

**Idaho Fish and Game Commission  
March 21-22, 2018  
Idaho Department of Fish and Game  
Boise, Idaho**

**March 21**

**WORKSHOP**

**Technology Workshop / Blacks Creek Shooting Range**

Commissioners Corkill, Blanco, Fischer, Cameron, Clezie, Attebury and Meyers participated in the technology workshop held at the Blacks Creek shooting range.

**MISCELLANEOUS**

**Public Hearing**

Commissioner Clezie called the meeting to order at 7:00 p.m. with Commissioners Corkill, Blanco, Fischer, Cameron, Attebury and Meyers present. Chairman Clezie reviewed the rules of conduct for the hearing and reported that all public comments would be reviewed by the Commission at the Thursday meeting.

The following individuals provided public comment: Herb Meyr, Andrew George, Jake Bennintendi, Mitch Sanchotena, Mike Dorris, Rusty Kramer, Matthew Borg, Debbie C. Boone, Larry Birindelli, John Lott, Justin Webb, Dagmar M. Riddle, Karen LaFountain, Rick Carver, Bill Samuels, Brian Brooks, Laura Nichols, Scot Eastman, Dirk Durham, Travis Bullock, Peter Fitzsimmons, Heather Meyer, Rich Garber, Burk Mantel, Mike Rust, Diane McConnaughy, John McKinley, John Idema, Monte Mason, Kyle Smith, John Blakley, Rick McKinnies, Dieni Amuchastegui, Inna Patrick, Cody Harsch, Katie Fite, Brandyn Hurd, Tim Conant, Tony Alonso, Darl Allred, Grant Simonds, Zac O'Kelley, Jean Dodd, Randy Scott, Tom Demorest, Lyn McCollum, Brad Brooks, Laura M. Nichols and Jeff Wimer.

Written comment (Appendix 51, Exhibit 18) received from: Tim Schommer, Stan Kemble, Daegan Bowman, Nathan Mangum and Betty Heater, Mayor, Kamiah. Robert Minter, Delbert Jepson, Rachel Box, Michael McClory, James Zoller, Michael Anderson, Zach Zoeller, Don R. Hover, Glenn Van Proyen, Darold Brandenburg, Jeffrey Bivens and Pete Nelson.

**March 22**

**Opening Comments**

Chairman Clezie called the meeting to order with all Commissioners present.

## **Review of Public Comment**

Director Moore and Commissioners discussed and reviewed the public comments. Director Moore noted that 42 people provided testimony.

Topics included:

- Support for Unit 46 BHS supports and concern for Owyhee county deer and predation and longer term planning.
- Middle Fork Restrictions, there were 8 supporting the restrictions and 7 opposing.
- Wolf Seasons, 8 supporting and 8 opposed to the wolf seasons.
- Request for a current wolf report.
- Shorten Season in 10A, 5 in support of and 1 opposed and suggested to wait until 2019.
- 10A prohibit use of second (nonresident) deer tags, 5 in favor of and 1 opposed.
- Sawtooth Zone Unit 36 separate zone, 3 in support of and 1 opposed leave as it is.
- Trail set back, the Department will continue to work with the Idaho Trapper Association on this.
- Opposition to a swan hunting season.
- Consider LAP permits in the Clearwater region.
- Comments to not allow any nonresident tags statewide, not just 10A and do not offer any nonresident youth tag discounts.

## **CONSENT CALENDAR**

### **Consent Calendar**

- Minutes January 16-17, January 26 and January 29, 2018.
- Financial Report

**18-14** Commissioner Attebury moved and Commissioner Fischer seconded a motion to approve the minutes listed in the consent calendar. All Commissioners voted in favor.

**18-15** Commissioner Attebury moved and Commissioner Fischer seconded a motion to approve the financial report as presented in the consent calendar. All Commissioners voted in favor.

## **REPORT**

### **Second Deer Tag Analysis**

Jon Rachael, State Wildlife Game Manager provided an analysis on second deer tags.

**Nonresident Tag Quota:** The Idaho Fish and Game Commission establishes a nonresident tag quota through Rule (IDAPA 13.01.04.600) that limits the number of nonresident elk and deer tags sold in Idaho each year (excluding controlled hunt tags). This quota has remained at approximately 15,500 nonresident deer tags available for purchase since 1990.

Historically, the Department sold most if not all the NR tags available in the quota. In 2009 NR tag sales began a decline which continued through 2012 when 40% of the NR quota remained unsold at the end of the hunting season.

Commissioner Corkill requested that staff provide a report on the nonresident tags to the Commission at each meeting until 2019.

## **SEASON SETTING AND RULES**

### **Season Setting: Spring Season Chinook**

Jim Fredericks, Chief Fisheries, presented the proposal (Appendix 51, Exhibit 19). For all proposed fishing areas, staff is forecasting a sufficient number of hatchery salmon returning in 2018 to provide sport fisheries on the non-tribal harvestable share after brood stock targets are considered.

Public meetings to seek input on 2018 spring season Chinook salmon fisheries were held to provide information to allow for public comment on potential seasons. Meetings were held by Idaho Department of Fish and Game Regional staff in Nampa, Boise, McCall, Lewiston, Orofino, Moscow and Riggins during February.

The proposed opening date is April 28. Fishing for Chinook Salmon will open four (4) days per week, Thursday through Sunday in the Clearwater River Drainage.

