

**Idaho Fish and Game Commission
March 12-13, 2019
Idaho Department of Fish and Game
600 South Walnut
Boise, Idaho**

March 12

MISCELLANEOUS

Chairman Attebury called the meeting to order at 4:00 p.m. with Commissioners Brad Corkill, Dan Blanco, Tim Murphy, Lane Clezie and Jerry Meyers present. Commissioner Greg Cameron was excused.

Executive Session

19-25 Commissioner Meyers moved and Commissioner Clezie seconded a motion to hold an executive session pursuant to Idaho Code 74-206(1) (b)(c) and(f).

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

19-26 Commissioner Clezie moved and Commissioner Meyers seconded a motion to come out of executive session and let the record reflect that no action was taken. All Commissioners voted in favor.

Public Hearing

Chairman Attebury called the meeting to order at 7:00 p.m. Commissioners Corkill, Blanco, Murphy, Clezie and Meyers present. Commissioner Cameron was excused.

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.

The following individuals provided public comment:

Jeff Schroeder, Nathan Lopez, Darice Anderson, Kolton Haies, Pat Tropea, Rick Carver, Paul Mascuch, Dakota Jenkins, Garrick Dutcher, Tyler Strickland, Mike Lavey, Harry Youren, Brendon Ash, Mary Westerlund, Heather Meyer, Mike Rust, Jon Hall, Bill Samuels, Pamela Williams, Rusty Kramer, Fred Quartarone, Matt Borg, Colton Williams, Carley Rollins, Donald Sickels, Eric Soldering, Jayden Borg, K Marly, Justin Webb, Jamie Newman, Wayne Cada, Randy Scott, Darl Allred, Chad Jenkins, Jack Harnar, Jake Benintendi, Chase Sluder, Cody Rollins, Josh Rollins, Rich McKinnies, Adrian Dollins, Doug Palmer, Brian Brooks, Robert Jones, Brian Hoelscher, Conal Setzer, Kristen Rivers, Flip Phillips, Daniel Butler, Miles Hatter, Larry Hatter, Bryce Jackson, Cody Gustin, Josh Kuntz and Travis Bullock.

Written comment received from Jim Hagedorn, Thane Winward-Preston, Ed Lindahl, Larry Isham, Josephine Lowe and Gene Nielsen0 (Appendix 52, Exhibit15).

March 13**MISCELLANEOUS****Opening Comments**

Chairman Attebury called the meeting to order at 8:00 a.m. with Commissioners Corkill, Blanco, Murphy, Clezie and Meyers present. Commissioner Cameron was excused.

Agenda Changes

Agenda item # 10. Legislative update will be presented after the consent calendar on the agenda, 5.B. will be moved to after agenda item #11. Sam Eaton, Director of Policy and Counsel, from the Governor's office will address the Commission at 9:00 a.m.

Review of Public Comment

Director Schriever and Commissioners discussed and reviewed the public comments. Director Schriever noted that 55 people provided testimony.

Topics included:

- Hunters Feed the Hungry.
- Falcon take season, underestimation of the fledging numbers and request to re-issue unused permits.
- Sawtooth zone inability to get a tag.
- Reduction in limiting nonresident controlled hunt tags in Units 26 & 27, thank you.
- Request for biological data on lions.
- Suggestion to combine the quotas for both female and male lions.
- Thank you for youth hound hunts.
- The Department should include organized sportsmen's committees to help develop proposals for season setting.
- Focus on problem elk on private land when setting the seasons.
- Need more salmon and steelhead, encourage the commission to influence policy makers in this regard.
- Life time license holders that are nonresident that have access to resident tags in controlled hunts.
- Any new controlled hunt should also have outfitter allocation.
- Wolf trapping expansion.
- Mountain lion quotas.
- Changes for bear seasons, removal of controlled hunt to a general hunt.

CONSENT CALENDAR

Consent Calendar

Minutes: November 13-14, December 6, December 7 and December 13, 2018.

19-27 Commissioner Clezie moved and Commissioner Meyers second a motion to accept the minutes as presented in the consent calendar. All Commissioners voted in favor.

Financial Report

19-28 Commissioner Corkill moved and Commissioner Clezie second a motion to accept the financial report as presented in the consent calendar. All Commissioners voted in favor.

LEGISLATION

Legislative Update

Sharon Kiefer provided an update about legislative activity since the last Commission legislative call on March 7 and referenced the updated bill tables (Appendix 52, Exhibit 16) for both the House and Senate bills. The last legislative conference call will be next Thursday, March 21st.

