

**Idaho Fish and Game Commission
Quarterly Meeting – November 5-6, 2008
Idaho Department of Fish and Game
Clearwater Regional Office
3316 16th Street
Lewiston, Idaho**

November 5

Commissioners Wright, McDermott, Trevey, Barowsky, Budge and Power toured the Potlatch River Watershed Enhancement Project.

MISCELLANEOUS

Public Meeting

Chairman Wheeler called the meeting to order at 7:00 p.m. Commissioners Tony McDermott, Fred Trevey, Robert Barowsky, Wayne Wright, Randy Budge and Gary Power were present. Chairman Wheeler introduced Senator Joe Stegner, Representatives Liz Chavez, John Rusche, and former Commissioners Keith Carlson, Will Godfrey and Keith Stonebreaker.

Chairman Wheeler stated that a discussion of wolves is on the agenda for the Thursday meeting and the Commission will discuss the 10(j) rule, collaring wolves in the wilderness areas and a policy to deal with wolf packs that are in trouble. Chairman Wheeler reported that the Commission has a passion for this subject and they share the same feelings that hunters are feeling and understand the frustration. He stated that the Commission is going to do everything they can to make delisting happen.

Commissioner Budge gave a brief summary of the history of the wolf issue, referring to federal agency actions on federal lands, the Endangered Species Act, and the decisions in the recent delisting lawsuit. He also described the limits on the Commission's legal options. He underscored the Commission's concerns and commitment to addressing the issue as best they can.

Will Godfrey spoke regarding the fishing regulations for steelhead fishing pages 65-69. Mr. Godfrey stated that there is a bait fishery going on during the same time frame as the catch and release period. He would like to see wild genes put back in to the hatchery fish for steelhead management. Mr. Godfrey would like the Commission to consider regulations to limit the number of rods to 4 on the outfitter fishing boats.

Keith Stonebreaker stated that he would like Idaho to take the lead in the way they are producing anadromous fish. He feels that the Department has too much of a cattlemen's mentality of production and conversion rates. Mr. Stonebreaker would like to see wild genes infused into the hatchery fish.

Jim Lowther requests that the catch and release seasons prohibit bait and treble hooks.

Keith Lawrence representing the Nez Perce Tribe spoke regarding big horn sheep. Mr. Lawrence reported that the Tribe has three recommendations for your consideration, take immediate action to halt the declines, adopt management plans supporting population recovery and to consider reducing harvest for the 2009/2010 in the units where declines are happening and continue. Mr. Lawrence stated the tribe does not support the hunting of ewes.

Chuck Middleton representing the Wild Sheep Foundation in Idaho, stated that the Bighorn Sheep survey did not really address the real issues and that there are 50% less sheep in the state of Idaho today than we had 20 years the last time the plan was written. The number of tags has been reduced from 200 tags to 80. He does not feel the Department should go to special seasons for hunters and does not want the hunts to occur during the rut season.

Randy Krall stated that he is a local business owner. He stated that tourism to the area brought in \$132 million for 2007 and of that amount the sports fishing accounts for \$70 - \$80 million of the \$132 million. Mr. Krall thanked the Commission for providing a great Chinook season. Mr. Krall is a member of the CCA and feels that the state of Idaho does not have representation on the Oregon and Washington Columbia River Pact in regards to commercial fishing seasons that are set.

Gary Palmer supports the Commissions policy statement on hunter orange. Mr. Palmer provided documentation to the Commission. Mr. Palmer thanked the Commission for their leadership and vision for recognizing that our young hunters need this type of encouragement for hunting.

Tom Mattice, representing the American Legion, in Lewiston spoke regarding the American Legion Department of Idaho working with Idaho Department of Fish and Game Hunter Education and the American Legion Jr. Shooting Program.

Orlan Ranstrom representing the American Legion stated that the Jr. Shooting Program course is complete and ready to be implemented. The American Legion is looking forward to working with Idaho Department of Fish and Game Hunter Education program.

Kent Henderson supports the Commission Policy statement on hunter orange.

Dellwin Ruddell stated that he has been a Hunter Education Instructor for fourteen years and supports the Commission Policy on Hunter Orange.

Richard Hallisy read a letter from Ed Lindhal regarding management, revenue and the increased fee proposal.

Jim Hagedorn stated that hunter orange is needed. Mr. Hagedorn has concerns on Access Yes; depredation payments not working with landowners; does not feel it is time for the Department to ask for a fee increase due to the economy; WMA's and pheasants. He

would like the Department, Commission and sportsmen to start working together rather than the Department making decisions alone and telling us what they are going to do. They are the stockholders in this company and are looking for some return in this investment.