**18-16** Commissioner Blanco moved and Commissioner Attebury seconded a motion to approve the 2018 fishing seasons for Chinook salmon in the Snake River, Lower Salmon River, Little Salmon River, mainstem Clearwater River, North fork Clearwater River, South Fork Clearwater River and Lochsa River. All Commissioners voted in favor.

## **LANDS**

Gregg Servheen, Wildlife Program Coordinator presented the Freund Life Estate and Young Acquisition.

### **Freund Life Estate**

The project is a purchase of the Freund life estate on 46.57 acres adjacent to the Rapid Lightning Creek habitat segment of the Pend Oreille Wildlife Management Area (WMA) and the 14,760-acre Hancock Forest Management Access Yes property. The property to be purchased is mostly forested with seasonal riparian habitats and a small grass meadow to the west. The parcel's riparian areas connect the Pack River floodplain to the montane forested habitat of the Cabinet

Mountains. The landowners currently have a small storage shed and barn-cover for parking a recreational vehicle (RV). The cost to acquire the property with a life estate is \$280,500.00.

Under the life estate, the owners agree to not harvest any timber, introduce or maintain any livestock and will refrain from using any motorized vehicles on the property except to access the existing RV area. They also agree to maintain the existing RV area, outbuildings and access to this area at their own expense. The Department agreed to manage and maintain all areas of the property during the life estate consistent with the management of the Pend Oreille WMA. The public will be allowed to access all areas of the property except around the RV area, and the Department will post and maintain appropriate signage to manage the public access.

No fee-in-lieu of taxes (FILT) for the property is required until the end of the life estate. This was a proposal presented to the Commission during Executive Session on November 16, 2017.

### **Young Acquisition**

This 10.12-acre property located in Ada County, East of Boise, Idaho is an inholding within the Boise River WMA. The acquisition includes mineral rights and contains a riparian area with perennial stream. Fee title acquisition of this property will protect important mule deer and elk winter range. The parcel contains dense plant cover, provides security and forage for big game, breeding and nesting areas for upland species, and food sources for avian species. Although the total area of the parcel would protect only 10 additional acres of habitat, the impact to adjacent wintering habitat is significant because of the reduced threat of potential mining activity and access through the WMA.

The property is currently in native vegetation and has no buildings or improvements.

This property was previously presented to the Commission during Executive Session in November 2017.

The acquisition cost is \$30,000 and is being funded by HB 530 License funds. FILT is estimated at \$50 per year and operating and maintenance costs are estimated to be \$420/year.

**18-17** Commissioner Fischer moved and Commissioner Corkill seconded a motion to approve the Freund Life Estate and the Young acquisition as presented by staff. All Commissioners voted in favor.

## **SEASON SETTING AND RULES**

### **2017-2018 Big Game Season Modification Proposals**

Jon Rachael, State Wildlife Game Manager presented the proposals (Appendix 51, Exhibit 20) to amend the Big Game Proclamation for the 2017 and 2018 Seasons.

**Amend Big Game Proclamation for the Following:**

**Close Mountain goat season in Controlled Hunt number 6005 (Controlled Hunt Area 10-3).**

Staff recommends closing the hunt area and eliminating both tags from CH 6005.

**Reduce bighorn sheep tags in Controlled Hunt Area 46 from 5 tags to 3.**

Staff recommendation is to reduce the number of tags in the hunt area from 5 tags to 3 by maintaining CH No. 7006 (3tags) but eliminating Controlled Hunt No. 7007 (2tags). Staff proposes extending the season length for CH No. 7006 from the current August 30 – September 14 to August 30-October 8.

**18-18** Commissioner Corkill moved and Commissioner Attebury seconded a motion to accept the staff recommendations as presented to close mountain goat Controlled Hunt 6005 (CH Area 10-3) for the 2018 season; and eliminate California Bighorn Sheep Controlled Hunt No. 7007 and extend the season date for CH no. 7006 to October 8 for the 2018 season. All Commissioners voted in favor.

**Prohibit use of second (nonresident) deer tags in Unit 10 A.**

**18-19** Commissioner Blanco moved and Commissioner Meyers seconded a motion to prohibit the use of second tags in Unit 10 A. All Commissioners voted in favor.

**Shorten season for white-tailed deer tag in Unit 10 A to October 10 – November 20.**

**18-20** Commissioner Blanco moved and Commissioner Meyers seconded a motion to reduce the white tail deer season in 10 A to October 10- November 20 effective 2018. The motion passed with Commissioners Corkill, Blanco, Fischer, Cameron, Clezie and Meyers voting in favor, and Commissioner Attebury voting against.

**Remove the cap on Weiser River Elk zone tags.**

Commissioner Fischer suggested to remove the CAP on the Weiser River Elk A Tag effective 2018.

**18-21** Commissioner Fischer moved and Commissioner Corkill seconded a motion to remove the CAP on the Weiser River Elk A Tag effective 2018. The motion passed on a divided vote.

**Set 2018 Landowner Appreciation Program hunts**

Sal Palazzolo, Wildlife Program Coordinator, presented a summary (Appendix 51, Exhibit 21).

Staff recommends LAP hunts and tag levels be adjusted consistent with, and proportionate to, Commission-adopted changes in regular controlled hunts and tag levels.

