

**Idaho Fish and Game Commission
Quarterly Meeting
November 13-14, 2019
Idaho Department of Fish and Game
Southeast Regional Office
Pocatello, Idaho**

November 13

MISCELLANEOUS

Commission Field Tour Sterling WMA

Commissioners Brad Corkill, Brad Melton, Tim Murphy, Greg Cameron, Lane Clezie, Derick Attebury and Jerry Meyers participated on the tour.

Executive Session

19-90 Commissioner Cameron moved and Commissioner Corkill seconded a motion to go into executive session under Idaho Code 74-206 subsections 1(d) and 1(f). Roll Call Vote Ayes: Brad Corkill, Brad Melton, Tim Murphy, Greg Cameron, Lane Clezie, Derick Attebury and Jerry Meyers.

The executive session discussed the contents of records, exempt from public disclosure (legal advice memorandum and pre-bid award estimate) and pending litigation.

19-91 Commissioner Cameron moved and Commissioner Clezie seconded a motion that the Commission come out of executive session with the record to reflect no final action was taken. Motion carries.

Public Hearing

Chairman Meyers called the meeting to order at 7:00 p.m. with Commissioners Brad Corkill, Brad Melton, Tim Murphy, Greg Cameron, Lane Clezie and Derick Attebury in attendance. Chairman Meyers reviewed the rules of conduct for the hearing and reported that all public comments would be reviewed by the Commission at the Thursday meeting. Department staff is available after the meeting to answer questions. Introduction of Director Ed Schriever and staff followed.

The following individuals provided public comment: Jamie Newman, Gretchen T. Vanek, Justin Webb, Matt Borg, Mike Larkin, Tim Norton, Mike Settell, Russ Hendricks, Sarah Jackson, and Rusty Kramer.

Written Comments were received from: Keith Carlson, Fred Trevey and Will Godfrey (Appendix 52, Exhibit 55).

November 14**Opening Comments**

Chairman Meyers called the meeting to order at 8:00 a.m. with all Commissioners present.

MISCELLANEOUS**Agenda Changes**

Chairman Meyers reported that agenda item # 10. Discussion of House Bill 3742, Recovering America's Wildlife Act of 2019 will be presented after the consent calendar on the agenda.

Review of Public Comment

Director Schriever and Commissioners discussed and reviewed the public comments.

Topics included:

- Constituent concerns about beaver management and abundance in the southeast region.
- Commission consideration on changing the rule for wolf snares, cable stops, breakaways and use of diverters. Require either a breakaway or loop stop.
- Climate change and asking leadership to look at alternate energy forms on department-owned buildings.
- Comments about beaver watershed health.
- Upcoming scoping and public comment for the furbearer season setting.

CONSENT CALENDAR**Consent Calendar Items**

- Minutes May 16-17, June 13, June 24-26, July 24-25, August 12, August 22 and September 20, 2019
- Financial Report

19-92 Commissioner Clezie moved and Commissioner Cameron seconded a motion to approve the minutes as presented in the consent calendar. Motion carried.

19-93 Commissioner Attebury moved and Commissioner seconded a motion to approve the financial report as presented in the consent calendar. Motion carried.

REPORT**Discussion of House Bill 3742, Recovering America's Wildlife Act of 2019**

Jen Mock Schaeffer, Government Affairs Director, AFWA, presented a briefing and update (Appendix 52, Exhibit 56) followed by a discussion with the Commission.

LANDS

Dudley Land Parcel for Surplus List

Gregg Servheen, Wildlife Program Coordinator presented.

In 1982 Mr. Lloyd Harding donated 11.20 acres to the Department in Kootenai County. While the majority of the donations were located near Swan and Cave Lakes on the Coeur d'Alene Wildlife Management area, there was a small (5000 ft²) parcel that was also part of the donation but isolated from the other properties and surrounded by private ownership. As a result, it only recently came to the attention of the Department that the property had been encroached on by the neighbor, who has built a barn/shed on a majority of the property. Given this and the size and isolation of the property, it has been proposed that the property be surplus.

This property was previously presented to the Commission during Executive Session in August 2019.

The Lands Committee recommends the parcel be surplus and offered for auction by the Land Board/Department of Land disposal process.