Randy Skinner has concerns on wolves and is against the Commission Policy Statement on Hunter Orange. Mr. Skinner feels the Commission is more interested in what the hunter wears rather than wolves, deer, and elk population.

Grant Simonds, Executive Director, Idaho Outfitters and Guides Association (IOGA) spoke regarding wolves and feels the judge's decisions are a kick in the teeth to the industry. IOGA urges the Department to move forward with reinitiating its proposal under the amended 10(j) rule seeking allowable wolf control measures. IOGA supports maintaining the option for hunters to harvest two sheep over a lifetime, Rocky Mountain and California and are opposed to ewe hunting. Mr. Simonds stated the need for late season tags and an adjustment for the Selway B season from October 28 – November 11 to provide a 14 day season.

Ken Krahn has concerns with the pheasant population decreasing in Idaho; against treble hooks and would like the Commission to put pressure on the guide services on the Clearwater River.

Nate Helm, SFW, spoke regarding the Youth Conservation Corps program; NPT gillnetting stating that just because you can does not mean you should; SFW supports habitat improvement and supports delisting of wolves and the 10(j) rule.

Earl Landrus spoke regarding bighorn sheep, goats in Unit 11 and bighorn sheep diseases. He is concerned about the late deer season in the Clearwater Region.

Letters of public comment were submitted by Samuel Penney, Chairman, and Brooklyn Baptiste, Chairman, Natural Resource Subcommittee Nez Perce Tribe, regarding bighorn sheep harvest regulations and the decline of bighorn sheep in the state of Idaho.

Pheasants Forever submitted a letter for public record regarding hunter orange and fully supports the Commission's Policy Statement on Hunter Orange.

William Ream, Caldwell, Idaho submitted a letter regarding the big game populations in Idaho. He stated that the wolves are wiping out certain populations, and will then move to other areas of the state, and into other states.

November 6

MISCELLANEOUS

Review of Public Comment

Commissioners reviewed and discussed the public meeting comments which included anadromous fish, Tri- state discussions with Washington and Oregon, catch and release, bait issues, treble hooks, OGLB outfitting rods on boats, wild genes into hatchery fish, American Legion Jr. Shooting Sports, pheasant seasons, Hunter Orange Policy statement and Youth Conservation Core, wild sheep, dates for Selway B tags, ewe permits and species of special concern.

Director's Report

- Director Groen reported that for the months of July-September revenue from license and tags sales were up by 6% compared to the same period last year
 - Cash position is currently stable but as expected our cash balances are below prior year levels for this time of the year
- An update on the Kids in Nature program is on the agenda
 - Governor and First Lady Otter are supporting this program
- The 12th annual Salmon and Steelhead Days in September was attended by 1,800 fifth graders
- Director Groen participated in the Treasure Valley Pheasants Forever (TVPF) Banquet
 - TVPF has contributed ½ million dollars for pheasant habitat and conservation efforts
 - The Department presented the Director's 2008 Conservation Organization Award to TVPF
 - Currently they are working with private landowners to set aside for youth hunts for pheasants
- Henry's Lake Foundation has raised ½ million dollars for conservation efforts
- There are a number of groups that are working hard and supporting the Department in wildlife and fish
- A Video of the Sockeye stocking event at Redfish Lake was shown
- Director Groen, Chairman Wheeler, Governor and First Lady attended the Eagle Hatchery Expansion Dedication
- There were 125 candidates applying for future conservation officer openings
 - Three candidates have received conditional offers of employment and will return in January for the third phase of the hiring process
- A Fall Chinook salmon season opened for the first time in over 30 years, October 1-31st
- There has been an 86% increase in wolf depredations
- The Nongame Wildlife Program and Conservation Data Center has resulted in a new program within the Wildlife Bureau called Conservation Sciences Program
- The Department is looking at broader alternative funding sources
- Rex Sallabanks is the new program manager of Conservation Sciences Program
- Introduction of Kathleen Trever new Attorney General on staff working with Attorney General, Dallas Burkhalter
- Good sage grouse season reported

- Gregg Servheen continues to work on the Land Legacy and is moving forward
 - The Southern BPA Mitigation Trust is estimated to be around \$133 million
 - Mr. Servheen is working with the tribes making technical recommendations on how the Department proceeds

Commission Reports

Each Commissioner provided a Regional update report.

