

**Idaho Fish and Game Commission
Special Meeting – August 22, 2019
Idaho Department of Fish and Game
15950 North Gate Boulevard
Nampa, Idaho**

August 22

Opening Comments / Agenda Changes

Chairman Meyers called the meeting to order at 11:00 and introduced Commissioners Corkill, Blanco, Cameron, Murphy, Clezie and Attebury.

Agenda changes: Season Setting for Fall Steelhead will be presented first, followed by Season Setting for Fall Chinook. Agenda item F. Rocky Point Conservation Easement will be presented after the executive session.

Introduction, Kenneth E. Wallen, Ph.D., University of Idaho, Human Dimensions

Dr. Kenneth Wallen is an Assistant Professor at the University of Idaho, Department of Natural Resources and Society in partnership with the Idaho Department of Fish and Game. His background includes a PhD from Texas A&M University in the human dimensions of natural resources and a MS from Oklahoma State University in zoology. His research focuses on human behavior, decision-making, and behavior change using psychology and other behavioral sciences with survey methods, experiments, and statistical models. He calls the Missouri Ozarks and Chicago home.

MANAGEMENT PLANS

Approval White-tailed Deer and Mule Deer Management Plan

Daryl Meints, Natural Resources Program Coordinator Deer & Elk, presented the final draft plans for Commission adoption (Appendix 52, Exhibit 47).

Background: Staff presented an overview of the status and content of the Mule Deer and White-tailed Deer Management Plan revisions at the Commission meeting in March, and provided a second update and a draft of the plans to the Commission at their May meeting. Staff provided an overview of public comments received on the draft plans at the July Commission meeting.

The intent of revisions to the Mule Deer and White-tailed Deer plans is to provide guidance for the Department and their partners to implement management actions that will aid in protection and management of Mule Deer and White-tailed Deer populations in Idaho and guide harvest season recommendations. These plans will function as the action plans for deer management in Idaho. Major issues that affect deer are identified, and set overall direction for deer management

during the next 6 years (2020-2025). These plans will guide the Department in annual work plan development and program prioritization, and provide guidance on development of regulatory recommendations.

The Department sought input on the draft Mule Deer and White-tailed Deer Management Plans from the public, interested groups, and affected agencies. The draft plans were posted on the Department's website on May 31, 2019 and the Department accepted comments through June 30, 2019. (31 days). On June 4, the Department sent an email to 60,531 resident regular and white-tailed deer hunters from 2016-2018. Again on June 19, the Department sent an email to 60,483 resident and 18,241 nonresident deer hunters. Regions held 11 Open Houses across the state to gather additional comments.

Staff reviewed and considered all comments received, and in response to this input, made improvements to the draft plans and prepared the final Mule Deer and White-tailed Deer Plans to present to the Commission for adoption.

The staff recommendation is for the Commission to adopt the Mule Deer and White-tailed Deer Management Plans (2020-2025).

19-77 Commissioner Clezie moved and Commissioner Corkill seconded a motion to adopt the staff recommendation to adopt the Mule Deer and White-tailed Deer Management Plans (2020-2025). Motion carries.

FISCAL

Fiscal Year 2021 Budget Approval

Michael Pearson, Chief, Administration presented the budget request (Appendix 52, Exhibit 48). The 2021 budget request package is due to the Governor's office on August 30, 2019

19-78 Commissioner Murphy moved and Commissioner Attebury seconded a motion to approve the State Fiscal Year 2021 budget request as presented. Motion carries.

SEASON SETTING AND RULES

Season Setting: 2019 Sage-grouse Season

Ann Moser, Wildlife Staff Biologist, presented the staff recommendations (Appendix 52, Exhibit 49).

Greater sage-grouse were a candidate for listing under the Endangered Species Act from 2010 until October 2015, when the U.S. Fish and Wildlife Service determined that listing sage-grouse as a threatened or endangered species was not warranted at that time.

The Department has been following the hunting season and bag-limit guidelines from the 2006 *Conservation Plan for the Greater Sage-grouse in Idaho*. Season frameworks are evaluated by comparing the 1996-2000 lek count averages to the most recent (2017-2019) three-year running

averages. Lek route data in each of 14 Reporting Zones is evaluated and compared to the guidelines.

The Commission sets sage-grouse hunting seasons in August, which allows managers time to evaluate lek data and determine whether wildfires or West Nile virus are affecting any sage-grouse populations in Idaho. Idaho's season-setting process allows for annual evaluations at the local level that considers circumstances that can change annually.

