

**Idaho Fish and Game Commission
Idaho Department of Fish and Game
Boise, Idaho
March 23-24, 2022**

March 23, 2022

MISCELLANEOUS

Public Hearing

Chairman Cameron called the meeting to order at 7:00 p.m. Commissioners Bobbitt, Ebert, Murphy, Cameron, Clezie, Attebury and Davies were present. Chairman Cameron reviewed the rules of conduct for the hearing and reported that all public comments would be reviewed by the Commission at the Thursday meeting.

The following individuals provided public comment: Alex Martin, Paul Mechew, Don Sickles, Jared Holt, Terry Huntsman, Elvis Smiles, Rob Coleman, Rick Carver, Matt Borg, Brayden Landon, Bill Samuels, David Temple, Bob Lawrey, Mark Rose, and Tyree Sybert.

March 24, 2022

MISCELLANEOUS

Opening Comments

Chairman Cameron called the meeting to order at 8:00 a.m. with Commissioners Bobbitt, Ebert, Murphy, Cameron, Clezie, Attebury and Davies in attendance.

Review of Public Comment

Director Schriever and Commissioners discussed and reviewed the public comments.

- Later season closure for ducks supported
- Lighted nocks and concerns about allowing more technology in hunting
- Houndsman group would like to be involved in comments on Mountain Lion seasons
- Whitetail Forever support of extra doe tag removal in 10A
- Concern over elk herd size in Unit 8 and 8A
- CWD management in Unit 14

CONSENT CALENDAR

Consent Calendar items:

- Minutes: November 22 and December 16, 2021
- Financial Report

22-19 Commissioner Attebury moved and Commissioner Ebert seconded a motion to accept the items listed in the consent calendar. Motion carries.

SEASON SETTING AND RULES

Big Game Deer and Elk Season Changes

Rick Ward, State Wildlife Manager, presented the proposed changes for the 2022 hunting seasons. Considerations for the proposals were posted on the Department's website in February to inform the public and provide them the opportunity to provide input. The Department also held a virtual live event on March 8, 2022 and two in-person meetings in Grangeville and White Bird on March 10, 2022. The Department received 1,300 submissions on proposed changes.

Mr. Ward gave a brief background on Epizootic Hemorrhagic Disease (EHD). During the summer of 2021 there was an outbreak of EHD in white-tailed deer in Units 8, 8A, 10A, 11 11A, 14, and 16. Between 6,000 and 10,000 white-tailed deer died as a direct result of EHD. The season proposals are designed to reduce the number of antlerless deer harvested to allow these populations to rebuild (Appendix 55, Exhibit 7).

22-20 Commissioner Ebert moved and Commissioner Murphy seconded a motion to adopt staff recommendations to eliminate the additional doe tags in Unit 8-1X, 8-2X, 8A-1X, 10A-1X and 11-1X. Motion carries.

Mr. Ward continued his presentation with information on Chronic Wasting Disease (CWD) and season recommendations. CWD was detected for the first time in Idaho in Game Management Unit 14 in late 2021. Two white-tailed deer tested positive in samples collected through hunter harvest. Two additional CWD suspect animals tested positive. One was a cow elk and the other a whitetail buck.

Staff explored options for each species. For mule deer, Option 1 was to increase antlered mule deer controlled hunt tags from 180 to 400, and Option 2 was to replace the antlered controlled hunt with a general season, antlered only hunt with season dates of October 10 through November 20.

Staff also proposed to add a new mule deer extra antlerless hunt with 200 tags and season dates of October 10 through November 20.

For white-tailed deer, Option 1 was to add a new whitetailed extra deer antlerless hunt with 250 tags to run October 10 through November 20, and add a new white-tailed deer extra antlered hunt with 250 tags and season dates of October 10 through November 20. Option 2 for white-tailed deer was to extend the general either-sex season to close December 31 instead of November 20.

Staff proposed increasing elk LPH tags in hunt 14-1 from 50 to 80 and extending the southern boundary of the hunt area approximately three miles.