19-94 Commissioner Attebury moved and Commissioner Corkill seconded a motion to approve the property as surplus. Motion carried.

FISCAL

Headquarters Office Resolution for Bonding Construction

Hilarie Engle, Foundation Development Coordinator, provided background information on the status of the bonding process for the Headquarters office building.

Since July of 2019, the Idaho Fish & Wildlife Foundation (Foundation) and the Department have been actively engaged in designing and obtaining financing for a new headquarters office building (72,000+ sq. ft.) to replace the existing facility on Walnut in Boise (the "Project"). Once completed, the Project will be specifically tailored to the unique needs of the Department and will serve as the primary workstation for 170 full-time staff as well as seasonal staff (at present, the headquarters facility can only house about 70 of the 170 employees assigned to the headquarters location).

Other agencies involved in the Project include the Department of Administration and relevant authorities over State of Idaho administrative sites. With their assistance, the Department and the Foundation have entered into a ground lease and an annual appropriation lease relative to the Project.

To finance the Project, the Foundation will be issuing bonds in the aggregate amount not to exceed \$21,000,000 (the "Bonds"). The annual lease payments under the appropriation lease are up to \$1,200,000 per year and will be used to pay debt service on the Bonds.

The Foundation has engaged Glancey Rockwell & Associates to design the Project. Glancey Rockwell is familiar with project needs having served as the architect for a number of IDFG regional offices, including the recently opened Region 3 Office Building. Construction is anticipated to commence late summer 2020 with a completion date of December 2021, and staff move in early Spring 2022.

IRS rules allow the Foundation to issue tax-exempt Bonds on behalf of the Department. To comply with IRS rules, the Commission, in its management and oversight role for the Department, must first approve the purposes and activities of the Foundation and the issuance of the Bonds. The Commission must additionally agree to accept full legal and unencumbered title to the Project upon retirement of the Bonds. For these reasons, the Commission is being provided the principal financing documents and, by adoption of the provided resolution, approving said documents, the issuance of the Bonds, and agreeing to accept title upon retirement of the same. Notwithstanding said approval, the Bonds, once issued, remain the obligation of the Foundation as set forth in the financing documents.

Adam Christensen, Public Finance Group, Hawley Troxell, provided a brief overview of the bonding documents.

19-95 Commissioner Murphy moved and Commissioner Corkill seconded a motion:

The Idaho Fish & Game Commission adopt and approve the provided resolution relative to the financing of the new Idaho Department of Fish & Game Headquarters office building, including the following items as more specifically set out in said resolution:

1. Approval of the purposes and activities of the Foundation in financing the Project and the issuance of the Foundation's Bonds for said purpose.
2. Agreement to accept title to the Project upon retirement of the Bonds.
3. Ratification of the Ground Lease and Appropriation Lease previously entered into by and between the Foundation and the Department.
4. Approval of the substantially final forms of the:
 - a. Trust Indenture
 - b. Tax Certificate
 - c. Preliminary Official Statement (POS)
 - d. Continuing Disclosure Agreement
5. Authorization of such further acts as are necessary to carry out the intent of the Resolution and the transactions contemplated therein.

Motion carried.

SEASON SETTING AND RULES

Ratification of Pending Rules

Review of Public Comment on Proposed Rules (information only)

Paul Kline, Deputy Director, reported on the:

Rulemaking Schedule:

- Commission adopted Temporary and Proposed rules on May 17, 2019.
- Proposed rules published in special Bulletin on June 19, 2019.
- First 21-day comment period June 19-July 9, 2019.
- No comments received during this open comment period.
- Public Hearing held Tuesday October 1, 2019.
- One comment received in support of omnibus rulemaking language.
- One comment received from the Idaho Office of Species Conservation supporting proposed efficiency edits to IDAPA 13.01.06 (endangered species classifications).
- Next steps:
- Proposed Omnibus Rules are before the Commission to consider adopting as Pending Rules (Action).
- Pending Rules to be published in the November 20, 2019 Bulletin.

Omnibus Rulemaking

Kathleen Trever, Deputy Attorney General, presented a summary of changes between proposed and pending rules for the reauthorization of IDAPA 13 Fish & Game Administrative rules (Appendix 52, Exhibit 57).