**18-22** Commissioner Fischer moved and Commissioner Cameron seconded a motion to approve the LAP seasons and tag number for the 2018-2019 hunting seasons as recommended by staff. All Commissioners voted in favor.

**Agenda items F. Proposal to Add Additional Wolf Trapping Opportunity and G. Proposal to Add Additional Wolf Hunting Opportunity**

**18-23** Commissioner Corkill moved and Commissioner Attebury seconded a motion to table agenda items F. and G. and defer action allowing for additional staff research & recommendations and options for consideration at a future meeting. All Commissioners voted in favor.

**Unlimited Controlled Hunt Nonresident Tag Numbers, and Outfitter Allocation**

Jon Rachael, reported that following negotiated rulemaking during spring and summer 2017, the Commission adopted a proposed rule that would provide the Commission new authority to limit the number of tags available for nonresident hunters to no less than 10% of the average number of total tags drawn annually during the previous 5-year period in controlled hunts in which the number of resident hunters is unlimited. Further, the Commission adopted a proposed rule that would provide additional authority to expand options for allocating tags to outfitters to include the option of allocating an unlimited number of allocated tags or a number of allocated tags based on historic use as alternatives for controlled hunt areas with limited nonresident tags and unlimited resident tags.

The proposed rules were passed by the 2018 legislature and will go into effect upon their adjournment. The Commission set the 2017 and 2018 seasons and controlled hunt tag numbers for big game species at their March 2017 meeting. There are 3 Unlimited Controlled Hunts for antlered deer in the Middle Fork and 1 Unlimited Controlled Hunt for antlered deer in Southeast Idaho that could be affected if the Commission chooses to implement: CH No. 1011 in CH Area 20A; CH No. 1016 in CH Area 26; CH No. 1017 in CH Area 27; CH No. 1055 in CH Area 73.

**CH Area 20A** has averaged 27 nonresident hunters over the last 5 years (max = 36) and has averaged 103 total hunters (max = 120) (5-yr average of 26% nonresidents) (Fig. 1). The minimum number of nonresident tags under the new rule (no less than 10% of the previous 5-yr average number of tags) = 10 nonresident tags. Outfitter historic use averaged for the previous 5 years = 17 deer hunters; the highest number of outfitted deer hunters during the previous 5 years = 28 (2015). CH Area 20A exceeds the unit's quality hunt objectives for success (58% vs. objective of 50%) and %4 pts in the harvest (72% vs. objective of 40%).

**CH Area 26** has averaged 94 nonresident hunters over the last 5 years (max = 127) and has averaged 125 total hunters (max = 164) (5-yr average of 75% nonresidents) (Fig. 2). The minimum number of nonresident tags under the new rule (no less than 10% of the previous 5-yr average number of tags) = 13 nonresident tags. Outfitter historic use averaged for the previous 5 years = 29 deer hunters; the highest number of outfitted deer hunters during the previous 5 years = 59 (2017). CH Area 26 exceeds the unit's quality hunt objectives for success (81% vs. objective of 50%) and %4 pts in the harvest (88% vs. objective of 40%).

**CH Area 27** has averaged 368 nonresident hunters over the last 5 years (max = 433) and has averaged 511 total hunters (max = 598) (5-yr average of 72% nonresidents) (Fig. 3). The minimum number of nonresident tags under the new rule (no less than 10% of the previous 5-yr

average number of tags) = 51 nonresident tags. Outfitter historic use averaged for the previous 5 years = 85 deer hunters; the highest number of outfitted deer hunters during the previous 5 years = 99 (2014). CH Area 27 exceeds the unit's quality hunt objectives for success (73% vs. objective of 50%) and %4 pts in the harvest (82% vs. objective of 40%).

**CH Area 73** has averaged 487 nonresident hunters over the last 5 years (max = 569) and has averaged 1,710 total hunters (max = 1,845) (5-yr average of 29% nonresidents) (Fig. 4). The minimum number of nonresident tags under the new rule (no less than 10% of the previous 5-yr average number of tags) = 171 nonresident tags. Outfitter historic use averaged for the previous 5 years = 0 deer hunters; the highest number of outfitted deer hunters during the previous 5 years = 1 (2015). CH Area 73 fell just short of the unit's quality hunt objectives for success (49% vs. objective of 50%) in 2017 and exceeded the quality hunt objective for %4 pts in the harvest (48% vs. objective of 40%).

### **To set nonresident tag numbers**

Controlled Hunt Area 26 at 10 % of 5 year average (13)

Controlled Hunt Area 27 at 10% of 5 year average (51)

**18-24** Commissioner Fischer moved and Commissioner Meyers seconded a motion to set the nonresident tag numbers at 13 for Controlled Hunt No. 1016 (CH Area 26) and at 51 for Controlled Hunt No. 1017 (CH Area 27) for the 2018 big game hunting season. The motion passed with Commissioners Corkill, Blanco, Fischer, Cameron, Clezie and Meyers voting in favor, and Commissioner Attebury voting against.

### **Outfitter Allocation**

Establish Outfitter Allocation

Controlled Hunt Area 26 Max tags past 5 years (59)

Controlled Hunt Area 27 – Max tag past 5 years (99)

**18-25** Commissioner Fischer moved and Commissioner Meyers seconded a motion to establish and outfitter allocation of 59 tags for CH No. 1016 and 99 tags for CH No. 1017 for the 2018 hunting season. The motion passed with Commissioners Corkill, Blanco, Fischer, Cameron, Clezie and Meyers voting in favor, and Commissioner Attebury voting against.