On May 27, 2015, Idaho Governor C.L. "Butch" Otter signed *EXECUTIVE ORDER NO. 2015-04 ADOPTING IDAHO'S SAGE-GROUSE MANAGEMENT PLAN*, which directs all executive agencies, to the extent consistent with existing state law, for relevant permits and policies, adopt the Governor's Plan and all supporting documentation. Governor Otter's Plan recommended adaptive regulatory triggers to evaluate population and habitat changes and respond to land management decisions. These population and habitat triggers were also formalized within the 2015 and 2019 BLM and FS greater sage-grouse plan amendments.

Since the formalization of Governor Otter's plan and the federal plans in 2015, the Department has increased our lek survey efforts to assure that we have accurate and sufficient data to evaluate population triggers. The Department is taking into consideration population triggers in our season-setting process.

Sage-grouse local working groups provided recommendations to their Region. A statewide press release was issued on proposed seasons. A notice asking for public input was posted on the Department's website. Regions accepted public input or directed the public to provide input through the website.

Trends of males on lek routes are the key parameter for selecting sage-grouse seasons. Statewide lek counts were down 25% from 2018 and down 52% from the high counts in 2016. Sage-grouse Reporting Zones 1, 2, 3A, 3B, 4A, 4B, 6, 7B, 7C, 8A, and 8B (see attached map) meet the restrictive season criteria. The population triggers analysis indicates caution in most areas north of the Snake River and in part of Owyhee County. Our recommendations are:

- The Department recommends the Restrictive 7-day season, 1 bird daily limit, for Zones 2, 3A, and 3B.
- The Department recommends expanding the closure in Zone 1 in Owyhee County. Last year we closed part of Zone 1 due to impacts from the 2015 Soda Fire. The Department proposes to expand the closure in 2019 due to documented declines outside the fire boundary as well.
- We are proposing a 2-day season, 1 bird daily limit, for Zones 4A, 4B, 6, 7B, 7C, 7D, 8A, and 8B. Zone 7D met the closed season criteria. This small area has few leks and research has documented connectivity with the surrounding zones. The Department is therefore managing it at the larger scale.

- Zone 5A qualifies for a closed season as <100 males were observed on leks in 4 of the last 5 years. The Commission closed Zone 5A in 2014 and the Department recommends continuing that closure.
- Zone 5 meets the closed season criteria due to lack of sufficient long-term data and low population numbers in most of the area.
- The West Central area (Washington and Adams counties) has a small sage-grouse population that has been closed to hunting since 1984.

19-79 Commissioner Attebury moved and Commissioner Blanco seconded a motion to adopt staff recommendations for the 2019 sage-grouse hunting season. Motion carries.

Season Setting: Fall Steelhead

Lance Hebdon, Anadromous Fish Manager, presented the proposal to make modifications to the existing steelhead seasons and limits (Appendix 52, Exhibit 50).

The steelhead forecast for 2019 is projected to be below average, especially for 2-ocean fish returning to the Clearwater River. Current counts of steelhead at Bonneville Dam are tracking consistent with the forecast. The low returns will necessitate the need to implement reductions to daily limits in the Snake and Salmon rivers and possibly in the Clearwater River.

The Commission sets the steelhead seasons annually during the general fishing rules cycle. The proposal is to modify the bag limit to one (1) steelhead statewide and a length limit in the Clearwater River and Snake River where Clearwater hatchery steelhead are encountered.

19-80 Commissioner Blanco moved and Commissioner Cameron seconded a motion to approve the proposed adjustments to the 2019 Steelhead seasons for Salmon, Clearwater, Snake and Boise rivers. Motion carries.

Season Setting: Fall Chinook

Lance Hebdon, presented the proposal (Appendix 52, Exhibit 51).

This agenda item concerns the setting of a fishing season for fall Chinook Salmon on the Clearwater, Salmon and Snake rivers for 2019. Sport fisheries for fall Chinook Salmon have been conducted each year since 2008. Fall Chinook Salmon broodstock needed for Snake River hatchery programs are collected at or downstream of Lower Granite Dam so there are no broodstock management concerns associated with sport fisheries.

Idaho Statute 36-104(b)2 gives the Commission the authority to make rule or proclamation establishing seasons and methods for taking of fish. Fishing rules are provided in IDAPA 13.01.11.

This is the twelfth year of proposing the fall Chinook Salmon fishery. Public meetings have been held to discuss Clearwater Seasons and an angler survey has been distributed widely via email and through individual communications.

Staff recommendation is to approve the 2019 Fall Chinook Salmon fishing seasons as proposed at the August 22 Commission meeting.