MANAGEMENT PLANS

Draft Mule Deer and White-tailed Deer Plan Updates

Daryl Meints, Natural Resources Program Coordinator Deer & Elk, reported that Rick Ward and Clay Hickey will provide brief updates on the progress that is being made on the Draft Mule Deer and White-tailed Deer Management Plans revisions. The plans are still going through internal review and plans are to have a second draft for the Commission to review at their May meeting. The mule deer and white-tailed deer management plans will 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 in Idaho and guide harvest season recommendations. This plan will function as the action plan for mule deer and white-tailed deer management in Idaho. Major issues that affect mule deer and white-tailed deer are identified, and the plans will set overall direction for mule deer and white-tailed deer 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.

MISCELLANEOUS

Sam Eaton, Director of Policy and Counsel, for Governor Little addressed the Commission.

SEASON SETTING AND RULES

Season Setting: Spring Season Chinook

Jim Fredericks, Chief, Fisheries presented the proposal (Appendix 52, Exhibit 17).

This agenda item concerns the setting of Chinook salmon fishing seasons targeting hatchery Chinook salmon in the Snake River, Lower Salmon River, Little Salmon River, Mainstem Clearwater River, North Fork Clearwater River, and South Fork Clearwater River. Fisheries staff will brief the Commission on the pre-season forecasts for Snake River spring and summer Chinook salmon returns for 2019 and propose salmon seasons based on the pre-season forecast and public input. Though the 2019 run is expected to be small relative to the 20-year average, staff forecasts a sufficient number of hatchery salmon returning to the Snake River basin in 2019 to provide sport fisheries that target the non-tribal harvestable share after hatchery production and brood stock targets are considered.

Staff Recommendation: Approve the proposed 2019 fishing seasons for Chinook salmon in the Snake River, Lower Salmon River, Little Salmon River, Mainstem Clearwater River, North Fork Clearwater River, and South Fork Clearwater River.

19-29 Commissioner Meyers moved and Commissioner Blanco seconded a motion to approve the staff recommendations for the 2019 fishing seasons for Chinook salmon. All Commissioners voted in favor.

Season Setting: Deer Elk, Pronghorn, Black Bears, Mountain Lions and Gray Wolves

Jon Rachael, State Wildlife Game Manager, presented an overview (Appendix 52, Exhibit 18) to the Commission and draft proposals (Appendix 52, Exhibit 19).

Presentation Overview:

- Summary of public outreach and input
- Update on winter conditions and feeding operations
- Updates and overview of key proposals by species
- Review of proposed Big Game Seasons
- Review of proposed Landowner Appreciation Program Rule
- Discussion and motion to adopt big game seasons by species
- Call for motion to adopt LAP seasons

Kathleen Trever, Deputy Attorney General, suggested a format to use for this season setting process that has worked for prior commissions. The suggestion is for the initial motion to be a motion to adopt the final staff recommendations for the 2019-2020 and 2020 -2021 big game season. Then identify any adjustments that you might want to make. There will be separate deer seasons adjustments, elk seasons adjustments, going on to pronghorn, black bear, mountain lion and gray wolf. And to leave the landowner appreciation seasons to the end because those have the potential to require adjustments.

19-30 Commissioner Clezie moved and Commissioner Corkill seconded a motion to adopt the final staff recommendations for the 2019-2020 and 2020-2021 Big Game Seasons. All Commissioners voted in favor.

Adjust the 2019-2020 and 2020-2021 Deer Seasons

Panhandle Region: Commissioner Corkill stated that he is agreeing with staff recommendations for the Panhandle Region for deer with one caveat, and that is it's been announced that there's a pretty intense data gathering effort going on in the Panhandle right now. And should that effort reveal some surprising or unexpected data, and then next year at this time I may consider making a midstream change in the deer seasons.

Clearwater Region: Commissioner Blanco

Not publicly scoped:

1. Deer: 10, 12, 16A, 17, 19, 20:
No use of 2nd non-res/res tag
2. White-tail: 16A, 17, 19, 20: October 10- November 18
(Page 3: mule deer remains 9-15 to 11/18)

19-31 Commissioner Blanco move and Commissioner Meyers seconded a motion to adopt the adjustments outline for units 10, 12,16A, 17, 19, and 20, to October 10 to November 18. All Commissioners voted in favor.

Adjust the 2019-2020 and 2020-2021 Elk Seasons

Clearwater Region: Commissioner Blanco

Not publicly scoped:

1. Elk City zone: Reduce B Tags by 20 %
2. Elk City Zone: No 2nd Non-resident/Resident Tag

19-32 Commissioner Blanco moved Commissioner Corkill seconded a motion that for the Elk City Zone we adopt a reduction of 20 percent in the number of B tags. All Commissioners voted in favor.