## **REPORTS**

### **Idaho Fish & Wildlife Foundation**

An update was provided by Hilarie Engle, Foundation Development Coordinator, on the recent activities for the Idaho Fish & Wildlife Foundation. The Foundation staff, Board Members and volunteers represented IFWF during Idaho Public Television Spring Festival fundraising drive on March 8<sup>th</sup>, raising \$50,000 in donations.

## **Migratory Game Bird Briefing & Upland Game Plan Update**

Jeff Knetter, Upland Game & Migratory Bird Coordinator, provided the updates.

### **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 13 Commission conference call.

### **Upland Game Management Plan Update**

An Upland Game Management Plan Revision Team has been assembled with members that represent each administrative region of Idaho. This team will work with their respective regional staff to identify and compile upland game management issues the Department intends to scope with the public through an upland game hunter opinion survey. Currently, this survey is in the queue and we anticipate it will be initiated during summer – results will be available within 4-6 months. Thereafter, the team will begin revising the plan based on results obtained through the survey.

## **Swan Hunting in Idaho / Information**

Jeff Knetter reported that swan hunting in the Pacific Flyway is guided by frameworks designated in the 2003 Final Environmental Assessment (EA): Proposal to Establish Operational General Swan Hunting Seasons in the Pacific Flyway (Bartonek et al. 1995) and a Finding of No Significant Impact. This EA included the states of Montana, Nevada, and Utah. Any other states wishing to have a swan season will require a revised EA for general swan hunting seasons in the Pacific Flyway.

Currently, both Nevada and Utah are considering changes to their operational swan seasons, and were advised that changes would require a revised EA. Given interest to revise the EA from Idaho, Nevada, and Utah, Pacific Flyway Representative Dr. Todd Sanders is going to review proposed changes with the USFWS Division of Migratory Bird Management Headquarters staff and Solicitor's Office. Further, proposed hunts in Idaho were discussed at the Greater Yellowstone Trumpeter Swan Working Group meeting in February. Dr. Sanders will provide feedback from these meetings to the Pacific Flyway Study Committee at their meeting in early March.

The Pacific Flyway Western Tundra Swan Management Plan (2017) identifies the following procedures for new hunt proposals:

- Prior to requesting a new swan hunt, a state must submit a hunt plan proposal to the Pacific Flyway Study Committee at least 30 days prior to the Subcommittee meeting at which approval is sought. Hunt proposals must include: (a) description of hunt area boundaries; (b) a summary of numbers of swans, species composition, and seasonal use patterns in the proposed hunt area; (c) number of permits requested; (d) anticipated harvest; (e) season length and dates; (f) description of the permit process; and (g) proposed methods for obtaining reliable data on harvest and hunter activity.
- States initiating first-time swan hunting seasons or proposing major changes in permits or hunt areas are encouraged to obtain adequate public participation before proposals are brought before the Pacific Flyway Study Committee and Council.
- Swan hunting seasons should be directed toward tundra swans and designed to minimize take of trumpeter swans. As trumpeter and tundra swans become more abundant, and swan hunting becomes more popular and widespread, the chance taking of a trumpeter swan during general swan seasons could become more prevalent. To minimize this problem, waterfowl biologists, nongame biologists, and representatives from the USFWS and Pacific Flyway Council should work together in early planning stages of all proposed swan hunts and restoration projects. It is very important that all partners in swan management work together to minimize conflicts and find workable solutions that benefit both goals for trumpeter swan restoration and tundra swan hunting.
- New hunts will be considered experimental for a period of three years, after which an evaluation to assess conflicts and address any take of trumpeter swans must be conducted before experimental seasons may become operational.

Furthermore, a harvest potential analysis will be conducted. A potential limitation for Idaho in the justification for a season in a revised EA may be baseline data, which would include:

- Number of swans in the area
- Species composition
- Seasonal use patterns
- Implications on trumpeter swan restoration efforts

Current survey data is lacking from north Idaho. There is more data available for southeast Idaho, but most data is limited to winter months (February-March) and the nesting season. In 2015 the entire Rocky Mountain Population of trumpeter swans was surveyed – 17,178 birds. The previous February, 6,933 trumpeter swans were counted in the Tri-State area (ID, MT, WY) – 5,092 were in Idaho. The Department also has results from surveys conducted in conjunction with light goose seasons during February-March in the American Falls area of southeast Idaho. There is little survey data available on tundra swans in Idaho. The Panhandle and Southeast regions are aware of these data needs and are evaluating methods to collect appropriate data.

### **Johnson, Mirmiran and Thompson (JMT) License System Launch**

Michael Pearson, Chief, Administration, presented.

The current contract for the department's licensing system was awarded in 2006 and expired on February 28, 2018. In preparation, the department issued an RFP for a new license system vendor, and JMT of Maryland was awarded the contract in April of 2017. Since that time, both JMT and department licensing staff have been working together to develop and configure the new system for a March 2018 go-live.

An update to the Commission was provided in November 2017, with the upgraded license terminals on display and representatives from JMT to answer questions.

This agenda item updated the Commission on the new license system launch that occurred at the beginning of March, and provided a preview of license system features that are newly available or being scheduled later in the year.

