

**Idaho Fish and Game Commission
January 23-24, 2019
Idaho Department of Fish and Game
Trophy Room
600 S Walnut
Boise, Idaho**

January 23

MISCELLANEOUS

Discuss Items for Commission meeting & Confirmation Hearings

Commissioners discussed items in preparation for the confirmation hearings for Commissioners Tim Murphy and Lane Clezie.

Executive Session

19-01 Commissioner Clezie moved and Commissioner Corkill seconded a motion to hold an executive session pursuant to Idaho Code 74-206 subsection (1) (b) to discuss personnel.

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

19-02 Commissioner Corkill moved and Commissioner Clezie seconded a motion to come out of executive session with no action taken. All Commissioners voted in favor.

Meeting with Senate Resources and Environment and House Resources and Conservation Committees

All Commissioners attended the meetings at the Statehouse.

Public Hearing

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

Introduction of Director Ed Schriever and Department staff followed.

The following individuals provided public comment:

Pat Tropea, Randy Scott, Herb Meyr , Kolton Haines, Carley Rollins, Jake Beminteh, Bryan Laws, Justin Webb, Tyler Strickland, Carley Rollins, Brian Allen, Rusty Kramer, Michael

Gibson, Matt Borg, Dimi Amuchasteghi, Larry Fry, Peter Fritzsimmmons, Josh Rollins, David Shenk, Bob Becker and Josh Kuntz.

Written comments received from: Jim Hagedorn, Katie Fite, Sandra F. Mitchell, Jeanne McFall and Anthony McDermott (Appendix 52, Exhibit 1)

January 24

Breakfast with Legislative Sportsmen's Caucus

Commissioners Brad Corkill, Dan Blanco, Tim Murphy, Greg Cameron, Lane Clezie, Derick Attebury and Jerry Meyers attended the breakfast at the statehouse.

Chairman Attebury called the meeting to order at 9:00 a.m.

Posting of the Colors and Pledge of Allegiance

The Idaho Department of Fish and Game Honor Guard presented the colors. The honor guard members are: Ricky Bogar, Nate Stohosky, Roger Westfall, Brian Flatter and Rob Howe.

Review of Public Comment

Director Schriever and Commissioners discussed and reviewed the public comments.

Topics Included:

- A request to provide access for disabled hunters behind locked gates.
- A need for anglers to have a unified voice in resolving some of the anadromous fish issues.
- Keep the Sawtooth Zone as a general cap hunt framework.
- Compliments to the Commission for implementing the changes in unlimited controlled hunts in Units 26 & 27 and the reduction in season length in 10A.
- Land Board Access for recreational hunting on endowment lands. Director Schriever followed up with this individual.
- Removing the female lion quotas.
- Moving spring controlled hunt bear hunting to a general hunt season.
- Extending the lethal trapping check times in certain units.
- Mountain lion depredation on bighorn sheep in Owyhee County.
- A need for more enforcement officers in Southwest Idaho, Owyhee County.

Chairman Attebury noted the testimony from Carley Rollins, and the importance of youth participating in the public meetings.

CONSENT CALENDAR

Consent Calendar

Consent Calendar Items

- Financial Report
- Minutes November 7, 2018
- Winter Feeding Appointments

19-03 Commissioner Clezie moved and Commissioner Corkill seconded a motion to approve the financial report as presented in the consent calendar. All Commissioners voted in favor.

19-04 Commissioner Clezie moved and Commissioner seconded a motion to approve the November 7, 2018 minutes as presented in the consent calendar. All Commissioners voted in favor.

19-05 Commissioner Meyers moved and Commissioner Blanco seconded a motion that the Commission adopt the staff recommendations for the specified reappointments and replacements of Winter Feeding Advisory Committee members. All Commissioners voted in favor.

LANDS

Henrys Lake Hatchery Donation

Gregg Servheen, Wildlife Program Coordinator, presented the proposals.

This 0.033-acre donation is located in Fremont County, east of the Henrys Lake Hatchery.

The property is currently a gravel driveway with access off Highway 87 into the hatchery site. This donation will straighten a lot line for the current owner and preclude the need for the Department to establish an easement, securing vehicular access to the property via this portion of driveway. The acquisition cost is \$0.