Magic Valley Region, Commissioner Wright:

- Opening weekend deer check station results October 9-11
 - Success in general buck hunts was 17%
 - Fifty five percent of the bucks checked were yearlings, which is about average
 - The percent yearling in the female harvest was down, reflecting the above average fawn losses last winter
- Youth hunters are doing well throughout the region averaging 31% success on opening weekend
- All five of the bighorn sheep hunters (3 in the Jarbidge and 2 on Jim Sage) took nice rams
- Reported a higher number of elk depredation this summer compared to recent years
 - Most of the problems were on corn, alfalfa and sugar beet crops in Units 54, 45, and 52A
- Bird hunting has generally been slow throughout the region
- Sage-grouse hunters and harvest were at all time lows this fall because of lower grouse numbers and more hunting seasons
- Magic Valley Regional staff is coordinating the mentored waterfowl youth hunt to be held on the Hagerman Wildlife Management Area in November
- The region escaped the summer without any catastrophic losses of sagebrush to fires
- Reported one large fire north of Minidoka, in an area that burns fairly regularly, where some sagebrush was lost
- Forest fires in Unit 43 and in the Nevada Jarbidge Mountains should benefit most wildlife species
- The habitat section is currently monitoring recreational use on all six of the region's WMAs via user survey boxes similar to those being used by the Access Yes program
- Fall walleye sampling was completed on Salmon Falls Creek and Oakley reservoirs
- The kokanee weir was installed on the South Fork Boise above Anderson Ranch Reservoir in late July and is currently in place
 - The weir is being used to greatly reduce the number of successful spawning kokanee to reduce their abundance in the reservoir

- Magic Valley Region down 3 conservation officers
- Ketchum DCO Greg Wooten was selected for promotion to Assistant Enforcement Bureau Chief in Headquarters
- One officer was injured on a backcountry horse patrol in the Upper Little Wood during the big game archery season
 - Newly available SPOT equipment, a satellite positioning transponder was used in this accident
 - The SPOT can send signals via satellite to designated email addresses and/or EMS agencies designating their position in case they are injured or need help

Southwest Region, Commissioner Barowsky:

- Reported that opening weekend deer hunter harvest success has been considerably lower than last year
- The deer that are being harvested appear to be in very good condition with good body fat
- Check station located at Freezeout Hill on Hwy 16 south of Emmett reported more hunters hunted more hours and shot more pheasants than past year
- Hunter Education website brought up on September 5th
 - The Region conducted 25 Internet /Home Study field days during calendar year 2008, graduating a total of 523 Hunter Education and Bowhunter Education students
- Nampa Fisheries completed a year-long creel survey on the lower Boise River from Barber Dam to Americana Boulevard
- Estimated total fishing effort was just over 10,000 hours with 7,6000 rainbow trout caught
- The Department used purse seining, electro-fishing, and trap netting to conduct a mark-recapture population estimate for wild redband trout at Mann Creek Reservoir as part of a U of I graduate project
- Work continues with the City of Weiser to develop a new community fishing pond
- Hancock Dam on Fish Lake needs to be drained and repaired.
 - The lake is drawn down to the outlet and currently there is a fish salvage open
- The City of McCall is planning on expansion of sewer treatment plant and is proposing to release treated effluent into the NF Payette River again.
- Nine volunteers collected 113 lbs. of bitterbrush seeds in July
 - Luck Peak Nursery will propagate seedlings
 - Volunteers will plant in the spring 2010
- Thirty- seven teenagers planted 419 native shrubs and trees on the Little Salmon River
- Students from Liberty Charter High School cleaned up trash at four department access areas between Walter's Ferry and Marsing
- Sage-grouse season went well
- Enforcement officers contacted 60 hunters as compared to only 17 in 2007

- Sportsmen compliance this year was at an outstanding 97%
- Units 32 and 32 A continue to be hard hit with non-compliant OHV use by hunters
- The waterfowl opener was good
- Information from Fort Boise reported 113 hunters harvested 218 ducks
- Work continues at Rosewell Marsh to restore

Salmon Region, Gary Power:

- Reports Enforcement has been busy this fall
 - Trespassing violations is a major issue in the valley
 - Judge Meyers supports the Department
 - Kudos to Enforcement
- Mosquito Flat Reservoir at Challis
 - Work continues to maintain this fishery
- Chinook red counts are variable
- Upper Salmon are higher
- Lemhi reported lower than the five year average
- Bulltrout spawning grounds are up in some areas and down in others
- Fisheries does an excellent job in working with the youth
 - Lemhi Cooperative Extension Service and Salmon school district
 - Inform 5th grade students on importance of water quality
 - This is an addition to the Living Streams Program
- Steelhead fishing reports good numbers
- Enforcement down 2 officers in the Region
- Referenced Commission tour out of Salmon looking at some of the reconnects that are going on
 - Cooperative Efforts continue
 - Rework streams in the Upper Lemhi
 - Flows back into a section of the river for 2 miles where it had been dewatered for over 50 years
- Recovery efforts of the peregrine falcons in the Salmon area
- Cooperative effort with the Foundation North American Sheep, Idaho Outfitters and Guides Association, Landowners, Department, and Forest Service for the Red Rock Viewing Station
- Staff continues to work on the Lemhi Comprehensive Plan
- Big game opener for deer up 13% hunter numbers with harvest down
- Screen Program is working on contracts for additional screens
- Reported a youth pheasant hunt was held last Saturday

Southeast Region, Randy Budge:

- Reported from the Wildlife stand point it is preliminary to make any assessments without more specific data from the Region which is still being gathered
- Generally there seems to be some improvements in sage-grouse and sharp tail
- Deer season is down
 - Preliminary check stations showing 13% success rate

- Down from 20% from last year
- Elk hunters are having a good harvest and deer hunters are not
 - Low fawn survival
- Referenced 2 new controlled hunts implemented in the Region
 - Report good, less hunters and better quality
 - Some negative complaints in adjoining areas
 - Cooperative efforts with Regions 4 and 6
- Reports a good fisheries overall, no complaints
- Growing pelican population is having a negative impact on the Blackfoot Reservoir
- Habitat perspective
 - Use of WMA's is high and growing
 - Less pheasants planted on WMA's due to the cost
 - Reported a good youth pheasant hunt
- MDI is continuing to work on habitat issues
 - Approximately 2,000 acres on planting forbes and herbs
 - Long term plan
- Farm Bill offering a \$3 per acre enhancement program
 - Further improve Department Access issues
- Referenced the 46 geese found in a dumpster in Soda Springs on opening day
- Regional office expansion has broken ground

Panhandle Region, Tony McDermott:

- Thanks to Director, Commissioner Trevey and Regional staff for the great day on the field trip to Potlatch River
 - Allows Commission to see the work that is being done by the Department
- Director, Attorney General Kathleen Trever and Regional Supervisor, Chip Corsi toured the Farragut Range to view the improvement projects going on
 - Earthwork at the range is completed
- Panhandle elk hunting has been very good this year, although slightly down from last year record harvest, based on check station data
- Deer hunting is off in Units 7 and 9 due to heavy snow last winter
- Craig Mountain habitat is the finest habitat he has ever seen
- Netting efficiency on Pend Oreille Lake trout continues to improve, with a preliminary estimate of about 60% exploitation of spawners this fall
- 22,000 lake trout have been removed so far in 2008 between the Angler Incentive Program and the netting crew
- The Region hosted 3 youth waterfowl hunts on the youth weekend, with over 60 kids participating
- Permits are secured for the Pack River Delta restoration project
- Lake Pend Oreille will be drawn down all the way this year
- Enforcement is busy with spotlighting problems, hunters mistaking moose for elk, and waste cases
- Kudos to the Panhandle Enforcement

Clearwater Region, Fred Trevey:

- Reports on the hunting season in the Lolo zone
 - Check station at Kooskia
 - Reports that the 1st two days of the season
 - There were 62 hunters checked with one elk
 - Critical nature that we have in the Lolo zone
 - Wolves are a major factor in this zone
- Continue to have concern for the bighorn sheep
 - Lamb crop in Unit 11 is almost total mortality
- Moose populations concern and the effect of wolves on this species
- Hunter Education
 - Lots of work going on and appreciates volunteer efforts
 - Opportunities for American Legion Youth Shooting
- Take an opportunity to work with American Legion and thanks Mr. Ranstrom for his efforts
- Reports lots of activity for Steelhead fishing
- Referenced the Fall Chinook season this year
 - 479 salmon caught
- Region is working with the Forest Service on the travel planning on the Clearwater and Nez Perce Forest
- Enforcement has been busy during this hunting season
- Appreciates George Hatley, instrumental in providing wildlife habitat and steelhead habitat
- Referenced an article in the November/December 2008 Bugle magazine regarding Craig Mountain

Upper Snake, Cameron Wheeler:

- Reports fishing at Henry's Lake is very good
- Work on the South Fork indicates the cutthroat numbers are stable but a definite decrease in the rainbow and drop in browns
 - The program seems to be working to try and eliminate the cross breeding with the rainbows
- Reported FWS took two wolves East of Idaho Falls
- Reports that people are uncomfortable with the situation with the Elk Farm Operations
 - Gut piles left are attracting bears to the area
- Grizzly bear numbers are increasing and starting to affect the elk and moose populations
- There have been 44 grizzly bears killed in the Yellowstone Ecosystem area
- The bear issue in Region Six is a big deal and is starting to impact in lots of different ways
- Reported 28% more deer hunters; 45% more mule deer harvested; 2% higher success rate than last year
- Regional Supervisor Steve Schmidt is doing a great job in the Upper Snake

- Director Groen noted that the Department is working with Department of Agriculture on how the elk farm operations dispose of elk parts

Consent Calendar

Then November Consent Calendar contained the minutes of the July 23-24, August 12, and October 1, 2008 minutes and the Financial Report for the period ending September 30, 2008.

08-78 Commissioner Power moved and Commissioner Barowsky seconded a motion TO APPROVE THE MINUTES AS LISTED IN THE CONSENT CALENDAR.

The motion carried in a unanimous vote.

08-79 Commissioner McDermott moved and Commissioner Trevey seconded a motion TO APPROVE THE FINANCIAL REPORT AS PRESENTED IN THE CONSENT CALENDAR. The motion carried in a unanimous vote.

REPORT

Rules Process Presentation

Ms. Kiefer provided a power point presentation (Appendix 41, Exhibit 82) to the Commission on the Rules Process.

Ms. Kiefer stated that the Commission has two methods to adopt enforceable provisions for wildlife management. The methods are proclamations and rules.

Idaho Code Section 36-105(3) excepts the Commission from formal rulemaking “when adopting, repealing, or amending any proclamation relating to setting of any season or limit on numbers, size, sex or species of wildlife classified by the Commission as game animals, game birds, furbearers, migratory birds, salmon, steelhead and resident fish which may be taken in this state ...”. In summary, these are the “biological rules” that the Commission adopts to implement fishing, hunting, and trapping seasons. These are implemented by proclamation without prior legislative review.

The Commission also has authority to adopt rules governing “nonbiological” issues such as methods of take, harvest reporting, and license and tag requirements. Unlike the process for biological rules (technically proclamations), nonbiological rulemaking must follow provisions of formal rule procedure. In the past, the Commission has used a hybrid method of rulemaking that incorporated both temporary and proposed rule procedure. This method allowed the Commission to first adopt and immediately implement a nonbiological issue as a temporary rule without legislative review. However, because a temporary rule is only effective until the end of the next legislative session, the Commission would follow up with a proposed rule. The proposed rule would

subsequently be adopted as a pending rule for legislative review to become permanent if legislatively approved. This hybrid method has provided synchrony in the adoption and implementation of biological and nonbiological rules pursuant to a calendar year or a specific season.

The Commission must receive the Governor's approval to adopt a temporary rule; approval has been fairly routine in the past for a diversity of nonbiological rules. The Department has used a criterion of conferring a benefit to justify temporary rulemaking. This is one of three qualifying criteria in the Administrative Procedures Act (APA) and was deemed a sufficient justification in the past. However, a temporary rule can only be adopted and made enforceable if it is used in "emergency" situations and is in effect for a specific period of time. Recently, requests for temporary rulemaking for nonbiological issues were deemed unjustified in regard to meeting the emergency situation required for temporary rule approval. Thus, the Commission recently proceeded to conduct proposed rulemaking for a slate of nonbiological rules at their July and August meetings. However, proposed rules cannot be implemented until after legislative review and approval. For example, nonbiological rules adopted in July and August, 2008 will be reviewed by the 2009 Legislature and implemented in the spring, 2009 if legislatively approved. The implementation lag from the proposed rule process can result in a disassociation of nonbiological rules, such as establishing nonresident tag quota or weaponry changes, from the season for which they were proposed. Another result of the implementation lag can be that sportsmen expectations for taking advantage of certain rules in an upcoming season, such as weaponry changes, are not met.

An additional timing issue is that the Department has not fully adhered to the rule moratorium enacted during the legislative session, which must be addressed.

The general expectation that most nonbiological rules do not qualify for temporary rule procedures requires revision of the traditional schedule of rulemaking to ensure proposed rules are reviewed during the following legislative session. It will also require educating sportsmen to understand new timelines for implementation of nonbiological rules to modify expectations of immediate implementation. The Commission, staff, and sportsmen need to understand aspects and outcomes of the proposed rule process for nonbiological rules to establish appropriate timelines for rulemaking, including public input.