I.C. 36-301 (a) 1 gives the Commission the authority to prescribe by rule the procedures for issuance of licenses and applications by a computerized licensing system.

Also, SB 1344 revised provisions of Idaho Code to have an independent entity carry out drawings for tags for controlled hunts as established by the Commission, and require IDFG to solicit bids for the contract pursuant to Idaho Code. This RFP includes the requirement to provide a draw module and complies with SB 1344

### **Grizzly Bear Hunting Opportunity**

Toby Boudreau, Asst. Chief, Wildlife, reported (Appendix 51, Exhibit 22) that the greater Yellowstone population of grizzly bears was delisted in June 2017. The conservation strategy for Yellowstone grizzlies allows for take of bears when the population estimate is greater than 600 bears. Hunting is a management tool consistent with the conservation strategy and bear conservation. The 2017 population estimate is 718 bears. The states of Wyoming, Montana and

Idaho all share management responsibilities for grizzly bears in the greater Yellowstone ecosystem (GYE). Through a memorandum of agreement developed by the 3 states, hunter harvest is to be allocated; 58% to Wyoming, 34% to Montana, and 8% to Idaho. The allocation is based on the percentage of land area of each state inside the designated monitoring area not counting National Park Service lands. The harvestable number of bears is calculated by subtracting the previous year's total mortality from the maximum allowable mortality limit for each demographic class. If the result is a positive number, then that number of bears can be allocated to the 3 states by the previously mentioned percentages. The calculated harvestable number of bears for 2018 is 19 total bears in the GYE with 17 males and 2 females allowed for harvest. Applying the allocation gives Wyoming 10 males, Montana 6 males, and Idaho 1 male bear to harvest in 2018.

Staff recommends the Commission direct the Department to gather public input on a grizzly bear hunting season framework in anticipation of a possible Fall 2018 Idaho grizzly bear season.

**18-26** Commissioner Meyers moved and Commissioner Blanco seconded a motion directing staff to gather public input on a grizzly bear hunting season framework in anticipation of a possible Fall 2018 Idaho grizzly bear season. All Commissioners voted in favor.

### **Chronic Wasting Disease (CWD)**

Toby Boudreau reported that in 2016, Department staff began revising the Chronic Wasting Disease Strategy which was first written in 2002 and revised in 2010 and 2012. The Department presented the draft strategy to the Commission at the January 2018 meeting. The Strategy revision is a comprehensive document that includes updated background information on research and management on CWD, prevention, and surveillance for both pre- and potentially post-detection, rule change recommendations, potential management strategies for post-detection and communication strategies.

Mr. Boudreau presented the proposed rules developed through the development of Idaho's CWD strategy (Appendix 51, Exhibit 23).

Commission consensus is to allow the Department to move forward with the negotiated rule process on the proposed rules outlined in the strategy.

### **Trapping Setback Update**

Jon Rachael stated that in response to public inquiry and testimony, the Commission asked the Department to work with trapper's associations to review current regulations related to placement of traps on or near trails and pursue improvements to the existing rule to reduce potential conflicts among user groups.

The current regulations have been in effect since July 2010 when adopted by the Commission as temporary proposed rules. Trapping regulations state that no person trapping furbearing animals or predatory or unprotected wildlife shall place any ground, water, or other sets on, across, or within 5 feet of center line of any maintained public trail (IDAPA 13.01.16.400.03(e)).

Regulations for trapping wolves also state no person trapping gray wolf shall place any ground set on, across, or within 5 feet of center line of any maintained public trail (IDAPA 13.01.17.400.02(f)).

Staff initiated discussions with trappers following the January 2018 Commission meeting and held an introductory meeting on the subject with the president of the Idaho Trappers Association on February 22<sup>nd</sup>. Some initial brainstorming included, defining the word “maintained,” adding a seasonal component to the rule, adjusting the distance from center line or restricting placement of ground traps on the trail bed, and limiting application of the restriction only to ground sets.

ITA president Rusty Kramer will work to coordinate with leadership within the trapping organizations (i.e., Upper Snake River Trappers of Idaho, Inc., and Intermountain Fur Harvesters) to discuss and schedule future collaboration with IDFG staff.

Staff will prepare an update for the Commission’s May meeting and seek Commission direction on whether to proceed with formal rulemaking.

Mr. Rachael introduced Cory Mosby the new Furbearer Biologist for the Wildlife Bureau.

### **Mule Deer Hunter Survey Summary**

Daryl Meints, Natural Resources Program Coordinator, reported that the Department’s current mule deer management plan was implemented in 2008 and was intended to guide mule deer management decisions through at least 2017. The mule deer management plan was the result of an extensive public input process in which deer hunters were surveyed to identify their preferences and highest priorities. In response, the Department continued to focus on general season over-the-counter hunting opportunities to ensure that sportsmen would retain the opportunity to hunt with family and friends every year. Additionally, in response to hunter desire for more “high quality” hunting opportunities, the Department added additional hunts around the state that are managed to provide better opportunities to harvest trophy bucks in areas with lower hunter densities, a high percentage for 4 pt. bucks in the harvest and higher harvest success rates. The Department initiated work in July 2017 to determine if preferences of mule deer hunters have changed over the last decade since the last major survey was conducted.