19-33 Commissioner Blanco moved and Commissioner Corkill seconded a motion that for the Elk City Zone, I propose that for elk we bar the use of second tags. Motion carries with a divided vote.

No adjustments to Pronghorn & Black Bear Seasons

Adjust the 201—2020 and 2020-2021 Mountain Lion Seasons

Southwest Region: Jerry Meyers has concerns for the Southwest Region

1. Maintain the existing female quotas in those units in Region 3 and 4 that are north of interstate.
(Units 22, 23, 24, 25, 32, 32A, 33, 34, 35, 43, 44, 48, 49)

19-34 Commissioner Meyers moved and Commissioner Corkill moved that the Commission adopt the recommendations to maintain the existing female lion quotas in Regions 3 and 4 that are north of the interstate in Units 22, 23, 24, 25, 32, 32A, 33, 34, 35, 43, 44, 48, 49. Motion carries with a divided vote.

Adjust the 2019-2020 and 2020-2021 Gray Wolf Seasons

Panhandle Region: Brad Corkill

1. In Units 7, 9 and that portion of 5 within the NF St. Joe river drainage: footholds only beginning 9/10
2. Available tags be increased in Panhandle & Clearwater & Upper Snake, Salmon Regions to 10 hunting and 10 trapping tags each available

19-35 Commissioner Corkill moved and Commissioner Murphy seconded a motion that in Units 7, 9 and that portion of Unit 6 within the NF St. Joe river drainage: footholds only beginning on September 10. And that available tags be increased in Panhandle & Clearwater & Upper Snake, Salmon Regions to 10 hunting and 10 trapping tags each available. All Commissioners voted in favor.

No adjustments to the Landowner Appreciation Program (Appendix 52, Exhibit 20)

19-36 Commissioner Corkill moved and Commissioner Clezie seconded a motion to adopt the final staff recommendations for Landowner Appreciation Program seasons and tag numbers for 2019-2020 and 2020-2021. All Commissioners voted in favor.

MISCELLANEOUS

Hunter Education Award “Continuing the Hunting Heritage”

Evin Oneale, Regional Communications Manager

The award is titled: *The Commissioners' Award - Continuing the Hunting Heritage*. It is the highest award level in the Hunter Education program, requiring 3,500 points. Receiving the award is a testament to an individual instructor's dedication to the Hunter Education program, as it normally takes several years of service to accumulate the necessary points. Only a handful of instructors ever reach this award level.

This year, we honored seven instructors who received the award here in the southwest region. As an aside, we have about 250 active instructors in the region.

Ken Georges – Middleton

John Keane – Mountain Home

April Luna – Weiser

Bill Negri – Mountain Home

Greg Schindler – Nampa

Lynn Seibold – Boise

Jake Vesper – Middleton

SEASON SETTING AND RULES

Peregrine Falcon Take Season

Jeff Knetter, presented the proposal.

The U.S. Fish and Wildlife Service (USFWS) delisted the American peregrine falcon in 1999 and subsequently authorized the take of nestling peregrines from the wild for use in falconry in 2004. In 2008 the USFWS allowed capture of recently-fledged juvenile peregrines (known as hatch year or “passage” birds). Federal regulations governing falconry authorize states to manage the take of peregrines from the wild for falconry not to exceed 5% of annual production. In 2013 the Idaho Fish and Game Commission adopted regulations allowing the take of peregrine falcons for falconry for the first time in more than 40 years.

Season were set for 2013 through 2015, and from 2016 through 2018, during which time Idaho falconers harvested seven peregrines (capture limit of two birds per season). Only Idaho resident falconers possessing a Master Class license may apply for a permit to capture a peregrine. The Department receives fewer than 20 applications per year. Permittees are selected by random drawing. Other western states that currently allow peregrine take for falconry include Arizona, Colorado, Montana, New Mexico, Oregon, Utah, Washington and Wyoming.

Idaho’s peregrine take season are set within a framework established by the U.S. Fish and Wildlife Service after meeting with all state fish and wildlife agencies.

Staff recommendation is to allow regulated take seasons for 2019-2021 for wild-caught peregrine falcons to include two Peregrine Capture Permits. One permit will be a statewide permit (a nestling or recently-fledged juvenile peregrine), and one permit will be limited to nestling take only in Lemhi and Custer counties or a recently fledged juvenile peregrine statewide.