The staff recommendation is to revise the traditional calendar for nonbiological rulemaking to integrate a proposed rule rather than a temporary/proposed rule process for most nonbiological rules and to communicate with sportsmen to explain new timelines and process for implementation.

Agenda Changes

Chairman Wheeler noted that there is an agenda item at this time to be called 7 a. Winter Feeding Advisory Committee.

Winter Feeding Advisory Committee

Brad Compton, State Game Manager, reported that Regional Winter Feeding Advisory Committee assists the Department with implementation of the Commission's Emergency Big Game Feeding Policy. The Committee acts as an independent resource in each Region to give advice and recommendations on the administration of winter feeding programs and serve as a liaison between the Commission, Department, and interested groups (Appendix 41, Exhibit 83).

Mr. Rick Cheatum from the Southeast Region Winter Feeding Advisory Committee has resigned leaving a vacancy.

08-80 Commissioner Budge moved and Commissioner Wright seconded a motion TO ACCEPT THE DEPARTMENT RECOMMENDATION OF DENNIS CAYWOOD TO SERVE ON THE WINTER FEEDING ADVISORY COMMITTEE FOR THE SOUTHEAST REGION. The motion carried in a unanimous vote.

Hunter Orange Policy

The Commission discussed a draft hunter orange policy at the July, 2008 meeting. Staff recommended consideration of a hunter orange policy in response to inquiry from legislators and constituents about the use of hunter orange in Department programs and rules and the Idaho legislative background of the use of hunter orange.

The Commission has statutory authority to set the conditions of public use of Department lands in 36-104(b) and 36-104(7). Based on these authorities, the Commission previously adopted a rule in 13.01.09.300 for wearing hunter orange when hunting during pheasant season on WMAs where pheasants are stocked. This rule has been legislatively approved. Refinement of the rule requiring visible hunter orange, at least 36 square inches in size, above the waist was implemented for the 2008 season and the refined rule will be reviewed by the 2009 Legislature.

As a matter of policy, the Commission has supported the Department ensuring use of hunter orange for Department-sponsored activities such as mentored youth hunts, teaching safety messages that incorporate hunter orange in hunter education, providing general information to the public about the safety benefits of hunter orange, and the encouragement of voluntary use of hunter orange in the appropriate conditions.

The draft policy was posted on the Idaho Department of Fish and Game website after the Commission meeting in July for public review and feedback. Limited discussion has occurred with interested legislators and members of the public. Staff reviewed public input for Commission consideration including additional comment that occurred during the November public meeting.

The staff recommendation is to develop policy statements about hunter orange that may be used in legislative and public policy discussions (Appendix 41, Exhibit 84).

08-81 Commissioner Wright moved and Commissioner Budge seconded a motion TO ACCEPT THE STAFF RECOMMENDATIONS TO ACCEPT THE STATEMENT OF POLICY REGARDING HUNTER ORANGE. The motion carried in a unanimous vote.

LEGISLATIVE

2009 Legislative Update

Ms. Kiefer provided a brief legislative update to the Commission. Legislative Proposals (Appendix 41, Exhibit 85) summarizes the approved legislative proposals. Ms. Kiefer noted that legislative proposal # 3 (Taking of wildlife unlawful except by statute or commission rules or proclamation Methods prohibited Exceptions, to reference aircraft, rather than helicopter in 36 -1101(b)) has been pulled at the request of State Aeronautics Division due to some concerns that they had with the bill. Aeronautics asked that the Department hold off and work with them to come to a consensus bill.

The Legislative session convenes January 12, 2009.

Commission consensus is to conduct legislative conference calls commencing January 29, 2009 through March 26, 2009 at 8:00 a.m. and to accept the legislative analysis sheets (Appendix 41, exhibit 86) as presented.

Lance Hebdon has been hired as the new intergovernmental policy coordinator assisting Ms. Kiefer during the legislative session.

Chairman Wheeler noted that the overall process has been very successful and thanked Ms. Kiefer for an outstanding job in keeping the Commission informed.

Director Groen referenced legislative proposal # 2 Amending 36-401, Hunting, trapping, fishing-License requirement-Exceptions, to create license exemption for disabled veterans participating in a hunt in association with a qualified organization and asked when this bill be implemented. Ms. Kiefer stated that if this bill passes it would be brought to the Commission as a temporary rule because it is needed to implement statute for the 2009 hunting season.