Hunters were asked a series of questions pertaining to their hunting experiences and preferences. If they felt changes were needed, they were asked what other management options they would consider or favor. Hunters were asked specifically about their satisfaction concerning their 2016 hunting experience. Results of the survey were compared to the 2007 survey to determine if experiences and preferences have changed over time.

At the January 2018 Commission meeting, staff presented highlights of summary results from a few key questions from our 2017 survey. A more complete summary of the results from the 2017 Mule Deer Hunter Survey (Appendix 51, Exhibit 24) was presented by Mr. Meints.

HQ staff will review results with regional staff and commissioners to determine if there are important changes that need to be made to the existing Mule Deer Plan or just a refresh for the plan (your thoughts for this comment, I am not sure if I have recorded correctly).

### **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. Greg Wooten, Chief, Enforcement, presented the 2017 Idaho Wildlife Officer of the Year award to Conservation Officer Nathan Stohosky.

Chief Wooten stated that “Nathan is a teacher, coach, mentor, leader and peer. He continually works to improve himself and those around him. Nathan is interested in future leadership roles and responsibilities and is clearly capable of anything asked of him. As he ascends he is bringing others along with him. “

### **Sawtooth Zone LAP Allocation and Options**

Jon Rachael reported that at the January 2018 Commission meeting, the Commission directed the Department to implement controlled hunts for the Sawtooth Elk Zone beginning in 2019 and to determine how many landowners may be eligible to receive Landowner Appreciation Program tags (LAP).

Since that time, some Commissioners have expressed an interest in considering additional ideas and information as well as alternative options to converting the zone to controlled hunts. The following options may be considered:

1. Convert current A and/or B tags to Controlled Hunts
2. Make all general season Sawtooth A and B zone tags available for purchase on July 10 only to individuals who did not apply for any controlled hunts for elk, moose mountain goat, or bighorn sheep.
3. Modify season structure to reduce demand for A/B tags.
4. Separate out Units within the Sawtooth Zone.

Commissioners asked staff to further develop options for their consideration as alternatives to controlled hunts.

## **LEGISLATION**

### **Legislative Update**

Deputy Director Kiefer updated the Commission about legislative activity since the last Commission legislative call on March 16 (Appendix 51, Exhibit 25). House Bill 658aaS passed

on the House floor and is being sent to the Governor for signature. The Fish and Game bills that were passed will become effective July 1.

Deputy Director Kiefer reviewed the Commission adopted rules (Appendix 51, Exhibit 26) that will become final upon completion of the 2018 legislative session were provided to the Commissioners.

A brief report was provided on about the general timeframe and steps for rulemaking during the next few months to ensure any proposed rules are filed by the August 31, 2018 deadline for publication in the Administrative Bulletin, ensuring review by the 2019 Legislature.

## **REPORTS**

### **Trends in Nonresident Bear Bait Permit Numbers**

Jim Hayden, Staff Biologist, stated that in response to public comment received at the January 2018 Commission public hearing, the Commission requested an overview of use of bear-baiting permits by nonresident hunters.

Hunters were first required in 1993 to purchase a special permit to place bait for the purposes of taking a black bear. Currently, one permit can be purchased per hunter each year, with up to three bait sites maintained on the permit. Each site must be tagged with a unique tag that identifies the permit under which the bait was placed.

Hunters using the services of a licensed outfitter are allowed to harvest a wolf on a special outfitter bear baiting permit. The number of bait sites that can be maintained by an outfitter is specified by the land management agency in the outfitter's operating plan.

Additional regulations for baiting of black bears include regulations on which units bait can be used; the types of bait used; containers for the bait; timing for when it can be placed and removed; and distances to water, trails, roadways, campgrounds, picnic areas, administrative buildings, and dwellings.

Use of bait is the primary method of take for black bears in Idaho (2017 data)

- 47% are taken with bait
- 26% by hunters spotting and stalking bears
- 16% with use of hounds
- 10% incidental to other hunting
- <1% with predator calling

Since 1993, the number of bear bait permits sold in Idaho grew from 1,195 to 2,795 (Figure 1), an average increase of 3.5% annually.

- During 2017, residents purchased 2,362 permits (85%) and nonresidents 433 permits (15%)
- In recent years, the number of nonresident baiting permits has risen more quickly than that of resident bear baiting permits
  - Resident bear baiting permits rose 3.0% annually, 2009-2017
  - Non-resident bear baiting permits rose 7.0% annually, 2009-2017

Nonresidents harvest about as many bears with the use of bait as do residents (Figure 2).

- Nonresidents are more likely to hunt over bait with the use of an outfitter than residents
  - 48% of bears killed by nonresidents over bait also used an outfitter
  - 3% of bears killed by residents over bait also used an outfitter
- The success rate of non-residents using bait (outfitted and non-outfitted combined) is substantially higher than that of resident hunters using bait (2017 data)
  - Nonresident – 65% success
  - Resident – 24% success

### **Predation Management in Zones Not Meeting Goals, and Inhibiting Hound Hunting**

Jim Hayden, Staff Biologist, The Commission requested a discussion of potential management options to help where elk are not meeting population objectives in areas where the presence of wolves is a deterrent to using hounds to pursue black bears and cougars. This agenda item included a statewide summary of where elk objectives are not being met, and the potential for predation management as a tool to help meet those objectives.

