

**Idaho Fish and Game Commission
Idaho Department of Fish and Game
Special Meeting
WebEx / Telephone Conference
March 20, 2020**

March 20

WebEx /Teleconference held in accordance with Governor's Proclamation of March 18, 2020 regarding Open Meeting Law compliance, and public comment opportunity provided via electronic means in advance.

Opening Comments

Chairman Meyers called the meeting to order at 9:00 a.m. MDT with Commissioners Brad Corkill, Tim Murphy, Greg Cameron, Lane Clezie and Derick Attebury participating.

Covid-19 Update

Director Schriever provided a brief update and reported that the Department is following the guidelines from the Governor regarding COVID -19.

Agenda Changes

- Add a review of public comment received online.
- Add a break after agenda item 5. F.

CONSENT CALENDAR

Consent Calendar Items

- a. Minutes November 13-14 and December 18, 2019
- b. Financial Report

Consent calendar items were adopted without objection.

Review of Public Comments

Director Schriever reported that individuals were provided an opportunity to submit comments online for the meeting. There were 13 comments received online with multiple items and some were not germane to the agenda. Director Schriever and the Commission reviewed the comments pertaining to agenda items. Commissioners were provided copies of all of the comments received.

One of the comments received stated the following “I love being a hunter/angler in Idaho! It is my belief that the Idaho Fish and Game is one of the best run/science oriented/opportunity based Fish and Game agencies in the Nation. Thank you!”

Comments about agenda item 5. A. Season Setting: Spring Season Chinook

- 2 comments received not supporting the proposal for 1 fish a day 3 in possession

Comments about agenda item 5.F. Identify a Waiting Period for Capped Zones Tags
4 Commenters

- 1 Not in favor of identifying a waiting period for capped zones
- 2 In favor of identifying a waiting period for capped zones and implementation
- 1 Who does not like the rule in general

Comments about agenda item 11. Sage-grouse Harvest Management Proposal

1 Comment in support of Idaho’s science based management sage-grouse proposal

SEASON SETTING AND RULES

Season Setting: 2020 Spring Season Chinook

Jim Fredericks, Fisheries, Chief, presented the 2020 Spring Chinook Salmon Fisheries Proposal for season setting (Appendix 53, Exhibit 30). For all proposed fishing areas, staff is forecasting that a sufficient number of hatchery salmon will return in 2020 to provide sport fisheries that target the non-tribal harvested share after brood stock targets are considered.

Public meetings to seek input on 2020 spring Chinook salmon fisheries were held during February in Nampa, Cascade, Riggins, Lewiston, Orofino, and Coeur d’Alene. Idaho Department of Fish and Game Regional staffs hosted each of the meetings to provide information on 2020 projected salmon returns and to allow for public comment on potential seasons.

20-27 Commissioner Clezie moved and Commissioner Cameron seconded a motion to approve the proposed 2020 fishing seasons for Chinook Salmon. Motion carries.

LANDS

Don Kemner, Wildlife Habitat Program Manager, presented the land items.

Camas Creek Acquisition

This 641-acre property is located approximately 17 miles East of Fairfield, Idaho. This property abuts IDFG land that is managed as part of the Centennial Marsh WMA. This area is a unique, high-elevation, low gradient watershed. Mule deer, elk and pronghorn antelope are currently using the parcel, primarily feeding on alfalfa and using stands of willows as bedding areas. In

late fall, numerous elk transition through the property to winter habitats, with some wintering on the property itself. Mule deer and elk migrate across the Camas Prairie when migrating to and from critical winter ranges in Bennett Hills.

Market Lake

This 649-acre property is located in Jefferson County, 2 miles Northwest of Roberts, Idaho, and is adjacent to Market Lake WMA.

This acquisition will improve our ability to use water levels on Market Lake WMA to manage habitat for waterfowl and water birds. The property comes with 30 shares of the Butte/Market Lake Canal. In Region 6, ready access to waterfowl hunting is limited primarily to WMA's and this property, under the right vegetation and water management, will add significantly to publicly accessible waterfowl hunting.

20-28 Commissioner Attebury moved and Commissioner Cameron seconded a motion to approve staff recommendations for acquiring the 641-acre Camas Creek property and the acquisition for the 649-acre Market Lake property. Motion carries.