Considering all these options, staff recommendations for Unit 14 were:

- Increase tags from 180 to 400 in Controlled Hunt No. 1007 for antlered mule deer
- Add new mule deer antlerless hunt with 200 tags and a season date of October 10-November 20
- Add a new white-tailed deer extra antlerless hunt with 250 tags and a season date of October 10-November 20
- Add a new white-tailed deer extra antlered hunt with 250 tags and a season date of October 10-November 20
- Increase tags from 50 to 80 in Controlled Elk Hunt No. 2165/LPH hunt 14-1 from 50 to 80 and extend the southern boundary of the hunt area approximately three miles.

22-21 Commissioner Ebert moved and Commissioner Davies seconded a motion to accept staff recommendations, with an amendment to set tag numbers in Controlled Hunt No. 1007 for antlered mule deer to 380 tags and the new antlerless mule deer tags to 180 tags. Motion carries.

Mr. Ward then referenced IDAPA 13.01.04.400.07(a) *once the Department has determined the number of Controlled Hunt tags to be issued in any Controlled Hunt unit, an additional 10% of the number of Controlled Hunt tags may be issued as Landowner Appreciation Program (LAP) tags.*

22-22 Commissioner Attebury moved and Commissioner Bobbitt seconded a motion to accept staff recommendations for the changes to the 2022 LAP hunts with the modification in hunt No. 1307 to 38 tags and 4X the new extra antlerless mule deer only tags to 18, which is 10% of the parent controlled hunt numbers approved. Motion carries.

The last item Mr. Ward presented was mandatory sample submission. IDAPA 13.01.08.350.03 states *a proclamation or emergency hunt order may designate seasons and areas in which portions of a carcass must be presented to the Department within a specified timeframe. All public comments received supported mandatory sample submission in the CWD designated areas.* It is the recommendation of staff to designate

Units 14 and 15 as areas requiring CWD sample collection from all harvested deer, elk, and moose to be submitted to IDFG within 10 days of date of harvest.

22-23 Commissioner Ebert moved and Commissioner Davies seconded a motion to adopt staff recommendations for 2022 mandatory sample submission. Motion carries.

Season Setting for Peregrine Falcon Take

Jeff Knetter, Upland Game & Migratory Bird Coordinator, presented the Peregrine falcon take numbers. Seasons for Peregrine falcon take have been set in 3-year intervals since 2013. Since 2013, 9 peregrines have been taken (based on a limit of 2 birds per season). Only Idaho residents that possess a Master Falconry Permit may apply for a peregrine capture permit. The Department annually receives fewer than 20 applications. Permittees are selected by random drawing. The proposal for peregrine take for falconry was posted online for public comment from February 14-March 4th. Input was also solicited from Idaho Falconers Association.

The Department's recommendation is to allow regulated take seasons for 2022-2024 for wild-caught peregrine falcons to include two Peregrine Capture permits. One permit will be a statewide permit and one permit will be limited to nestling take only in Custer and Lemhi counties OR a recently fledged juvenile peregrine, statewide.

22-24 Commissioner Attebury moved and Commissioner Clezie seconded a motion that the Commission adopt staff recommendations for the 2022-2024 seasons for the take of peregrine falcons from the wild for falconry purposes. Motion carries.

Season Setting, Spring Chinook Salmon Fisheries

John Cassinelli, Anadromous Fisheries Manager, presented the proposed season for Chinook salmon (Appendix 55, Exhibit 8). Preseason forecast for adult Chinook returning to Idaho is 39,631, and is the highest run since 2015. These numbers are slightly below the 10-year average of 44,259. Mr. Cassinelli explained that when returns are trending upward, the return typically exceeds the forecast. He also noted that ocean conditions were good to excellent, which will benefit the Chinook returns to Idaho as well, and these are the best ocean conditions in 20 years.

22-25 Commissioner Ebert moved and Commissioner Attebury seconded a motion to approve the proposed 2022 fishing seasons for Chinook Salmon in the Snake River, Lower Salmon River, Little Salmon River, Mainstem Clearwater River, North Fork Clearwater River, Middle Fork Clearwater River and South Fork Clearwater River. Motion carries.