Staff recommendation is to approve acceptance of donation of the 0.033-acre Magana property as an addition to the Henrys Lake Hatchery.

Lee James Acquisition (Black Lake Ranch)

This is a proposal to acquire 1.7 acres adjacent to the Black Lake Ranch parcel of the Coeur d'Alene River Wildlife Management Area (WMA). The subject property is located in Kootenai County directly to the north of State Highway 3 and to the South of the Coeur d'Alene River and Trail of the Coeur d'Alene's and is being purchased for a total cost of \$15,000.00.

Acquisition of the parcel will provide additional access to the Trail of the Coeur d'Alene's, as well as access to the east side of the Black Lake Ranch parcel, and to the west side of Cave Lake, thereby increasing ease of access for the public to hunt and fish. This additional access also benefits local partners like the Idaho Department of Parks and Recreation. Acquisition of the

parcel will eliminate the need to acquire a flood easement for water level management and ease restoration and remediation efforts on the Black Lake Ranch parcel. The acquisition improves the management of the adjacent 1,012-acre Black Lake Ranch parcel by reducing trespass and improving access, and will ultimately increase ecological diversity, improve habitat and benefit wildlife.

No buildings are part of the acquisition. IDFG pays fee-in-lieu-of-taxes (FILT) for all fee-title properties but this property is smaller than the 10+ acre size where FILT payments apply.

The property was previously presented to the Commission during Executive Session on May 9, 2018.

The Lands Committee recommends proceeding with the acquisition.

19-06 Commissioner Corkill moved and Commissioner Cameron seconded a motion to adopt staff recommendations for acceptance of the 0.333-acre Magana property as an addition to the Henrys Lake Hatchery and to proceed with the Lee James fee-title acquisition. All Commissioners voted in favor

SEASON SETTING AND RULES

Season Setting: Moose, Bighorn Sheep and Mountain Goat

Hollie Miyasaki, Wildlife Staff Biologist, presented the proposals and the public input received from the public meetings (Appendix 52, Exhibit 2).

Dates and tag numbers for moose, bighorn sheep, and mountain goat harvest seasons are established for a two-year period and are presented to the Commission for approval in January of each odd-numbered year. Regional staff scoped proposals for season changes and controlled hunt tag limits at open houses and through the Department's website December 12 – January 3. Additional comments were accepted during the Commission hearing on January 23.

Moose

The Department is proposing reductions in moose tags, primarily in the Panhandle and Southeast Idaho in response to long term declines in harvest success (Panhandle) and a decline in the number of moose observed during aerial surveys (Southeast Idaho). Proposed statewide changes total a reduction of 109 bull tags (from 669 to 560 total tags) and a reduction of 62 antlerless tags (from 136 to 74 total tags).

- Proposed decreases of antlered tags in the Panhandle, Clearwater, Southeast, and Upper Snake Regions.
- Proposed decreases of antlerless tags in the Panhandle, Clearwater, and Southeast Regions.
- Proposed increase in tags and a new hunt in the Magic Valley Region.

Bighorn Sheep

The Department is proposing increases in some Rocky Mountain bighorn sheep hunts in response to an increase in the number of mature rams observed in recent counts. Minor reductions are proposed in the number of California bighorn sheep tags. Proposed statewide changes total an increase in Rocky Mountain bighorn ram tags from 74 to 83 and a total decrease in California bighorn ram tags from 21 to 17.

- Proposed changes in Hunt Area boundaries in Hunt Areas 11, 20A, 26, and 55.
- Proposed increases in Rocky Mountain ram tags in the Upper Snake and Salmon Regions.
- Proposed new hunt in the Upper Snake Region.
- Proposed reduction of California ram tags in the Magic Valley Region.
- Proposed elimination of Hunt Area 54 in the Magic Valley Region.

Mountain Goat

The Department is proposing a few small increases and decreases in mountain goat tags in response to recent counts. Proposed statewide changes total a decrease of 4 mountain goat tags from 48 to 44.

- Proposed changes of Hunt Area boundaries in Hunt Areas 7, 27-2, 27-4, and 37A.
- Proposed reduction of tags in the Panhandle, Clearwater, Upper Snake, and Salmon Regions.
- Proposed increase of tags in the Magic Valley, Upper Snake, and Salmon Regions.
- Elimination of Hunt Area 1.
- Proposed new hunt, Hunt Area 51-1.