19-81 Commissioner Blanco moved and Commissioner Corkill seconded a motion to approve the Fall Chinook Salmon fishing seasons as presented by staff. Motion carries.

Order 19-44 Resident and Nonresident Fee Discounts for Wild Turkey Special Unit Tags

Jon Rachael, State Wildlife Game Manager, presented.

There are three types of Turkey tags: General tags, Extra tags, and Special Unit tags. A *General tag* is valid for spring and fall general seasons and may also be used during spring or fall controlled hunts in combination with a controlled hunt permit. If the general tag is not used to harvest a Turkey during the spring season, it may be used in the fall season. The *Extra tag* is a second tag available for use in spring or fall general hunt seasons; it may also be used for controlled hunts in combination with a controlled hunt permit. A *Special Unit tag* is valid for the fall season in Game Management Units 1, 2, 3, or 5, and also for any designated turkey depredation hunt in the state.

In 2004, the Commission discounted the price of resident Extra Turkey tags from \$19.75 to \$12.25 (including vendor fee) with the intent to increase hunting opportunity, reduce turkey populations, and eliminate spring Controlled Hunt Turkey tags. In 2017, the Commission reauthorized these discounts.

In 2008, the Commission discounted the price of Special Unit Turkey tags from \$19.75 to \$5.00 for residents, and from \$80.00 to \$5.00 for nonresidents, with the intent to reduce turkey populations in Units 1, 2, 3, and 5, and in designated depredation hunts statewide. In 2017, the Commission reauthorized these discounts.

The Commission is authorized to order a discount in tag fees under the authority of Idaho Code Section 36-415, based on a finding of biological and public need to encourage participation in hunting.

Turkey populations remain strong in north Idaho. Special Unit tags are a valuable and effective tool for managers to use in areas where turkey populations have exceeded social tolerance.

Staff recommends continuing the current discounts for resident Extra Turkey tags. Staff proposes to continue the existing discounts for resident and nonresident Special Unit Turkey tags (Appendix 52, Exhibit 52).

19-82 Commissioner Murphy moved and Commissioner Attebury seconded a motion to adopt the staff recommendation to continue the discount for resident extra turkey tags and to continue the discount price of \$5.00 for both resident and nonresident special Unit Turkey tags upon signature of the director. Motion carries.

REPORT

Recovering Americas Wildlife Act (RAWA) Update and Supporting Resolution

Toby Boudreau, Chief, Wildlife, presented.

HR3742, the “Recovering America’s Wildlife Act of 2019”, was introduced into the House of Representatives of the 116th Congress on July 12, 2019. This national, bipartisan legislation is the direct result of a recommendation from the Blue Ribbon Panel on Sustaining America’s Diverse Fish and Wildlife Resources. The bill proposes to amend the Pittman-Robertson Wildlife Restoration Act to make supplemental funds available for management of fish and wildlife species of greatest conservation need as determined by State fish and wildlife agencies. It recommends that \$1.3 billion in existing revenues from the general U.S. Treasury fund be invested annually in fish and wildlife conservation through the Wildlife Conservation and Restoration Program under the Pittman-Robertson Act. The Wildlife Conservation and Restoration Program was created in statute in 2000 to provide funding to states to develop and implement State Wildlife Action Plans to conserve the full array of fish and wildlife, and support wildlife conservation education and wildlife-associated recreation. Without new funding, the existing model puts a disproportionate burden on hunters, recreational shooters, anglers, and boaters, and is insufficient to meet the needs of thousands of species and their associated habitats. (Appendix 52, Exhibit 53).

Staff recommends the Commission adopt the resolution supporting the recommendation of the Blue Ribbon Panel on Sustaining America’s Diverse Fish and Wildlife Resources.

Commission consensus is to not take any action and defer until the November meeting.

SEASON SETTING AND RULES

Landowner Permission Hunts for Turkeys

Jon Rachael, State Wildlife Game Manager, presented.

In recent years, localized turkey populations have expanded and created depredation conflicts on private lands. In addition to turkey depredation issues, landowners who provide valuable turkey habitat in controlled hunt areas have expressed frustration at being unable to hunt turkeys on their own property because of low controlled hunt drawing odds.

In 2018, the Department initiated rulemaking to create a rule to provide the Commission authority to establish Landowner Permission Hunts (LPH) for turkeys. Establishment of these rules now allows for implementation of LPH hunts for turkeys. This provides the Department

and landowners with an additional tool and the latitude to help alleviate turkey depredation issues and increase social tolerance for turkey populations on private lands.