LEGISLATION

Jim Fredericks gave a brief update on Legislation. On March 18th the Legislature approved the Department's Fee Rules. The Fee Rules will be effective July 1st. The Department is still waiting on approval of Non-Fee Rules. If they are not approved they will be accepted on Sine Die and be effective July 1st.

The Executive Order for Zero-Based Regulation (ZBR) requires the Commission to review rules on a 5-year rotating basis to delete unnecessary or outdated rules, simplify rules, and achieve better organization. Chapters 1, 7, and 9 were reviewed for the 2022 Legislature. Staff is proposing the Department move forward with a review of the following 4 chapters for review by the 2023 Legislature:

- Chapter 2 -- Rules Governing Mandatory Education and Mentored Hunting-As a reminder the Department will entertain mandatory training on gender identification in that process
- Chapter 10 -- Rules Governing the Importation, Possession, Release, Sale, or Salvage of Wildlife
- Chapter 14 -- Rules Governing Falconry
- Chapter 18 -- Rules Governing Feeding of Pronghorn, Elk and Deer

The Commission supported the Department's proceeding with negotiated rulemaking for these four Chapters.

SEASON SETTING AND RULES

Petition for Rulemaking, Accommodations for Blind and Visually Impaired Hunters

Jim Fredericks, Deputy Director, presented a petition for negotiated rulemaking received on February 8, 2022 to modify rule restrictions related to the attachment of electronic devices to a firearm or scope. The petitioner is requesting a rule change to accommodate blind and visually impaired hunters to use attachments to scopes. There are currently a number of devices that allow a simple phone camera to be attached to a scope that would allow the blind hunter's companion to assist in lining up a shot. The petitioner explicitly states she is not seeking to legalize "Smart" scopes that tell a hunter windage, range or bullet trajectory.

22-26 Commissioner Attebury moved and Commissioner Clezie seconded a motion for the Department to initiate negotiated rulemaking to consider an accommodation for blind or visually impaired hunters that would allow the attachment of electronic devices to a scope. Motion carries.

Review of Price Lock License Fee Discount and Consideration of (“Price Lock” Order to Discount License/Tag/Permit fees with Consecutive Year Purchases)

Jim Fredericks, Deputy Director, presented on Price Lock. In 2017 HB 230 created an access/depredation fee and increase of resident tag fees by 20% effective in 2018. The legislation allowed the Commission to discount fees to encourage consecutive-year license purchases. The Commission established a discount to allow residents to lock in 2017 tag fees so long as they continued to purchase licenses each consecutive year, or if they later bought a 3- year license or lifetime license. In 2021, 423,087 resident license holders were eligible for price lock and 59% of buyers were in the Price Lock program. The price lock program has proven to be an important tool for the department to retain license holders and ensure stable revenue for the agency. In Idaho, 23% of the population holds an annual or multi-year hunting or fishing license. Price Lock has been well received by the public and it allows the Department to keep fees relatively low compared to neighboring states.

The Staff recommendation was to extend the Price Lock Discount Order to discount License/Tag/Permit fees with consecutive-year purchases of annual licenses and also 1) apply the Price Lock discount to individuals who purchase a lifetime certificate at any time during the effective period of the order and 2) apply the Price Lock discount to any individual who purchases a 3-year license at any time during the effective period of the order.

22-27 Commissioner Bobbitt moved and Commissioner Ebert seconded a motion to adopt the License Fee Discount Order, called the “Price Lock” Discount Order, to extend the discount license/tag/permit fees with consecutive-year purchases as proposed by staff through license year 2027. Motion carries.