REPORT

Kids In Nature Initiative

Vicky Runnoe, Conservation Education Supervisor presented a brief update on what the Idaho Department of Fish and Game has been doing with regards to reconnecting children and the outdoors (Appendix 41, Exhibit 87). Ms. Runnoe stated that in 2005, author Richard Louv published Last Child in the Woods. In the book Mr. Louv described

a suite of physical, mental and emotional health problems that children are experiencing and that can be directly linked to the lack of their time in the out of doors. A nation wide movement to reconnect kids with the outdoors to get them back outside has been initiated with the Idaho Children & Nature Network. Governor Otter and the First Lady are offering their support of the program along with Senator Crapo.

FISCAL

Revenue Increase Presentation

Mike Keckler, Chief, Bureau of Communications provided an overview of the video and written materials prepared public presentations regarding Fish and Game's proposed revenue increase (Appendix 41, Exhibit 88). Mr. Keckler noted that all of the material is available on the Department's website. He stated that the website has received over 800 hits.

Director Groen reported that all of the 7 Regions have been presented with the materials to present for the proposed revenue increase.

REPORTS

Hunter Education Awards

James Reed, Hunter Education Coordinator presented the "Continuing The Heritage" Award to Virgil Wassmuth, Michael Hallisey, Allan Brockmann and Jill Green. The award is given when an instructor in the Hunter and or Bowhunter Education program reaches the 35,000 point level.

Idaho Fish and Wildlife Foundation Report

Ms. Kiefer presented the Idaho Fish and Wildlife report for Gayle Valentine, Executive Director.

Received second installment payment from Foundation for North American Sheep (FNAWS) for Redbird (\$61,333.33). Third and final installment due August 2009.

Presented two funding proposals to help offset expenses related to 2009 Online Trip Auction. Decision will be made by November 1st.

The Idaho Fish and Wildlife Foundation welcomes new Region 5 board member, Mike Veile from Soda Springs and bids farewell to Region 3 board member, Chuck Goodenough. Another Region 3 board candidate is currently working with IFWF board development and will be voted on at next meeting.

Idaho Fish and Wildlife Foundation project funding application deadline is November 1, 2008. Individual requests not to exceed \$5,000.

Board meeting planned for December 6, 2008 in Boise.

Foundation Finance Committee has completed 2009 budget proposal to be approved at December board meeting. IFWF Finance Committee will discuss future budget strategizing meeting late afternoon of December 6, 2008.

Wolf Monitoring Techniques

Dr. Mike Mitchell, University of Montana, provided a report on wolf monitoring techniques (Appendix 41, Exhibit 89). Current population monitoring efforts for gray wolves in Idaho are primarily based on the use of radio collars and incidental observations by personnel or members of the public. Use of radio collars to estimate population size requires intensive effort and is logistically difficult in remote locations. Reliability of incidental observations varies.

Two years ago, the Department began collaborating with the Nez Perce Tribe and the University of Montana to develop more efficient and less costly methods for monitoring gray wolf population size and distribution.

The state of Idaho has a signed cooperative agreement with the Secretary of Interior authorizing the Department to conduct gray wolf monitoring activities. Funds used for monitoring and field investigations are congressional appropriations provided through the Nez Perce Tribe and Governor's Office of Species Conservation.

Wolf Management Research Update

In 2004, the Department initiated a large field effort to estimate the impact of gray wolves on elk populations by intensively monitoring survival and cause-specific mortality in representative populations across the state.

Craig White, Senior Wildlife Research Biologist and George Pauley, Senior Wildlife Research Biologist provided a report on the Ungulate Ecology Project (Appendix 41, Exhibit 90). This report provided an update to the Commission on field investigations of elk population status, survival, and cause-specific mortality.

Objectives of the report included:

- Wolf density by zone
- Review cow elk survival and causes of mortality
- In-depth look at the Lolo Zone
- Determining wolf effects on elk populations

Wolf Management Update

Jim Unsworth, Deputy Director, provided a summary on wolf management and where the Department is at in terms of the Fish and Wildlife Service and what are the Departments options for wolf management. Mr. Unsworth stated that on October 28 the Fish and Wildlife Service reopened the public comment period on its proposal to delist the gray wolf with the comment period ending November 28. The Department will work with the Governor's Office and Office of Species Concern on comments to be submitted to the Fish and Wildlife Service.