19-96 Commissioner Attebury moved and Commissioner Clezie seconded a motion that the Commission adopt as pending rules the Omnibus package as presented by staff, recognizing the Commission's adoption of independent rule dockets, and authorizing staff to fix typographical errors and make similar clerical corrections. Motion carries.

Independent Rulemaking

Paul Kline, Deputy Director, reviewed the public comment process and comments received for the wolf snare rule.

Docket No. 13-0117-1901, Proposed Rule: Establishes gear requirements for snares when trapping wolves. Removes the requirement to use diverters on snares when trapping and requires that both a cable stop on the snare loop and a break-away device on the cable be used.

For Rule Docket No. 13-0117-1901 (gear for wolf snares), staff presents two options for the Commission to consider based on public input: 1) Pending rule language with a requirement for both a break-away device and loop stop or 2) Pending rule language with a requirement for either a break-away device or a loop stop. In both options, the Pending Rule language removes the diverter requirement on a statewide basis, while allowing the Commission to require diverters on a selective geographic basis if the Commission determined their use was warranted based on non-target capture.

19-97 Commissioner Corkill moved and Commissioner Cameron seconded a motion that the Commission adopt Alternate 2 as the pending rule regarding wolf snares, which deletes the diverter requirement with discretion to apply it on a limited basis, and keeps the requirement for use of either a stop or a breakaway. Motion carries.

Independent Rulemaking Continued

Paul Kline reviewed the following four remaining rules:

- 1) **Docket No. 13-0108-1903, Proposed Rule:** Reduce tag buyer congestion for highly competitive, capped general season tags. Establishes a waiting period (e.g., up to five (5) days) for controlled hunt applicants to buy big game tags for limited availability, capped zone hunts.
- 2) **Docket No. 13-0108-1904, Proposed Rule:** Manage nonresident participation in general season big game hunts. Establishes Commission authority to manage the number of nonresident, general season deer and elk tags to no less than 10% of the average total participation level by unit or zone over the most recent five (5) year time period.
- 3) **Docket No. 13-0109-1902, Proposed Rule:** Allows Hunting Passport holders eight (8) and nine (9) years in age to possess a turkey tag for general season turkey hunts, youth-only general hunts, turkey landowner permission hunts and depredation hunts. Provides authority to the Commission to designate where possession of an Upland Game Bird Permit is required to hunt and possess stocked pheasants.
- 4) **Docket No. 13-0110-1901, Proposed Rule:** Provides Commission authority to ban the importation of live mule deer, white-tailed deer, moose and wild-origin elk (not regulated by the Idaho State Department of Agriculture) to reduce the risk of chronic wasting disease (CWD) being introduced in Idaho.

19-98 Commissioner Corkill moved and Commissioner Clezie seconded a motion that the Commission adopt the remaining four independent dockets as pending rules as presented by staff, and direct staff to conform other un-amended language in all independent rule dockets to language of the omnibus package or as otherwise directed by the Office of the Governor for bulletin publication. Motion carries.

Review of Commission Technical Comment Policy

Kathleen Trever, Deputy Attorney General, presented.

Background: In November 2011 the Commission adopted a policy on Department Technical Comments, such that all formal public comments to any public or private decision authority be prefaced at the top of the document with the following language:

THE IDAHO DEPARTMENT OF FISH AND GAME DOES NOT SUPPORT OR OPPOSE THIS PROPOSAL. THE PURPOSE OF THESE COMMENTS IS TO ASSIST THE DECISION-MAKING AUTHORITY BY PROVIDING TECHNICAL INFORMATION ADDRESSING POTENTIAL EFFECTS ON WILDLIFE AND WILDLIFE HABITAT AND HOW ANY ADVERSE EFFECTS MIGHT BE MITIGATED.

Legal staff requested that the Commission review this policy as it relates to the Commission's current objectives and in light of administrative procedures for various entities whose decisions may affect Idaho's fish and wildlife resources.

19-99 Commissioner Melton moved and Commissioner Murphy seconded a motion to move to rescind the November 2011 Technical Comment Policy and direct the Department to update the Commission in 2020 regarding the Department's technical comment framework. Motion carries.