MANAGEMENT PLANS

Draft Furbearer Management Plan for Public Scoping

Corey Mosby, Staff Biologist presented the Draft Furbearer Management Plan. The Department conducted an opinion survey of all trapping license holders between 2017 and 2021 to aid in preparation of the Furbearer Management Plan. There were 4,305 questionnaires mailed with a return of 1,600 for a 37% response rate. Furbearers represent approximately 19 species across Idaho. Management of furbearers is primarily done through trapping and hunting. Their harvest creates a valued opportunity to license holders, provides data to track population status of these species, and can help address wildlife conflict such as livestock depredation and damage to transportation and irrigation infrastructure.

The Commission supported release of the Draft Furbearer Management Plan for public comment. Staff will prepare a final plan to present to the Commission for adoption at the May 18-19 Commission meeting.

Draft Bonneville Cutthroat Trout Management Plan

Martin Koenig, Sport Fishing Program Coordinator, presented the Draft Bonneville Cutthroat Management Plan. The Department's statewide fish management goals are currently covered by the 6-year plan approved by the Commission in 2019. Certain species or water bodies need more detailed management direction, and specific plans are adopted and updated on an as-needed basis. The original Bonneville Cutthroat Trout Plan was approved in 2007. An update is needed to reflect current understanding of Bonneville Cutthroat distribution based on surveys since the original plan. Also the update would reflect additional conservation actions since the original plan.

In 2011, the Department began a conservation hatchery program at its Grace Hatchery to help the Bonneville Cutthroat populations. This program relies on collection of Bonneville Cutthroat from the wild to maintain a genetically diverse brood stock, and only fish from wild parents are stocked to minimize domestication. Eggs collected are reared until the fish reach 8 inches in size. Stocking sites are focused on areas where poor spawning and rearing habitat are driving low densities of cutthroat. This program is also being used to reintroduce cutthroat trout after completing habitat restoration projects or removing non-native fish species.

The Bear Lake Cutthroat Trout Fishery is a great example of conservation and management success. As recently as 2017, wild origin cutthroat made up 70% of the populations, and total cutthroat numbers have increased. The rise of wild cutthroat trout presented an opportunity to adjust the fishing regulations for Bear Lake. Last fall, the Commission adopted new seasons for Bear Lake and starting in January 2022, anglers can harvest either wild or hatchery-origin cutthroat trout. This simplified fishing seasons and increased opportunity for anglers.

The Commission supported release of the Draft Bonneville Cutthroat Management Plan for public comment. Staff will revise the draft based on input received, with intent to complete a final plan to present to the Commission for approval in July 2022.

REPORTS

Deer and Elk Status Update

Toby Boudreau, Deer and Elk Program Coordinator, presented a deer and elk status overview (Appendix 55, Exhibit 9). Aerial surveys have been completed and flight conditions this year were good for all aerial surveys.

White-tailed deer management goals are being met for number of hunters, hunter days, buck harvest, and % 5-point for all data analysis units. White-tailed deer populations in and around the Clearwater region were hit hard with an outbreak of epizootic hemorrhagic disease (EHD) in the late summer. Harvest success was roughly 15% below the 10-year average, however overall success rate has stayed on track.

Mule deer aerial surveys were completed in 11 of the 15 Data Analysis Units (DAU) in December 2021. Nine of the DAU's surveyed exceeded 15 bucks per 100 does and fawns per 100 does ranged from 57-77.

Statewide fawn survival last winter averaged 61%, above the long-term average of 57%. Adult mule deer doe survival this past winter was 96%. The winter weather conditions across most of southern Idaho have been mild, with snowpack below average and temperatures above average.

Cow elk population objectives are being met in 15 of 22 zones with numerical population survey goals. And 17 out of 22 zones are meeting the bull population objectives. Calf survival last winter was 87% and adult cow survival this past winter was 94%.

During the last mule deer and white-tailed deer management planning process, hunter congestion was identified as an issue. The Department helps fund a Human Dimensions professor at the University of Idaho. Dr. Wallen's current primary focus for the Department is understanding hunter congestion issues and attitudes in big game hunters. Surveys coincide with 2 years of baseline data for 2019 and 2020 hunting seasons. Current surveys are to assess attitudes after the nonresident caps were put into place for hunting seasons in 2021 and will also be conducted in 2022. At the conclusion of the 2022 season, analysis will then be completed and will measure the similarities and differences in attitudes pre- and post- non-resident reductions. Those results are expected in late 2023.