19-07 Commissioner Cameron moved and Commissioner Corkill seconded a motion to approve the staff recommendations for mountain goat seasons and tag levels for the 2019 and 2020 seasons. All Commissioners voted in favor.

19-08 Commissioner Meyers moved and Commissioner Clezie seconded a motion to approve the staff recommendations for bighorn sheep seasons and tag levels for the 2019 and 2020 seasons. All Commissioners voted in favor.

19-09 Commissioner Cameron moved and Commissioner Clezie seconded a motion to approve the staff recommendations for moose seasons and tag levels for the 2019 and 2020 seasons. All Commissioners voted in favor.

LEGISLATION

Legislative Update

Sharon Kiefer, Chief, Communications, provided an update about legislative activity since initiation of the 2019 Legislature on January 7.

- The temporary rule to ban imports of cervids (for CWD prevention) was rejected by the Senate and the House committees.
- The Department JFAC budget hearing will be on January 29th.
- The Department will present an update on HB 230 status to the House Resources & Conservation Committee on January 31st.
- The weekly legislative conference calls initiate on January 31 at 8:00 a.m. MST.

SEASON SETTING AND RULES

Briefings About Rule Proposals

Toby Boudreau, Acting Bureau Chief, presented (Appendix 52, Exhibit 3).

Prohibitions on certain persons purchasing a capped zone tag on the first day sales

Background: Certain hunting zones are “capped” with a quota of tags available for residents and nonresidents. Currently, elk zones that are capped (A tag, B tag or both) are Diamond Creek, Bear River, Sawtooth, Weiser River, Salmon, Middle Fork, Selway, Elk City, Dworshak, and Lolo. For hunts in 2018, tags for all capped zones except the Sawtooth zone went on sale for residents on 7/10/18 and for nonresidents on 12/1/17. Tags for the Sawtooth zone went on sale for residents on 7/12/18 and for nonresidents on 5/10/2018.

Capped zones differ from controlled hunts because sales occur on a first come-first served basis, rather than a random draw. Certain capped zones have become increasingly popular with tags in some zones selling out very quickly; the Sawtooth Zone is an extreme example with tags selling out in minutes. Under Commission guidance, the Department has implemented sales measures for the Sawtooth Zone to provide more equitable opportunity for persons to purchase a tag such as splitting the tag quota between vendor only and internet only sales venues. However, demand still substantially exceeds available tags.

Analysis of those purchasing a Sawtooth capped zone tag revealed that 60% of the individuals had also applied for a controlled hunt. As a way to further balance the supply/demand for oversubscribed capped zone hunt tags, staff suggested development of a rule to provide the commission authority to restrict individuals who apply for a controlled hunt from purchasing a capped zone tag until some period after sales have initiated, i.e. someone who applied for a controlled hunt could not be “first served” for a capped zone tag. The Commission requested briefing about a more detailed proposal.

Commission consensus is for staff to proceed with negotiated rulemaking. The proposed rulemaking schedule would be publication of the Notice of Intent for Negotiated Rulemaking in the April Administrative Bulletin for public comment April 3-24 via the Department website and follow up with the Commission at the May meeting.

Creating Commission authority to extend lethal trapping equipment check times in certain units via proclamation.

Kathleen Trever, Deputy Attorney General provided comments on director authority followed by a briefing from Sharon Kiefer, Chief, Communications.

Background: At the July 2018 meeting, the Commission expressed desire to enact rulemaking to create the authorization and flexibility to extend snare check times for wolf trapping. This briefing is to confirm Commission expectation to proceed with negotiated rulemaking.

Staff desires validation regarding the following criteria expressed by the Commission in previous discussion about extending snare-check times for wolf trapping to assist with drafting a rule for negotiated rulemaking:

- Intent for authorization to extend snare check times for wolf trapping via proclamation,
- Intent to limit to specific time of year such as winter,
- Intent to limit to back-country units that are difficult to consistently access to set and check snares within the current 72 hour check time.