SEASON SETTING AND RULES

Season Setting: Proposal to Extend Fishery Restrictions for Steelhead

Jim Fredericks, Chief, Fisheries presented the proposal (Appendix 52, Exhibit 58).

The Commission took action in August to restrict the bag limit for steelhead statewide and took action in September to close the steelhead fishery in the Clearwater River and lower Snake River to protect broodstock returning to Clearwater River hatchery facilities.

Idaho Statute 36-104(b)2 gives the Commission the authority to set fishing seasons. Rules governing fish are provided in IDAPA 13.01.11.

Public input was received as part of the three-year season setting process that established the 2019-2021 steelhead seasons and rules.

Staff recommendation is to extend the current restrictions for the 2020 spring steelhead fisheries.

19-100 Commissioner Melton moved and Commissioner Clezie seconded a motion to extend the current restrictions for the 2020 spring steelhead fisheries in the Salmon and Snake rivers. Motion carries.

REPORTS

Discount for Lifetime License Certificate Holders for Resident Senior Hunting and Fishing Licenses

Michael Pearson, Chief, Administration, presented.

The Department began offering Lifetime Certificates for Hunting, Fishing, and Combination beginning in 1985 with a corresponding price structure for time of purchase and type of privilege. Since at least 1976, the Department has only one type of license for resident seniors – a combination license.

As the population of those with a Lifetime Certificate has aged, the Department has experienced more resident certificate holders with a single privilege that have reached age 65, and desire to “upgrade” and add the opposite privilege.

Current practice has been to sell those resident seniors a combo for \$11.75, which *is the same price for a resident senior without a Lifetime Certificate*. By issuing this item at full price, Lifetime Certificate Holders are not receiving any recognition of the substantial investment they have made in purchase of their hunting or fishing certificate.

The Department recommends discounting the Senior Resident Combination License for Lifetime Certificate Holders to \$6 (inclusive of vendor fee) in recognition of their investment and to provide for consideration of the privilege they already have.

At this time, the Department estimates that this discount will apply to 921 Lifetime Hunters and 1,244 Lifetime Anglers.

This discount would not apply to nonresident Lifetime Certificate holders, as there are individual privileges available for sale for them to upgrade. This discount would also not apply to resident adult Lifetime Certificate holders under the age of 65.

Departmental staff have received negative feedback from resident Lifetime Certificate Hunting or Fishing holders that if they want to purchase the opposite privilege, they have to do so at full price without consideration of the investment already made. Idaho Code does not have a price for a “Resident Senior Fishing License” or a “Resident Senior Hunting License”, thus the Department does not offer these items. By discounting the Resident Senior Combo licenses for those who hold a Lifetime Hunting or Lifetime Fishing, the Department can “upgrade” these customers and provide consideration for their existing investment in Idaho’s Wildlife by purchase of a Lifetime Certificate.

Staff Recommendation: The Commission Order a discount Resident Senior Combo Licenses for holders of a Lifetime Hunting Certificate or a Lifetime Fishing Certificate to \$6, inclusive of the vendor fee.

19-101 Commissioner Attebury moved and Commissioner Clezie seconded a motion to adopt the staff recommended discount order for a three-year period beginning December 1, 2019 through December 31, 2022. Motion carries.

Idaho Fish & Wildlife Foundation Report

Hilarie Engle, Foundation Development Coordinator, reported that IFWF/IDFG are actively working together on the design and bonding process for the Headquarters building. On November 4th, the City of Boise Planning & Zoning Commission will hear the request for a Conditional Use Permit. Currently the timeline is as follows:

- November 2019-CUP Approval
- December 2019-Bond Close
- Spring 2020-Building Permit Issued
- Late Summer/Fall 2020-Construction Commences
- Spring 2022-Move In

Appoint IFWF Representative

The Idaho Fish & Wildlife Foundation's (IFWF) Board of Directors has a Memorandum of Understanding (MOU) with the Department of Fish and Game and the Fish and Game Commission. A term of the MOU is that the Commission will designate a Commissioner who may attend IFWF board meetings as the liaison between IFWF and the Commission. The Commission designates a liaison annually. The 2019 Liaison was Commissioner Cameron.

19-102 Commissioner Attebury moved and Commissioner Clezie seconded a motion to reappoint Commissioner Greg Cameron to serve as the 2020 Commission Liaison to the Idaho Fish & Wildlife Foundation. Motion carried.