Staff recommendations for fall 2019 turkey LPH include:

- Add two new fall Landowner Permission Hunts in portions of GMUs 22, 31, 32 on private lands for hens only. Proposed tag limit is 50 tags for each hunt and seasons would run from December 1 – December 31 and January 1 – February 14, respectively.
- Add two new fall turkey Landowner Permission Hunts in GMU 38 on private lands for hens only. Proposed tag limit is 50 tags for each hunt and seasons would run from September 1 – December 31 and January 1 – March 30, respectively.

19-83 Commissioner Attebury moved and Commissioner Blanco seconded a motion to adopt the staff recommendations to adopt the proposed Landowner Permission Hunt seasons for turkeys. Motion carries.

MISCELLANEOUS

Executive Session I. C. 74-206 (1) (c)(f)

19-84 Commissioner Clezie moved and Commissioner Corkill seconded a motion to hold an executive session pursuant to Idaho Code 74-206 (1) (c)(f).

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

19-85 Commissioner Clezie moved and Commissioner Cameron seconded a motion to come out of executive session and noted no action taken.

Open Session

Position on Litigation Regarding Black Bear Bait on National Forests in Idaho and Wyoming

Kathleen Trever, Deputy Attorney General asked the Commission for direction on the lawsuit pending in federal district court in Montana. This litigation asks the Court to require action by the U.S. Forest Service and U.S. Fish and Wildlife Service regarding the allowance of bait in state-regulated hunting of black bear on national forest lands in Idaho and Wyoming. She gave an overview of the areas where the Commission has long-standing restrictions on the use of bait in grizzly bear recovery zones in Panhandle and Upper Snake Regions (Selkrik/Cabinet ranges and Greater Yellowstone).

19-87 Commissioner Corkill moved and Commissioner Attebury seconded a motion to direct legal counsel to seek intervention and participate in litigation pending in federal court to protect

the Commission's interests in state-regulation of baiting in the hunting of black bear. Motion carries.

LANDS

Rocky Point Conservation Easements

Gregg Servheen, Wildlife Program Coordinator presented.

Rocky Point has been identified by the Department as one of the top five priority areas to protect big game migration corridors and winter range. The Rocky Point wildlife migration project is a two phase project that intends to protect the mule deer migration of approximately 3-4000 mule deer that migrate biannually across US highway 30 at Rocky Point. The project intends to first protect the current use of lands providing mule deer habitat both north and south of the highway and then to construct wildlife crossings under US 30 to reduce wildlife-vehicle collisions and provide migrating mule deer safe passage across US 30. For phase one, IDFG proposes to purchase two conservation easements to insure permanently protection of 1,844.79 acres of private land in the core of the mule deer migration corridor adjacent to highway 30 in Southeastern Idaho.

The two conservation easements will be purchased from Dustin and Jentz Skinner. The terms of both conservation easements are largely identical and will allow for continued livestock grazing and ranching, eventual replacement of fencing with wildlife friendly fencing, walk in public access providing for hunting, fishing, trapping and viewing, some limited construction in identified areas, and no subdivision, commercial use, game farming or depredation claims, and continuing support for any/all US 30 wildlife crossing structures. Both easements will be held by the Commission and in precluding future development, subdivision, and industrial use, will ensure that the land remains a big game migration route, winter range is protected, and current dryland grazing uses can be continued by the landowners.

Acquisition costs for both easements, as determined by appraised value, will total \$1,275,000. Funding for the easements includes contributions by the following partners: \$250,000 from the Knobloch Family Foundation, \$150,000 from the Greater Yellowstone Coalition, \$125,000 from the National Fish and Wildlife Foundation, \$125,000 from the Idaho Fish and Wildlife Foundation, \$40,000 from the now defunct SE Mule Deer Foundation, \$6,000 from the Muley Fanatics, and \$2,500 from the Center for Large Landscape Conservation for a total of \$698,500 in partner funding. The remaining \$576,500 in acquisition cost as well as the estimated \$28,000 in due diligence costs will be funded by IDFG license monies.

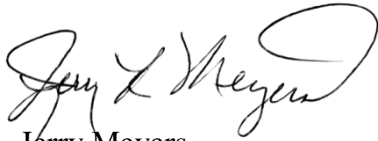
This property was previously presented to the Commission during Executive Session in May 2018.

19-86 Commissioner Clezie moved and Commissioner Cameron seconded a motion to acquire the Rocky Point Conservation easement in Southeastern Idaho. Motion carries.

MISCELLANEOUS

Tour Weiser River Ranches

Commissioners Corkill, Blanco, Murphy, Cameron, Attebury and Meyers participated on the tour. Commissioner Clezie did not attend.



Jerry Meyers
Chairman



Ed Schriever
Secretary