2020 Migratory Game Bird Briefing

Jeff Knetter, Upland Game & Migratory Game Bird Coordinator, updated the Commission on the migratory game bird season-setting process.

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.

There are 3 regulatory alternatives for hunting ducks in each Flyway. In the Pacific Flyway the restrictive alternative include 60 days, which can occur between the Saturday nearest October 1 and January 31; the restrictive alternative has a 4 bird bag/3 mallard/1 hen mallard bag limit. The moderate alternative includes 86 days, which can occur between the Saturday nearest September 24 and January 31; the moderate alternative has a 7 bird bag/5 mallard/2 hen mallard bag limit. The liberal alternative is 107 days, which can occur between the Saturday closest to September 24 and January 31; the liberal alternative has a 7 bird bag/7 mallard/ 2 hen mallard bag limit.

The Pacific Flyway has operated in the liberal alternative since 1995. This is the longest season at 107 days, which is the maximum amount allowed to hunt migratory game birds per the Migratory Bird Treaty Act.

The State is allowed to choose how to distribute the 107 hunting days by offering different season structure in different portions of Idaho and continuous or split seasons. Zones are geographic areas of portions of the state with a contiguous boundary for which independent dates may be selected. Once a duck zone configuration is selected, it must remain in place for the following 5 years. Goose zones may be changes annually.

Hunter opinion surveys were completed in 2012, 2016, and 2020 to assess preferences of Idaho waterfowl hunters. Most hunters (70%) prefer a continuous season. Hunters in the north and southwest Idaho prefer seasons that start and end later. Hunters in much of east Idaho prefer seasons that start and end early, prior to wetlands freezing up.

Staff recommendations for migratory game bird seasons will be presented on the Commission Conference call April 14.

MISCELLANEOUS

Hunter Education Award “Continuing the Hunting Heritage”

Brain Pearson the Southwest Regional Communications Manager presented the 2022 Commissioner’s Award, *Continuing the Hunting Heritage* to Robert Heckathorn of Caldwell. He became a certified instructor in July 2018 teaching both Hunter& Bowhunter courses. He has averaged 9 ½ courses per year, greatly exceeding our program average of two courses per year allowing him to reach the pinnacle award in less than 3 ½ years. Not only is Robert a rare gem for the number of courses he offers, but he is one of our handful of instructors willing to commute to different towns where courses are needed; and he found a way to get this done in the very challenging times of COVID.

Licensing Presentation

Tara Reichert, License Operations Manager, presented an overview of the tag purchase processes for customers logging into the online license site during high volume sales. Included in this overview was a demonstration of the tag purchase workflow, highlighting the online pre-queue, the virtual waiting room, and the details of when and how a customer receives their place in the line to purchase a tag (Appendix 55, Exhibit 10). Staff from Brandt Information Services, the contracted license system vendor, were in attendance to assist with potential technical questions on how the license system functions.

REPORTS

Directors' Report

Director Schriever updated the Commission on department happenings and the written report stands as written.

Commissioner Reports

Commissioner reports stand as written (Appendix 55, Exhibit 11).

MISCELLANEOUS

Planning for Next Meeting

The next Commission meeting is planned for May 18–19 in McCall.

Executive Session


22-28 Commissioner Clezie moved and Commissioner Ebert seconded a motion to hold an executive session pursuant to Idaho Code 74-206(1)(f).

Roll Call Vote Ayes: Dave Bobbitt, Don Ebert, Tim Murphy, Greg Cameron, Lane Clezie, Derick Attebury, and Ron Davies.

Legal counsel discussed litigation matters.

22-29 Commissioner Clezie moved and Commissioner Ebert seconded a motion to move out of executive session with no action being taken. Motion carries.

Adjourn


Timothy M. Murphy
Chairman


Ed Schriever
Secretary