Based on Commission guidance, staff will develop a draft rule for negotiated rulemaking. The proposed rulemaking schedule would be publication of the Notice of Intent for Negotiated Rulemaking in the April Administrative Bulletin for public comment April 3-24 via the Department website and follow up with the Commission at the May meeting.

If Temporary/Proposed rulemaking is approved by the Governor via an Administrative Rule Request Form, a temporary rule could be effective upon adoption by the Commission and in effect for the 2019-2020 wolf trapping season; approval of the 2020 Legislature would still be required for the rule to become a final rule.

If only Proposed rulemaking is approved, the 2020 Legislature must approve the rule for it to become effective for the 2020-2021 wolf trapping season.

Commission consensus is to proceed with negotiated rule making.

Defining foot pounds of energy for airguns and alternative for public outreach for a foot pound minimum recommendation in the big game proclamation.

Chris Wright, Assistant Chief, Enforcement provided the briefing.

Background: Current proposed Commission rules will allow the use of air guns to hunt big game animals if ratified by the legislature. The proposed rules do not require FPE.

The Commission has statutory authority for rulemaking regarding this subject. Idaho Code 36-104(b)2 provides Commission authority to make rules under what circumstances and by what means wildlife can be taken.

The Department is not recommending FPE requirements because there is not a feasible way to seek compliance. Not all air guns are officially qualified with a FPE rating and many are custom made. Similar to other methods of harvesting big game, it is up to the individual to have knowledge and experience of their weapon and its capability.

Further, the Department is recommending the following language in the big game seasons and rules brochure: It is recommended that air guns used to hunt big game animals be capable of producing 350 foot pounds of energy at the muzzle of the barrel.

REPORT

Deer and Elk Status Update

Daryl Meints, Natural Resources Program Coordinator Deer & Elk, presented a statewide overview of the status of deer and elk populations in relation to deer population management unit objectives and elk management zone objectives. The briefing included comments on mule deer and elk survival monitoring, new elk and deer camera monitoring program, mule deer herd composition survey results and upcoming aerial surveys that will aid in the development of deer and elk hunting season recommendations for the March meeting (Appendix 52, Exhibit 4).

MISCELLANEOUS

Shikar-Safari Award

Each year Shikar-Safari Club International asks to honor the outstanding “Wildlife Officer of the Year” for Idaho. The nominee must demonstrate exemplary conduct and initiative in the performance of their duties. Shikar-Safari Club strives to recognize the officer who has done the most outstanding job in the enforcement of wildlife laws, the protection of wildlife and the implementation of conservation programs.

Lana Melon, Shikar-Safari Representative and Chris Wright presented the award to Rick Cooper, Senior Conservation Officer.

MANAGEMENT PLANS

Draft Upland Game Management Plan Update

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

The upland game hunting resources in Idaho are recognized nationally for the variety of species available to hunters. In general, seasons are structured to maximize hunter opportunity. This provides abundant opportunities for youth hunting and mentoring, as upland game hunting is considered a good way to introduce young people to hunting.

In the Department's prior upland game management plan, adopted by the Commission in 1990, priority issues and strategies focused on maintaining and improving habitat quality and quantity, developing consistent harvest strategies, and improving population monitoring techniques.

This revision of the upland game management plan will provide guidance to the Department and their partners to implement management actions that will enhance upland game habitat and populations in Idaho. This plan will function as the action plan for upland game management. Major issues that affect upland game species are identified, which set overall direction for upland game management during the next 6 years (2019-2024). This plan will guide the Department in annual work plan development and program prioritization, and will provide guidance on development of regulatory recommendations.

The current draft will be posted on the department website to provide the public an opportunity to review and comment. After consideration of public input, a final plan will be prepared to present to the commission for adoption in March.

To inform management guidance for this upland game planning process, the Department conducted an opinion survey of hunting license buyers during August 2018. An email requesting participation was sent to nearly 74,000 individuals, followed by 2 reminder emails requesting participation. In total, 14,301 people completed the survey – 9,750 Idaho residents and 4,551 non-residents – and 56% of respondents reported hunting upland game in Idaho.

This draft Upland Game Management Plan will be posted on the Department's website in late January for three weeks, to provide the public an opportunity to review and comment.