LEGISLATION

Legislative Update

Paul Kline, Deputy Director provided the update. The Department has 2 legislative proposals that have been approved by the Governor's office.

- **Proposal #1**: Establishing statutory authority for the Commission to issue an Upland Game Bird Permit that must be purchased to hunt stocked pheasants on nine (9) WMA properties and other properties approved by the Commission.
- **Proposal #2**: The proposal to change statute to reflect an increase in nonresident license, tag and permit fees to offset potential declines in sales and revenue associated with lower non-resident participation anticipated if rulemaking is approved (and acted on) that provides the Commission the authority by proclamation to manage the number of nonresidents participating in general season big game hunts.

Mr. Kline reviewed the previous Commission legislative process including weekly Commission conference calls and legislative analysis to gain Commission guidance for the upcoming 2020 session. During several previous sessions, the Commission has chosen to meet via weekly conference call to evaluate legislative proposals related to fish and wildlife management and administration of the Department and determine whether a policy position is warranted. Calls have typically occurred on either Wednesday or Thursday mornings at 8 a.m. MST.

Commission consensus is to continue with the weekly legislative conference calls commencing on January 30, 2020 at 8:00 a.m. MST.

FISCAL

Update About Revision to FY 21 Budget

Michael Pearson, Chief, Administration, presented (Appendix 52, Exhibit 59).

During the July Commission meeting, the preliminary figures were presented for the FY21 budget request which was due to the Governor's Office by August 30. On August 22nd, the Commission voted to approve the FY21 budget request which had minimal changes from July.

Since approval by the Commission and submission to the Governor, the Department has become aware of budget items that needed to be added to this request. Changes made since the initial submittal in August include:

1. Addition of an enhancement for \$750,000 for the new licensing system contract.
2. Minor updates to employee benefit costs, CEC, and statewide cost increases.

REPORT

Update About Hunter Congestion / Hunter Survey

Jon Rachael, State Wildlife Manager, introduced Dr. Wallen.

To begin the process of addressing hunter congestion, the Commission has proposed a rule awaiting legislative approval that would give the commission authority to limit nonresident participation in general deer and elk hunts. In addition, the Department will introduce a bill in this legislative session to increase the cost of nonresident fees. The Department will survey and monitor resident hunter response to these proposed actions and respond accordingly to further address hunter congestion issues in a phased approach.

IDFG staff and the University of Idaho Human Dimensions staff will engage sportsmen to assess their perspectives on crowding and potential solutions in a phased approach.

Dr. Kenneth Wallen, University of Idaho, provided an update on Hunter Crowding and Hunter Crowding Project Outline (Appendix 52, Exhibit 60). It is important to distinguish between density and crowding. Whereas density is an objective measure of users per unit area, crowding is a subjective social psychological perception defined as a negative evaluation of user density or encounters in a specific context among a specific user segment. Density and crowding are variables that influence social carrying capacity, which refers to the level or type of use beyond which the effect on user experience exceeds acceptable levels.

MANAGEMENT PLAN

Draft Moose Plan Update

Josh Rydalch, Regional Wildlife Biologist, provided an overview of the draft Moose Management Plan (Appendix 52, Exhibit 61).

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 affect moose are identified, which set overall direction for moose management during the next 6 years (2020-

2025). This plan will guide the Department in annual work plan development and program prioritization, and provide guidance on development of regulatory recommendations.

No formal action is requested at this time. Staff seeks Commission concurrence to release the Draft Moose Management Plan to the public, agency partners, and interested organizations for further comments. Staff will revise the draft based on input received with intent to complete a final plan to present to the Commission for approval and adoption in 2020.

Commission consensus is to release the draft plan for a 30-day public comment period.

Moose Monitoring Update

Hollie Miyasaki, Wildlife Staff Biologist, provided an update on moose health surveillance and how we are using samples from hunter harvested moose. The update included a description of hunter harvest kits and samples, and an overview of hunter participation based on samples collected through November 1. The Department has asked successful moose hunters to provide samples from their harvested moose during the 2019 hunting season to aid us in assessing moose health status. Radio-collaring and monitoring moose will begin this winter.

