these parameters do not require permission to operate their UAS; any flight outside these parameters (including any non-hobby, non-recreational operation) requires FAA authorization. For example, using a UAS to take photos for personal use is recreational; using the same device to take photographs or videos for compensation or sale to another individual would be considered a non-recreational operation.

There is concern that existing state and federal laws or rules restricting use of aircraft as an aid to hunting does not provide sufficient clarity or use restrictions for this technology.

### **Key Definitions in Idaho Code for Aeronautics (Title 21) and Fish and Game (Title 36):**

I.C. 21-101(b). "Aircraft" means any contrivance now known, or hereafter invented, used or designed for navigation of or flight in the air for the carriage of pilots or passengers. For the purposes of this chapter, the term "aircraft" does not include parachutes or paragliders constructed primarily of fabric.

I.C. 21-213 (1) (a). For the purposes of this section, the term "unmanned aircraft system" (UAS) means an unmanned aircraft vehicle, drone, remotely piloted vehicle, remotely piloted aircraft or remotely operated aircraft that is a powered aerial vehicle that does not carry a human operator, can fly autonomously or remotely and can be expendable or recoverable.

I.C. 36-202(y). "Motorized vehicle" means any water, land or air vehicle propelled by means of steam, petroleum products, electricity, or any other mechanical power.  
“Mechanical” is generally understood to be working or produced by machines or machinery

After a discussion the Commission directed staff to move forward and clarify existing statutory restrictions and then look at negotiated rule making for additional restrictions if needed. If the Department moves forward with negotiated rulemaking it would go before the 2017 legislative session.

### **Sage-grouse Season and Population Update**

Ann Moser, Staff Biologist, stated that the Commission sets seasons for sage-grouse in August. Ms. Moser reviewed the 2015 status of Idaho’s sage-grouse populations as well as preliminary proposals for 2015 season (Appendix 48, Exhibit 48).

The Department, with the assistance of federal agency biologists and volunteers, conducts standardized lek counts on 79 lek routes statewide. The 520 leks on these lek routes encompass

approximately 23% of all leks in the statewide database. Lek routes are our primary tool for evaluating sage-grouse population trends. Statewide, male attendance at lek routes was up 7% in 2015, compared to 2014. Other leks are surveyed on the ground or by helicopter as time and funding allows. In 2015, we surveyed an additional 736 leks.

### **Waterfowl Season Update**

Jeff Gould, Chief, Wildlife, gave an update forecast on waterfowl seasons (Appendix 48, Exhibit 49). According to the U.S. Fish and Wildlife Service's habitat and population trend report, habitat conditions were similar to or poorer than 2014, due to average to below-average annual precipitation. Much of the Canadian prairies had average to below-average winter precipitation and above-average temperatures. The best moisture conditions were centered in southern Saskatchewan, but nearly all of Prairie Canada experienced below-normal spring precipitation. Habitats in most of the Canadian portion of the traditional survey area were rated as fair or good this year; however, some areas received greater annual precipitation resulting in excellent conditions. The majority of the birds harvested in Idaho are produced in Alberta and Saskatchewan.

Waterfowl seasons in Idaho are set within the confines of a Federal Framework. Within this framework, states in the Pacific Flyway may choose seasons between the Saturday nearest September 24 and the last Sunday in January. Early indications suggest a LIBERAL season framework that would include a 107-day season with a 7-bird daily bag limit for duck; no change. A liberal season is also indicated for gees that would include a 107-day season with a 4-bird daily bag limit. The Commission will take final action at the August meeting.

### **Director's Report**

Director Moore referenced the Director reports included in the Commission briefing books. Director Moore acknowledged Senior Conservation Officer Randy Sullivan, Southeast Region, on his recent North American Wildlife Enforcement Officer Association Torch Award. Director Moore and Commissioners Doerr, Naillon, and Clezie attended the WAFWA conference in Reno. Each provided a short report.

### **Commissioner Reports**

Panhandle Region: Brad Corkill

- Reported that of the 88 GPS collars on cow and calf elk in the central and southern portion of the region (Units 4, 6, & 7), completed in February, to date there have been 16 mortalities; 14 calves and 2 cows.
- Attended the Foundation for Wildlife Management fund raiser, \$36,000 was raised.
- Lake Pend Oreille Spring Derby won with a 21# rainbow trout.

Southwest Region: Blake Fischer

- See written report.

Magic Valley Region: Mark Doerr

- Fish Salvage due to the lack of water Magic Valley reservoir.
- White Sturgeon were found in one of our ponds at Hagerman WMA. The sturgeon were then transported to and released in the Snake River near Idaho Falls.
- Southeast Region: Lane Clezie
- We continue to hold our ground for good reservoir pool levels and stream flows, despite the two weeks of very hot temperatures and low snow pack.
- Continue to work with Idaho Department of Agriculture on continuing issues of domestic elk escape and other potential risks to the public wildlife and hunting, from high fence domestic elk hunting operations across the Southeast Region.

Salmon Region: Will Naillon

- Referenced the written report.

Commissioner Reports stand as written (Appendix 48, Exhibit 50).

### MISCELLANEOUS

#### Planning for Next Meeting

The Commission discussed scheduled items for the upcoming meetings.

#### Executive Session

**15-55** Commissioner Naillon moved and Commissioner Fischer seconded a motion to hold an executive session pursuant to Idaho Code 74-206(1) (b)(c)(f) to discuss personnel, land and litigation.

Roll Call Vote: Ayes: Brad Corkill, Blake Fischer, Mark Doerr, Lane Clezie and Will Naillon.

**15-56** Commissioner Naillon moved and Commissioner Clezie seconded a motion to come out of executive session. All Commissioners voted in favor.

The executive session ended at 5:55 with no action taken.

#### Adjournment



Mark Doerr  
Chairman



Virgil Moore  
Secretary