#### Elk Status

Elk populations are estimated in 22 of Idaho's 29 elk management zones. In the remaining 7 zones, aerial surveys for estimating elk are either impractical due to forest cover or too expensive given low density of elk.

Most elk zones meet or exceed bull elk objectives

- 8 are more than 25% above objective
- 5 are 1 to 25% above objective
- 4 are within objective range
- 1 (Selway) is 1 to 25% below objective, and,
- 4 (Dworshak, Lolo, Elk City, Sawtooth) are more than 25% b

Most elk zones meet or exceed cow elk objectives

- 3 are more than 25% above objective
- 6 are 1 to 25% above objective
- 8 are within objective
- 3 (Elk City, Middle Fork, Sawtooth) are 1 to 25% below objective, and,
- 2 (Lolo, Selway) are more than 25% below objective

### Predation Impacts

Total annual predation of cow elk averaged 3.3% statewide 2014-2016, ranging from 1.7% to 4.7% across elk zone predation impact classifications. Predation by wolves ranked second to that caused by cougars.

Data from the Lolo Zone 2002-2009 provide important insight into early calf elk survival. Calf elk survival from birth through mid-winter averaged 45.6%, with mortality dominated by predation. The most common source of predation during this period was by black bears, followed by cougars, then wolves.

Total 6-month predation of calf elk captured mid-winter (2014-2017) averaged 22.2% statewide, ranging from 14.2% to 26% across elk zones. Similar to the case for cow elk, predation by wolves ranked second to that by cougars.

During 2014-2016, annual survival of radio-collared cow elk in the Elk City Zone was 97% (57 of 59 cow elk survived). One died from wolf predation and one from unknown causes. Six-month survival (winter/spring) of radio-collared elk calves was 82% (14 of 17). The 3 calves that did not survive were killed by cougars.

### Inhibition of Wolves on Hunting of Bears and Cougars with the Aid of Hounds

Wolves are known to kill dogs during pursuit of bears and cougars. Because of a concern over potentially losing dogs to conflicts with wolves, some houndsmen have reportedly opted to not hunt in areas occupied by wolves. Consequently, there is a concern that harvest of black bears and cougars has been reduced. If the presence of wolves is deterring hunters from using hounds, a decrease in harvest of both bear and cougar with the aid of hounds should be expected.

### Hound Hunter Harvest of Black Bears

Within the 5 elk zones with predation management plans, harvest of black bears with the aid of hounds has increased from 74 to 152 (+105%) during the past 20 years. Harvest of black bear with the aid of hounds remains a negligible influence on bear population management in the Sawtooth, Middle Fork, Selway, and Lolo Elk Zones (Table 1). In the Panhandle Elk Zone, harvest of black bears with the aid of hounds is large enough to be a significant influence. In the Panhandle, bear harvest over hounds has increased from 46 to 123 since wolves were introduced in 1995. In the Elk City Zone, the annual harvest of bears with the aid of hounds has increased during this period from 20 to 34 (+69%).

### Hound Hunter Harvest of Cougars

Harvest of cougars over hounds decreased from 152 to 138 (-9%) in the 5 elk zones with current predation management plans. Statewide, cougar harvest decreased 18% over the same period, apparently in response to a decrease in the cougar population from the peak levels in the late 1990s.

Harvest of cougars remains a negligible influence on cougar populations in the Sawtooth, Middle Fork, and Selway, Elk Zones (Table 1). Harvest of cougars in the Lolo Elk Zone cannot be excluded as a significant influence on the cougar population. In the Lolo, the average annual cougar harvest has decreased from 27 to 15 cougars over the past 20 years. Harvest of cougars in the Panhandle Elk Zone can be considered a significant influence on the cougar population. In the Panhandle, cougar harvest has increased slightly from an annual average of 94 to 102 cougars. This is a very large zone, and it should be noted that this analysis did not address potential shifts at the game management unit scale. In the Elk City Zone, the annual harvest of cougars has decreased during the past 20 years, from 61 to 31 cougars taken (-49%).

### Predation Management

Predation management plans have been written and approved for the Panhandle, Lolo, Selway, Middle Fork, and Sawtooth Elk zones.

### Management Implications

- Harvest of black bear and cougars with the use of hounds is too low to be an effective tool for managing bear and cougar populations in the Sawtooth, Middle Fork, and Selway Elk Zones, either now or prior to occupation by wolves.
- In the Lolo Zone, harvest of black bears with the use of hounds is too low to be an effective tool for managing bear populations. Little change is evident in the harvest of black bears with the aid of hounds in the Lolo since the initial wolf reintroduction in 1995.
- Harvest of cougars is possibly an effective cougar population management tool in the Lolo. Harvest of cougars has significantly declined over the past 20 years in the Lolo. This decline (-44%) is more pronounced than that found statewide (-18%), and is likely tied to the decline in ungulate biomass in the zone.
- Both black bear and cougar harvest with the aid of hounds has increased in the Panhandle Elk Zone since wolf reintroduction.
- No consistent trend in the harvest of predators with the aid of hounds is apparent in the Elk City Zone during the past 20 years. Bear harvest with the aid of hounds increased 69% while that for cougars harvest decreased 49%.
- Options to increase harvest of black bears and cougars in the Elk City Zone:
  - Commission authorization (proclamation authority) of use of second bear and/or second mountain lion tags in game management units in the Elk City Zone. To date this authorization has been limited to areas for which we have predation management plans.
  - Exempt Elk City Zone units from the statewide nonresident hound hunter permit quota (70 permits) to increase nonresident participation and harvest of black bears and cougars. There are currently exemptions for game management units in the

Lolo, Middle Fork, and Selway zones. Rule-making would be required to provide Commission authority for this action.