SEASON SETTING AND RULES

Furbearer and Upland Game Season Setting Preview

The Commission has unique authority to establish seasons via proclamation rather than through IDAPA rulemaking. The Commission typically sets upland game and furbearer seasons biennially in even-numbered years. Although seasons are set biennially, the Commission has authority to make season adjustments to address critical needs in off-cycle years. The Commission's proclamation authority includes setting seasons, limits, sex, and harvestable species.

Staff recommendations for upland game and furbearer seasons are the culmination of a year-round process that starts with management direction and objectives in Commission-adopted species management plans. Initial proposals for changes to seasons and bag limits result from annual population and harvest monitoring. Additionally, year-round public input received at Commission hearings and open houses, from individual sportsmen, and from collaborative work with sportsmen's groups may initiate change. Proposals are vetted internally in discussions among regional biologists, conservation officers, and headquarters staff, then provided to the public statewide for input at open houses, through mailed (and/or emailed) surveys, and through the Department's website during a 2-3 week period, typically November-December.

After evaluation of public input, regional staff develop and submit their recommendations to the Wildlife Bureau. Wildlife Bureau staff consolidate regional proposals and ensure compliance with management plan direction and compatibility and consistency across regional boundaries. With concurrence of Director's office staff, the Commission receives a final package of recommendations for action at the January meeting.

Jeff Knetter, Upland Game & Migratory Bird Coordinator, provided a preview of the key preliminary proposals for the 2020 -2021 Upland Game and Turkey Season Setting process (Appendix 52, Exhibit 62).

Cory Mosby, Staff Biologist, provided a preview for the key preliminary proposals for the 2020-2021 Furbearer Season Setting proposals (Appendix 52, Exhibit 63).

REPORTS

Update on iWILD License System Procurement

Michael Pearson, Chief, Administration, provided the update.

On March 1, 2018 the Department transitioned its license sales system to a new third party contractor, JMT. Since that time, the new system experienced issues which led to delays in draw results, system outages, and frustrated sportsmen and women.

In response the Department and JMT finalized the service contract amendment to shorten performance from the original expiration to 11/30/2020.

In June of 2019, a solicitation was posted in coordination with the Idaho Division of Purchasing (DOP). Since that time, the Department has been actively working with DOP to receive, evaluate, and score the proposals to replace the Licensing system in time for a go-live of December 1, 2020. The Department will brief the Commission at its January meeting on the selection.

Big Game Tag Rain Check / Refund Update

Michael Pearson, Chief, Administration, provided the update on the statistics for those requests received during 2019 that fall within the Commission's delegated authority to the Director (Appendix 52, Exhibit 64).

The Commission has provided the Director delegation of authority for rainchecks and refunds in the interest of efficiency and customer service due to the frequency and fact-specific nature of these requests.

The delegation *excludes* rainchecks or refunds for antlered Moose, Bighorn Sheep, or Mountain Goat tags, including the affiliated license; any controlled hunt tags awarded via auction or lottery, including Superhunt; and any controlled hunt tags for big game hunts that have drawing odds less than 5% as calculated by the total number of tags divided by the total number of first choice applicants.

Update on 2nd Tag Sales

Michael Pearson, Chief, Administration, provided the update.

Per Commission Rule, any unsold nonresident deer or nonresident elk tag may be sold to residents and nonresidents as a second tag, at the nonresident price, beginning August 1 of each year.

Starting in 2014, the Commission strategically discounted these 2nd tags for both deer and elk in a marketing effort. This discount was implemented again for both deer and elk with adjustments for 2015, and in 2016 a discount was only offered for 2nd elk tags. Starting in 2017, discounts have not been considered due to the strong sales trends of nonresident deer and elk tags overall.

The following graphs and charts show how many first and second nonresident tags were issued and the distribution between residents and nonresidents (Appendix 52, Exhibit 65).

Nonresident Tag Summary

Michael Pearson, Chief, Administration, provided the update.

In July 2019 the Commission did not take up a decision to discount *second* nonresident elk and deer tags due to strong sales throughout the calendar year, with nonresident elk tags anticipated to sell out in early August. At the time of this writing, both nonresident elk tags and nonresident deer tags have completely sold out, with both selling out earlier than in 2018 or 2017.