MANAGEMENT PLAN

Moose Draft Plan for Approval

Background: Staff presented an overview of the status and content of Moose Management Plan revision at the Commission's November 2019 meeting and updated the Commission on the draft again at the January 2020 meeting.

The intent of a revision to the Moose Management Plan is to provide guidance for the Department and their partners to implement management actions that will aid in protection and management of moose populations in Idaho and guide harvest season recommendations. This plan will function as the action plan for moose management in Idaho. Major issues that could affect moose are identified, as well as overall direction for moose management during the next six (6) years (2020-2025). This plan will guide the Department in annual work plan development and program prioritization, and will provide guidance on development of regulatory recommendations.

Jon Rachael, State Wildlife Manager, provided a review of public comments on the draft plan and improvements made in preparing the final draft in response to the input received (Appendix 53, Exhibit 31).

Staff recommends the Commission adopt the Idaho Moose Management (2020-2025) as presented.

20-29 Commissioner Corkill moved and Commissioner Clezie seconded a motion to adopt the Idaho Moose Plan (2020-2025) as presented. Motion carries.

SEASON SETTING AND RULES

Identify a Waiting Period for Capped Zone Tags

Toby Boudreau, Chief, Wildlife presented.

High demand in some general season hunts with limited tags has been a significant source of tag buyer congestion at Department offices, vendor locations, and on-line sales. Capped elk zone tags go on sale for residents on July 10th (or the following business day if on a weekend), and some zones have been selling out in mere minutes due to their popularity. The Sawtooth Zone tags were moved to a different sale date to help manage the congestion, but other zones are beginning to experience similar interest and quick sale.

To address this issue, the Department initiated negotiated rulemaking at the Commission's direction in the spring/summer of 2019 to consider rules for delaying eligibility for controlled hunt applicants to buy high-demand general hunts with tag limits (capped zones).

The House and Senate committees reviewed and approved this rulemaking during the 2020 Legislative session. The effective date for the new rule language is March 20, 2020 (sine die for the 2020 Legislative Session). Should the Commission implement a wait period as per the new rule for the 2020 hunting season, staff recommends that the Commission act before the Big Game Controlled Hunt application period so that resident hunters can make an informed choice between applying for an elk tag in the draw and having delayed eligibility for elk capped zone tags versus foregoing a controlled hunt application and competing for a high demand capped zone tag.

20-30 Commissioner Murphy moved and Commissioner Corkill seconded a motion that a wait period of five (5) days be established for eligibility in 2020 to purchase capped elk zone tags for any person who applies in 2020 for a controlled elk hunt. Motion carries.

The Department will send out news releases and post this change on the website to make hunters aware of this change.

LEGISLATION

Legislative Update

Deputy Director Paul Kline presented the update about legislative activity since initiation of the 2020 Legislature on January 6. Weekly legislative conference calls were initiated on January 30. Included in this update were bills that were passed, bills that were held or failed and other bills of interest to the Department see (Appendix 53, Exhibit 32).

SEASON SETTING AND RULES

Rulemaking Update

Pending Rules and Conditional Temporary Omnibus Rulemaking

Deputy Director Kline reported that the Senate adjourned sine die on March 19 and the House on March 20.

Non-Fee Rules: The Legislature did not pass a concurrent resolution rejecting any pending non-fee rules. As a result, all non-fee rules that were reviewed by the Legislature take effect March 20, 2020 – sine die (unless an alternate date was specified in the rulemaking).

Department Rules taking effect March 20, 2020 include:

- All non-fee rules associated with Omnibus rule reauthorization,
- Modifying gear requirements (diverters, break-aways, loop stops) for trapping wolves,
- Managing nonresident participation in general season big game hunts,
- Banning the import of live mule deer, white-tailed deer, moose and wild-origin elk,
- Authorizing 8 & 9 yr.-olds to hunt turkey with a Hunting Passport and
- Requiring an Upland Game bird permit for expanded stocked pheasant hunting.

Fee Rules: The Legislature did not pass a concurrent resolution approving any pending fee rules. As a result, all fee rules would not generally take effect. However, the proactive action taken by the Governor's Office and the Fish and Game Commission at their February 20, 2020 meeting to conditionally re-approve fee rules upon sine die ensured they remain in effect as temporary rules.