19-37 Commissioner Clezie moved and Commissioner Meyers seconded a motion to approve the staff recommendations for the 2019-2021 seasons for the take of peregrine falcons from the wild for falconry purposes. All Commissioners voted in favor.

MANAGEMENT PLANS

Adopt Mountain Goat Management Plan

Hollie Miyasaki, Wildlife Staff Biologist, presented the proposal.

Staff presented an overview of the status and content of Mountain Goat Management Plan revision at the Commission’s November meeting. Staff provided a second update and a draft of the plan to the Commission at the January 2019 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, and 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.

The Department sought input (Appendix 52, Exhibit 21) on the draft Mountain Goat Management Plan draft plan from the public, interested groups, and affected agencies. The draft Mountain Goat Management Plan was posted on the Department's website on January 25, 2019 and the Department accepted comments through February 19, 2019 (26 days).

Public input summary:

- 155 unique submissions with 80 people providing additional written comments.
- Idaho residents made up 92% of the respondents.
- When asked to indicate their satisfaction with the plan:
 - 72% (n=111) of respondents generally supported the plan
 - 13% (n=20) of respondents supported the plan with some concerns
 - 7.5% (n=12) of respondents were neutral
 - 7.5% (n=12) of respondents did not support the plan

The staff recommendation is to adopt the Idaho Mountain Goat Management Plan (2019-2024).

19-38 Commissioner Corkill moved and Commissioner Clezie seconded a motion to adopt the Idaho Mountain Goat Management Plan 2019-2024. Motion Carries. Commissioner Myers excused from voting.

Adopt Upland Game Management Plan

Jeff Knetter, Upland Game & Migratory Bird Coordinator, presented the plan and provided a summary of the public input received (Appendix 52, Exhibit 22) to the Commission. The Commission was previously updated on the draft plan at the November 2018 meeting and the January 2019 meeting.

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.

Staff recommendation is to adopt the Upland Game Management Plan (2019-2024).

Commission discussion followed, requesting more time for the Commission and public to adequately review the plan before finalizing.

19-39 Commissioner Blanco moved and Commissioner Meyers seconded a motion to defer the adoption of the Upland Game Management Plan (2019-2024) until the May meeting. All Commissioners voted in favor.

MISCELLANEOUS

Dance Request for Rain Check

Greg Wooten presented the request.

Background: In 2015, the Commission clarified their delegation of authority to the Director for responding to individual requests for rain checks, refunds, and other customer service accommodations for licenses, tags, and permits. The Delegation of Authority is attached.

Kelly Dance submitted a rain check request for a 2018 Controlled Hunt Bighorn Sheep tag (Hunt 5008, Controlled Hunt Area 27-1, 08/30-10/13 season dates). This hunt area is remote, difficult to access, with a low success rate (17%). It is currently allocated 12 tags, which the Commission did not change during the recent season setting.

In early September, Mr. Dance's wife became ill requiring an emergency room visit and subsequent diagnosis of Diverticulitis. Diverticulitis can be very painful and linger for quite some time. In some cases the disease does not completely disappear, which is the case with Mrs. Dance. She was recently (last month) admitted to the emergency room again. Mr. Dance did not feel comfortable leaving his wife for any length of time and cancelled his booking with Middle Fork Lodge.

As required, the rain check request was not made prior to the start of the hunting season; the request from Mr. Dance was received on January 15, 2019.

As noted in the Delegation of Authority, the Commission maintains the authority for any requests for rain checks or refunds for antlered moose, bighorn sheep, or mountain goat tags, including the affiliated license.

19-40 Commissioner Meyers moved and Commissioner Clezie seconded a motion to not approve the rain check request by Kelly Dance for a rain check in 2019 for a 2018 controlled hunt Bighorn Sheep tag for hunt 5008 in Controlled Hunt Area 27-1. All Commissioners voted in favor.

REPORT

Idaho Fish & Wildlife Foundation Update

Hilarie Engle, Foundation Development Coordinator, provided the update. The Region 3 Office building is currently 85% complete; occupancy is on schedule for the middle of June. The Foundation's competitive grants cycle for 2019 was announced February 1st. The Foundation's Board approved grant amounts at a maximum of \$10,000 per grant award to IDFG and nonprofits with similar missions. Awards are given for projects that restore and enhance wildlife habitat and conservation education projects. Deadline is April 30th with awards announced in August.