Mountain Goat Management Plan Update

Hollie Miyasaki, Wildlife Staff Biologist, stated that an overview of the status and content of Mountain Goat Management plan revision was provided at the November Commission meeting.

The intent of a revision to the mountain goat management plan is to provide guidance for the Department and their partners to implement management actions that will aid in protection and management of mountain goat populations in Idaho and guide harvest season recommendations. This plan will function as the action plan for mountain goat management in Idaho. Major issues that affect mountain goats are identified, which set overall direction for mountain goat management during the next 6 years (2019-2024). This plan will guide the Department in annual work plan development and program prioritization, and provide guidance on development of regulatory recommendations.

A review of the draft plan was provided to the Commission. Following the Commission meeting the current draft will be posted on the Department website to provide the public an opportunity to review and comment. Agency partners, interested organizations and individuals will be notified of the opportunity to comment. After consideration of public input, a final plan will be prepared to present to the Commission for adoption in March.

White-tailed Deer and Mule Deer Management Plan Update

Daryl Meints, Natural Resources Program Coordinator Deer & Elk presented the updates for the plans (Appendix 52, Exhibit 5). Following completion of surveys of mule deer and white-tailed deer hunter opinions during the previous year, staff initiated work to revise the Department's White-tailed Deer Management plan and Mule Deer Management plan. The Department's current white-tailed deer plan was implemented in 2005 and the current mule deer management plan was implemented in 2008.

Teams were assembled in October, and using results of the hunter surveys as a guide for revisions in management direction and objectives, key issues were identified.

These plans are continuing to be developed with public feedback. An update will be presented at the March meeting.

REPORT

BLM Sage-grouse Plan Amendment

Ann Moser, Wildlife Staff Biologist, reported that in June 2017, Secretary Zinke issued SO 3353 to enhance cooperation with the States in regards to Greater Sage-Grouse management. In October 2017, the BLM issued a Notice of Intent to amend the 2015 land use plans for Greater Sage-Grouse and to prepare an Environment Impact Statement (EIS). Idaho BLM has been working closely with the Idaho Governor's Stakeholder Group to better align the BLM plan with Governor Otter's 2012 Plan and EO 2015-04. The result is the Management Alignment Alternative in the Final EIS, which was issued on November 17, 2018 (Appendix 52, Exhibit 6).

SEASON SETTING AND RULES

Review of Big Game Season Setting Process

Jon Rachael, State Wildlife Manager, provided the review of the big game season setting process (Appendix 52, Exhibit 7).

The Commission has unique authority to establish seasons via proclamation rather than through IDAPA rulemaking. The Commission has set big game seasons biennially for a two-year period in odd-numbered years since 2015. 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, size, sex, and harvestable species.

Staff recommendations for big game seasons are the culmination of a continual year-round process that starts with the management direction and objectives in Commission-adopted species management plans (e.g., Elk management plan, mule deer management plan, etc.), predation

management plans, and statutory guidance (e.g., Landowner Appreciation Program tags, depredation statutes). Initial proposals for changes to seasons, tag numbers, and bag limits result from annual population and harvest monitoring efforts and comparison of those estimates to established management plan objectives. 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 their input at open houses, through mailed (and/or emailed) surveys, and through the Department's website during a 2-3 week period, typically February – March. Staff will make recommendations for Commission action at their March meeting.

REPORTS

Director Schriever presented the tenth edition of the Director's Report to the Commission showing Department financial summaries for FY18. The report also contains an overview of Fish and Game bureaus and major programs.

Director Schriever noted the written report in the agenda book stands as written.

Commissioner Reports

Commissioner reports stand as written (Appendix 52, Exhibit 8).

MISCELLANEOUS

Planning for Next Meeting

The next meeting is scheduled for March 12-13 in Boise.

Executive Session

19-10 Commissioner Corkill moved and Commissioner Clezie seconded a motion to hold an executive session pursuant to Idaho Code 74-206 (1) (c) and (f) to discuss lands and legal items.

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

19-11 Commissioner Corkill moved and Commissioner Clezie seconded a motion to come out of executive session with no action taken. All Commissioners voted in favor.

Adjournment



Derick Attebury
Chairman



Ed Schriever
Secretary