Consistent with discussion at the January 23, 2020 Commission meeting, staff will proceed with negotiated rulemaking on the following proposals:

- Land Owner Appreciation tag application period: Move application dates for the Landowner Appreciation Program (LAP) earlier to accommodate earlier hunts authorized by the Commission.
- Turkey tags– Simplify turkey tag options offered to the hunting public (currently three tag types with different use restrictions: (1) general tags, (2) extra tags, and (3) special unit tags).
- Swan tag and mandatory hunt/report – Modify game bird tag use rules (currently limited to sandhill crane and turkey tags) to accommodate swan tags (if authorized by pending legislation); adopt rules for swan mandatory check & report. Note that if pending rules take effect as final rules *sine die*, the Commission will need to adopt temporary rules at an upcoming meeting. Rules are needed to comply with federal authorization for swan season, including a fall 2020 season.

- Pronghorn controlled hunt draw waiting period –Adopt a waiting period for eligibility to apply for antelope controlled hunts consistent with the waiting period for antlered deer and elk controlled hunt applications.

Deputy Director Kline presented a new proposal for the Commission to consider for negotiated rulemaking.

Tag limit (deer and elk) for nonresident DAVs: Tags for nonresident Disabled Veterans are not included in the statewide nonresident general hunt tag limits for deer and elk (set by rule in IDAPA 13.01.04.550). However, nonresident DAV participation has been growing (from 2016 to 2019, nonresident DAV elk tags increased from 910 to 1,682 and nonresident DAV deer tags increased from 1,149 to 1,839). Nonresident DAV elk and deer tags cost \$22.00 and \$38.00, respectively, and it is reasonable to expect continued growth in at least the near term if tags are not limited, with potential impacts on management of nonresidents in addressing hunter congestion.

Commission consensus is to move forward with negotiated rulemaking for Tag limit (deer and elk) for nonresident DAVs.

REPORTS

Deer and Elk Status Update

Daryl Meints, Natural Resources Program Coordinator, presented a statewide overview of the status of deer and elk populations in relation to deer data analysis unit objectives and elk management zone objectives. And a briefing on mule deer and elk survival monitoring, mule deer herd composition survey results, results from the 2019 harvest season and deer and elk aerial survey results (Appendix 53, Exhibit 33).

Idaho Fish & Wildlife Foundation Report

Hilarie Engle, Foundation Development Coordinator, reported that the design of the IDFG Headquarters building is currently at 30 percent. The projected date for completion of the building is December 2021 with a move in date of January 2022.

The Foundation's competitive grants cycle for 2020 was announced February 1st. The deadline to submit is April 30 with awards to be announced in August.

SEASON SETTING AND RULES

Sage-grouse Harvest Management Proposal

Ann Moser, Wildlife Staff Biologist, presented, (Appendix 53, Exhibit 34).

Background:

The Department has been following the hunting season and bag-limit guidelines from the 2006 *Conservation Plan for the Greater Sage-grouse in Idaho*. The Department evaluates population trend by comparing the 1996-2000 lek count averages to the current three-year running averages. If a population's current 3-year average is 150% above the 1996-2000 average, a standard 23-day season is allowed. If the population is between 50% and 150%, then a restrictive 7-day season is recommended. If a population is less than 50% of the baseline, then the season should be closed. An area should also be closed to hunting if there are <100 males in the population, if there is not adequate data to make a decision, or if habitat or other issues are impacting the population.

While this framework evaluates data and estimates harvest within 14 Reporting Zone, there currently is no system that allows harvest to be managed by Reporting Zone. Furthermore, the Department has improved its ability to closely monitor and track sage-grouse population numbers and trends, and model fall population numbers, rendering the 2006 guidelines outdated.

The Department is considering a change to how we manage sage-grouse hunting opportunity and harvest. Staff recommend investigating options that would allow the Department to maintain sage-grouse hunting opportunity into the future where appropriate, while also demonstrating more responsive management to our partners and critics. Specifically, staff propose initiating rule-making to provide the Commission authority to implement a limited tag system where sage-grouse populations and harvest would be monitored and managed by Reporting Zone or other broad management unit. The Commission implements a similar limited tag system to regulate hunting and harvest of sandhill cranes.