This update provided the latest sales figures and trends for both nonresident deer and elk tags (Appendix 52, Exhibit 66).

MISCELLANEOUS

Association of Fish and Wildlife Agencies (AFWA) “Ernest Thompson Seton Award”

The team was awarded the Ernest Thompson Seton Award by the Association of Fish and Wildlife Agencies (AFWA) at the September conference. The purpose of the award is to promote the scientific management of wildlife resources by bringing to the attention of the public the need for and benefits of scientific wildlife management; and to recognize the agency which has taken a strong position in support of the integrity of its professional program.

Team: Jim Fredericks, Curtis Roth, Brett High, Matt Campbell, Dan Schill, Tony Lamansky, Joe DuPont, Joe Kozfkay, Don Whitney, Kevin Meyer, Brett Bowersox, Luciano Chiamonte, Josh McCormick, Darcy McCarrick, Idaho Department of Fish and Game; and Dr. Mike Quist, University of Idaho.

Over the last several years, there has been increasing concern over potential mortality associated anglers removing fish from the water. The scientific discussion surrounding the issue was based largely on one laboratory study using simulated angling and hatchery trout. By the authors own admission, the results weren't applicable to wild trout. Though the science on the impacts of air exposure to individual fish, their progeny, or populations was incomplete, fish welfare advocates and some well-intentioned but misinformed anglers have called on fishery managers to implement restrictive fish-handling regulations. Recommended actions included limiting the

time a fish can be held out of the water or prohibiting the action entirely. Some fishery managers believed such restrictions were unwarranted and unlikely provide meaningful conservation benefits. Moreover, they were concerned that prohibiting removal of fish from the water prior to release would unnecessarily deny an angler of the opportunity to capture the memory with a photograph. Additionally, there was a very real concern that focusing the attention of anglers' and policy makers' on an issue that has little conservation benefits is counterproductive at best, and potentially vilifies and divides anglers.

Beginning in 2015, the AERO team identified the potential significance of this issue and the need to inform the discussion with more complete research. The group designed and implemented a suite of companion research studies in close collaboration with the Cooperative Research Unit at the University of Idaho (UI). Over a three year period, the group meticulously worked to answer each question using straightforward, scientifically sound, and sometimes novel approaches. As the projects were completed and the results were interpreted, the researchers and associated fishery managers actively and vigorously communicated the results to both professional and lay audiences.

Research projects included:

- Covert observation of steelhead and trout anglers to assess the actual duration of air-exposure prior to release.
- Evaluation of recapture (and relative survival) rates of wild trout caught, exposed to air for varying duration of time, marked and released in a natural environment.
- Assessment of survival of spawning adult trout captured at a weir during their spawning migration, exposed to air for varying durations, and subsequently recaptured after spawning.
- Assessment of the relative production of progeny of the different treatment groups (air exposure duration) of spawning adult trout captured at the weir using genetic parentage based tagging.
- Assessment of relative "eye-up survival" rates of steelhead eggs collected from adult treatment groups subjected to varying amounts of air-exposure.

In total, these studies demonstrate air exposure duration of up to one minute resulted in no decreases in survival of either adult trout, steelhead, or the progeny of either species. Moreover, angler observation studies demonstrated anglers rarely hold fish out of the water for a duration that would affect survival. The research demonstrated air exposure is not a population-level conservation concern, and while continuing to promote good fish handling practices is important, regulating time out of water is unnecessary.

Recognizing that conducting the research and developing the science on the impacts of air exposure in trout and steelhead fisheries was only part of the challenge, the group initiated a massive outreach effort, both with public and scientific audiences. Their work has been featured in various news media articles and social media posts, published in multiple peer reviewed journal articles, and presented at several professional meetings.

FISCAL

Review of IDFG Range Grant Program

Brenda Beckley, Hunter & Angler Recruitment Manager (Appendix 52, Exhibit 67).