SEASON SETTING AND RULES

Migratory Game Bird Briefing

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

Migratory Game Bird Briefing

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. Historically, this included early and late season regulatory decisions made using biological data observed during the current year. Beginning with the 2016-17 hunting seasons, a new process and schedule were implemented to set annual migratory bird hunting regulations. Regulatory decisions are now made using biological data observed the previous year. This single process and new schedule means season frameworks (e.g., outside dates, season lengths, bag limits) will be finalized earlier, and will enable 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. Consequently, all migratory game bird regulations are now published in the same brochure.

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

American crow seasons are set by states as per the hunting regulations defined in the Federal Register (i.e., 50 CFR 20.133).

Dove seasons are determined by the mourning dove harvest strategy for doves in the Western Management Unit, which is based on band returns.

Sandhill crane seasons are directed by the Pacific Flyway Council Rocky Mountain Population Crane Plan.

The Commission will set Idaho's migratory game bird seasons during the April 11 Commission conference call.

Briefings About Rule Proposals

Jon Rachael, State Wildlife Manager, provided a brief review of 3 rules for which the Commission has previously provided guidance to the Department to proceed with negotiated rulemaking:

1. Extend trap check times for lethal trapping equipment.
2. Allow hunting passport holders younger than 10 years to possess a turkey tag.
3. Restrict purchase of capped elk zone tags by individuals who have applied for certain Controlled Hunts.

Staff will prepare draft rule language to present at the May meeting.

One other item for Commission guidance and intent is for wolf snare equipment. Would the Commission like for staff to pursue language for wolf diverters and break away mechanisms.

Commissioner Corkill reported that he had made the request for a discussion on the snare check time. With the new opening date of September 10 for wolves he feels this is a better solution and will address the problem.

Commissioners discussed their desire to have more information and discussion on diverters. Commission intent is to remove the requirements for diverters.

REPORT

Expand Pheasant Stocking Report

Craig White, Regional Supervisor, reported that in recent years there have been discussions, inquiries and requests to expand the Department's pheasant stocking efforts to other Department-owned or managed lands, or Access Yes! properties.

Currently, Idaho Code 36-409(i) grants authority to the Commission to issue a Wildlife Management Area (WMA) Upland Game Bird Permit to all persons over seventeen (17) years of age prior to hunting stocked upland game birds on WMAs designated by the Commission. Furthermore, IDAPA 13.01.09.600.01 establishes which WMAs require a person to have a WMA Upland Game Bird Permit to hunt or possess a pheasant - Fort Boise, C.J. Strike, Montour, Payette River, Sterling, Market Lake, Mud Lake, Cartier, and Niagara Springs. These nine WMAs represent the primary locations where the Department implements pheasant stocking efforts for hunting.

This presentation reviewed the Department's current pheasants stocking program – budget, costs, and revenue (Appendix 52, Exhibit 23). It outlined the necessary steps required to expand the program to other areas, and the amendments to statute and rule that would be required to allow for permit holders to hunt stocked pheasants in areas other than WMAs. Staff will request further direction from the Commission on potential expansion of the Department's pheasant stocking program to lands outside of Department WMAs.

Commission consensus is for the staff to look at other department owned lands to expand pheasant stocking and what the cost would be and report back to the Commission.

SEASON SETTING AND RULES

Spring 2019 Steelhead Season Modification

The Commission took action on December 7, 2018 regarding the 2019 steelhead fishery to effectuate a legal agreement between the Department, an alliance comprised of steelhead outfitters and business interests (Idaho River Community Alliance), and organizations threatening to sue state officials under the Endangered Species Act (60-day Notice Organizations).

Per the agreement, and the Commission's December 7 action and the Idaho River Community Alliance's voluntary actions, the 60-day Notice Organizations agreed not to file a lawsuit against state officials unless NOAA did not issue an incidental take authorization on or before March 15, 2019.

Jim Fredericks, Chief, Fisheries, provided an update on the 2019 spring steelhead Fishery (hatchery steelhead). This was a placeholder for Commission action in case there is not NOAA incidental take authorization (for ESA-listed wild steelhead caught and released per Commission rule) by the March 13 meeting date. The NOAA permit has not been issued. The agreement ends at end of day on Friday, March 15. Until further action is taken, there are no changes to the current steelhead season agreement. A copy of the comments and IDFG responses (Appendix 52, Exhibit 24) received on the FMEP were provided to the Commissioners.

REPORTS

Directors Report

Director Schriever thanked the staff and Commissioners for their involvement in the Big Game season setting process and referenced the written reports in the agenda packets.

Commissioner Reports

Commissioner reports stand as written (Appendix 52, Exhibit 25).

Planning for Next Meeting

The next Commission meeting is May 16-17 in Grangeville, Idaho.

Adjourn



Jerry Meyers
Chairman



Ed Schriever
Secretary