The potential advantages of a limited tag system for sage-grouse include:

- Ability to directly manage harvest by adjusting number of tags annually as population numbers or habitat conditions indicate.
- Preventing large closures due to wildfires or tripped population triggers by instead reducing number of tags.
- Allowing a small number of tags to open a hunt in southeast Idaho, which has been closed for many years due to inadequate long-term population data.
- Potential to increase season length, which would provide flexibility and options for hunters and reduce crowding on opening weekend.
- Increasing number of wings from hunter-harvested birds by directly providing mail-in wing envelopes to only those hunters with a tag.
- Improving harvest estimates.

Our preliminary analysis of tag numbers by reporting zone compared to previous harvest estimates indicates that the number of tags available statewide might not change, but the distribution of tags could change. Because our goal would be to limit harvest to <10% of the population in any zone, some zones could have fewer available tags than the traditional number of hunters. Conversely, new opportunities would be available in other parts of the state.

Staff seeks Commission concurrence to initiate the negotiated rule-making process to develop rules and provide the Commission authority to implement a limited tag system for sage-grouse. Following the public input process, staff would present a recommendation to the Commission at a later date. No formal action is required at this time.

Commission consensus is to move forward with negotiated rulemaking.

REPORTS

Update About Hunter Congestion / Hunter Survey

Dr. Kenneth Wallen, University of Idaho, presented the update (Appendix 53, Exhibit 35).

To continue the process of addressing hunter congestion, the Department began a statewide, regionally stratified elk, mule deer, and white-tailed deer hunter survey on March 16, 2020 with the objective of assessing resident hunters' hunting experiences and perceptions of crowding, both overall and specific to 2019, to further address congestion issues.

Based on stakeholders assessments in 2007, 2014, and 2017-2018, Idaho elk, mule deer, and white-tailed deer hunters have concerns about crowding. The extent to which these concerns are subjective and value-laden versus objective and density-dependent is unknown. This project will assess perceptions of crowding among 2019 Idaho resident elk, regular deer, and white-tailed deer tag purchasers. To provide data on elk, mule deer, and white-tailed deer hunters, three separate species-specific questionnaires were developed to investigate perceptions of crowding, quality, and satisfaction. The three questionnaires will be administered and distributed on a regional basis to provide both statewide and region-specific information. That is, each region will be provided standalone information on their elk, mule deer and white-tailed hunters.

Migratory Game Bird Briefing

Jon Rachael, State Wildlife Manager, reported that Idaho's waterfowl seasons are set within a framework established by the U.S. Fish and Wildlife Service (USFWS), after they consult with all state fish and wildlife agencies. Regulatory decisions are made using biological data observed the previous year. This process and schedule mean season frameworks (e.g., outside dates, season lengths, bag limits) are finalized early enough for state agencies to select and publish season dates well in advance of fall seasons. Furthermore, this process allows the Commission to set seasons for all migratory game birds at the same time.

The Adaptive Harvest Management (AHM) process determines the general duck season framework. This process was adopted by the USFWS in 1996 and is used to evaluate duck habitat and populations annually. The AHM process informs the optimal season framework for U.S. duck seasons. Special harvest strategies are used for some of the less common ducks. Goose seasons are determined by flyway management plans for each goose populations.

The Commission will set Idaho's migratory game bird seasons during their April 16 conference call.

Director's Report

- Director Schriever reported that the application period for selection of a Region 2 Commissioner closed on March 13.
- The Department will reach out to hunters to provide information on the Commission action today to establish a five-day waiting period to purchase capped elk zone tags for any person who applies in 2020 for a controlled elk hunt.
- Headquarters staff have been busy preparing for the April move to new locations. The scheduled date to be out of the building is April 24th.

Commissioner Reports

Commissioner reports stand as written (Appendix 53, Exhibit 36).

MISCELLANEOUS

Planning for Next Meeting

The location for the May 13-14 meeting will be moved to Boise and more than likely will be a Web based meeting.

Executive Session


20-31 Commissioner Corkill moved and Commissioner Clezie seconded a motion to go into executive session under Idaho Code 74-205 subsection (c) for land acquisition and subsection (f) for litigation.

Roll Call Vote Ayes: Brad Corkill, Tim Murphy, Greg Cameron, Lane Clezie, Derick Attebury and Jerry Meyers. Motion carries.

The items covered in executive session were land items and pending litigation.

20-32 Commissioner Corkill moved and Commissioner Clezie seconded a motion to come out of executive session with no action taken. Motion carries.

The meeting adjourned at 12:31



Jerry Meyers
Chairman



Ed Schriever
Secretary