### **Pelican Management Update**

Rex Sallabanks and Jeff Dillon provided the update.

The Commission approved the current Management Plan for the Conservation of American White Pelicans in Idaho (2016-2025) in May 2016. The Plan addresses the need to conserve pelicans in Idaho and reduce pelican predation impacts on important native fish and recreational fisheries. Pelican distribution and abundance in southern Idaho has increased since the 1990s, and predation on native cutthroat trout and hatchery trout has led to conflicts with fisheries management goals in some locations. The Plan includes actions to identify and address predation conflicts using a variety of approaches such as hazing and nesting colony management. The update summarized the current status of pelicans in Idaho based on the most recent available data (Appendix 51, Exhibit 27), management actions conducted since Plan approval in 2016, proposed activity for 2018, and a review of pelican population objectives.

### **Access Requirements for Landowners Filing Depredation Claims**

Sal Palazzolo, presented the report.

There has been much discussion on the interpretation of the “reasonable access” language within the depredation code. The question of what is “reasonable” has been an on-going debate since the creation of the program.

The various sections dealing with depredation claims within Title 36 Chapter 11 all have the same language:

*“The owner or lessee must have allowed hunters reasonable access to the property or through the property to public lands for hunting purposes during the preceding hunting season, provided such access does not impact on their operations, or the claim for damages may be disallowed.”*

This language was modified from its previous form as part of HB 230 in 2017. The following section was added:

*“The owner or lessee must have allowed hunters reasonable access to the property or through the property to public lands for hunting purposes during the preceding hunting season or as a measure of response to depredation, provided such access does not impact on their operations, or the claim for damages may be disallowed.”*

The Department has taken the following steps to ensure consistent application of the program statewide:

- In 2017 the Wildlife Bureau formed a Depredation Steering Committee. The committee consists of 11 members, including all regional LSCs, State Game Manger, one Regional Supervisor, one Regional Habitat Manager, and the Statewide Private Lands Coordinator. The purpose of this committee is to act as a process development team and sounding board to provide consistent application of the program.
- In October 2017 a subgroup of the committee was tasked with developing guidelines to help the regions address “reasonable access” requirements consistently.
- In December 2017 Wildlife Bureau staff discussed the guidelines and gathered feedback at the Department’s Operations Team meeting.
- In January 2018 a wildlife bureau memo (Appendix 51, Exhibit 28) was provided to all regions outlining the Bureau’s interpretation of how this should be addressed.

### **Mandatory Harvest Report**

Jon Rachael and Mark Hurley presented the report on Mandatory Harvest and how it works (Appendix 51, Exhibit 29). Estimation of harvest is an important component of game management and provides information critical to assessment of trends in population size, population age structure, and demographics of harvested species and is often the best measure of the effectiveness of harvest seasons to meet species management plan objectives.

The Department’s mandatory hunter report program to estimate harvest of deer, elk, and pronghorn was initiated by temporary rule by Commission action in March 1999. The Commission adoption of the harvest report card approach was largely in response to dissatisfaction among some hunters with the Department’s existing telephone survey that was used to contact and interview a randomly-selected sample of deer and elk tag holders about their hunting activities and success. Hunters who were not drawn in the survey sample tended to mistrust the Department’s harvest estimates because they had never been contacted to provide their harvest information.

In theory, if all hunters reported on their hunting activity and harvest on each tag in a timely manner, the Department would have the best available information on participation and harvest. The Commission-adopted mandatory report program was designed after a program in another state that experienced very high compliance (~96%) with their reporting requirement that resulted in hunters being ineligible to apply for future hunts if they did not submit their report within the required timeframe unless they paid a \$50 reinstatement fee.

The Idaho mandatory report regulation (IDAPA 13.01.08.421) requires that any hunter that obtains a pronghorn, deer and/or elk tag must complete a report and submit to the Department or authorized agent within 10 days of kill. Hunters who do not harvest must submit a report within 10 days of the closing date of the appropriate season. By rule, failure to report by January 31 renders the hunter ineligible to obtain any subsequent year’s license until a late mandatory report is filed. The Department is not authorized to charge a fine or require a reinstatement fee. Late mandatory reports filed months after the harvest season are not useful for informing management decisions for the subsequent seasons.

## REPORTS

### Directors Report

Director Moore stated that the Director's report stands as presented in the agenda book.

### Commissioner Reports

Commissioner Reports stand as written (Appendix 51, Exhibit 30).

## MISCELLANEOUS

### Planning for Next Meeting

The next Commission meeting is May 9-10, 2018 in McCall, Idaho.

### Executive Session

**18-27** Commissioner Fischer move and Commissioner Cameron seconded a motion to hold an executives session pursuant to Idaho Code 74-206 (1)(b)(c)(f) to discuss personnel (Director performance), potential land acquisition, and litigation.

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

**18-28** Commissioner Fischer moved and Commissioner Attebury seconded a motion to come out of executive session with no action taken. All Commissioners voted in favor.

Adjourn



Derick Attebury  
Chairman



Virgil Moore  
Secretary