The Idaho Fish and Game (IDFG) has owned and operated public shooting ranges since 1946 with the opening of Farragut Shooting Range in Athol, Idaho and later Blacks Creek Shooting Range in 1980. IDFG additionally operates Nampa Rod and Gun club/Nampa Bow chiefs and Valley County Gun Club. Following the implementation of mandatory hunter education in 1980, partnerships with ranges and gun clubs grew throughout the state. Today, the department operates a range grant program for public ranges funding projects that increase opportunities for the public to learn and improve shooting skills in a safe environment. Idaho Code 36-412A directs fines and forfeitures remitted for violations of fish and game laws shall be used for the improvement of local shooting ranges not to exceed \$125,000 each year and no single range can receive all of the money in any single year.

The Department enhanced fiscal resources for public ranges when the program received an annual \$400,000 bump in Pittman Robertson (PR) funding beginning in FY 2018. During the current fiscal year 2020, \$455,000 in PR and \$109,000 in Fine and Forfeiture funds have been granted for 24 ranges located statewide representing all IDFG regions.

Examples of recent large scale project include the following:

- Region 1) Farragut Public Shooting Range – construction of shooting sports center
- Region 2) Two feasibility studies for gun ranges at 1) Craig Mountain WMA and 2) Deary Shotgun Range
- Region 3) Valley County Gun Club – construction of overhead shooting covers, moving road and developing parking
- Region 4) City of Rupert Outdoor Range – contributing to indoor education classroom facility
- Region 5) Pocatello Trap Club – Phase II of road drainage and ADA accessibility project
- Region 6) Fremont County Sportsman – Continuation of completing indoor education meeting facility
- Region 7) Central Rod and Gun Club – Overhead shooting cover and shooting benches

MISCELLANEOUS

Set the 2020 Commission Calendar

The Commission discussed and agreed upon the following calendar dates for 2020.

- January 22-23, Boise
- March 19-20, Boise
- April 16, Conference Call
- May 13-14, Jerome
- July 22-23, Idaho Falls

- August 20, Boise
- November 19-20, Lewiston

Appoint Commission Representative to WAFWA

19-103 Commissioner Clezie moved and Commissioner Corkill seconded a motion to reappoint Derick Attebury to serve as the WAFWA commission representative. Motion carried.

FISCAL

Commission Budget Subcommittee

Paul Kline, Deputy Director, reported that at a recent Commission meeting, Commissioners expressed interest in developing a Budget Subcommittee to help promote awareness of the Department's budgeting process and associated detail as well as to support future discussions that frequently involve the need to allocate limited resources to new or expanding priority management actions. In preparation, a staff team has been formed and is standing ready to engage with a Commission Budget Subcommittee, should it be formed.

Commission consensus is to address this in a future workshop with all Commissioners in attendance.

REPORTS

Update on Swan Hunting Proposal

Jeff Knetter, Upland Game & Migratory Bird Coordinator, presented.

The federal Migratory Bird Treaty Act regulates the hunting of migratory game birds, including swans and other waterfowl. The Commission previously endorsed seeking federal agency approval for a tundra swan hunting season in the Panhandle Region. The Pacific Flyway Council recommended a change to the swan season framework for the Pacific Flyway to allow a swan season in northern Idaho with up to 50 tags and a one-bird bag limit. This change was approved by the U.S. Fish and Wildlife Service in October 2019.

The Commission received approval for agency-sponsored legislation that includes creation of a game tag for swans that the 2020 legislature will consider.

IDAPA rules for taking game birds, 13.01.09, have rules applicable to migratory game birds and waterfowl in general, but there are not rules specific to the taking of swans. The Commission would need to adopt rules for tag requirements and any other requirements unique to swan.

The framework discussed to date has been through issuance of tags on a first-come-first-served basis. Additional rulemaking would be needed if the Commission wanted to adopt a controlled hunt framework. Controlled hunt rules are in IDAPA 13.01.08 (big game) and IDAPA 13.01.09 for (game birds - turkey). Under existing controlled hunt frameworks for controlled hunts >10

tags, not more than 10% of controlled hunt tags will be issued to nonresidents. Controlled hunt rules would need to establish an application period, applicant eligibility, group applications, and a sale date for any tags remaining.

Director's Report

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

Commission Reports

Commissioner reports stand as written (Appendix 52, Exhibit 68).

MISCELLANEOUS

Planning for Next Meeting

The next Commission meeting is January 22-23, 2020 in Boise.

Adjourn



Jerry Meyers
Chairman



Ed Schriever
Secretary