Mr. Unsworth reviewed options for wolf management that the Department can do while the delisting process is pending. He stated the Department will review the management plan and regulations that the Department put out last year. Staff will provide the Commission updated harvest limits and the regulation package needed to hunt wolves in fall 2009, assuming a favorable delisting decision is made at the March 2009 meeting. Also review monitoring methods of radio-collared wolves in the wilderness areas.

Mr. Unsworth provided a copy of a letter (Appendix 41, Exhibit 91) from Mark Collinge, State Director, Wildlife Services, regarding the partnership between the Animal and Plant Health Inspection Service, Wildlife Services program and the Idaho Department of Fish and Game regarding wolf management activities in Idaho. He also provided a copy of Wolf Depredation Investigations and Control Actions Idaho Wildlife Services, Fiscal Year 2008 (Appendix 41, Exhibit 92).

Mr. Unsworth stated that options under the new 10(j) rule provide more flexibility than in previous years, allowing control actions to benefit ungulates that are not meeting management objectives.

The Department has issued a news release and has worked with the Governor's office to encourage sportsmen to uphold the law and not take matters into their own hands and illegally kill wolves.

The Department has drafted a three-state Memorandum of Agreement with Wyoming and Montana to address the processing of genetic material.

The Department will continue to provide communication and new tools for communication to ensure there is a clear understanding of Idaho's commitment to federal delisting of the wolf population in Idaho and returning wolves to state management as soon as possible.

Chairman Wheeler stated that the Commission wants to be on record for the sportsmen and for the good of all of us to proceed with 10(j) and be on record as encouraging a more aggressively position on depredating wolf packs that are in trouble. The Commission will give direction to the Director on how to proceed with wolf management.

Chairman Wheeler asked for comments or suggestions from the Commission on direction for the Department. Commissioner Trevey made the following comments and asked for the comments to be part of the public record. Commissioner Trevey stated that his comments may set the stage for a motion on wolf management.

Commissioner Trevey stated that:

“We have been in a waiting mode for a long time. At first we waited to gain a state role; then we waited for a de-listing proposal; de-listing was finally achieved in March 2008, then abruptly state management was taken away by a federal judge’s restraining order; we are currently waiting for another de-listing attempt.

While we hope for de-listing and return to state control and management, I believe we owe it to the resource and to the citizens and sportsmen of Idaho to move forward now within the available options.

I see three possible scenarios:

- 1) The current de-listing attempt is successful; it withstands court challenge; management is returned to Idaho; our wolf management plan is implemented and we have a 2009 hunting season.
- 2) The current de-listing attempt succeeds, but is again stopped by a court challenge and the wolf remains listed for the foreseeable future.
- 3) The current attempt at de-listing fails to make it through the federal process and the wolf remains listed.

Regardless of which scenario prevails, the problem remains the same: the need to exert management controls on the ever expanding wolf population numbers and the resulting depredation on both domestic and wild ungulates, other domestic animals and public safety.

For domestic animals and public safety, the path is fairly clear. We have experience dealing with domestic livestock depredation under the current 10(j) rule.

However, for wild ungulates the path is essentially untested. There is no question in my mind we need to intercede and stop the continued depredation on the wild ungulate herds. It is increasingly apparent that in some areas we are at or approaching critical mass. We need to determine where, when and how to implement the revised 10(j) rule where wolves are jeopardizing wild ungulate populations. The Lolo and Selway elk zones are examples; other zones may be experiencing similar difficulties.

Embedded within understanding the wild ungulate problem is the lack of reliable census information within federally classified wilderness areas. This information is essential to developing prescriptions for possible control activities. We simply must deal with this.

We have in place reasonable overall management and population management plans that will guide long term state management if and when delisting occurs. These plans are based on an adaptive management philosophy and are designed to evolve over time. Our plans are predicated on managing wolves as we do other game species. Central to our overall game management strategy is the goal of providing harvestable surpluses available to the citizens and sportsmen of Idaho. We are not managing a national park or preserve where the so called "balance of nature" prevails unfettered. We manage in concert with the biological potential and cultural values of the majority of folks in Idaho. Unfortunately the sudden introduction of a top predator and absent control mechanisms; our ability to provide this harvestable surplus is severely limited. In short, wolves are severely eroding hunter opportunities.

Given all the limitations that are beyond our control, the problem is what to do right now. This commission meets face to face with the public only 4 or 5 times a year. I believe it is incumbent on us, at this time, to set in motion immediate and contingency policies to enable the department to move forward.

I fully recognize that no matter what we do, we are likely to face challenge. The folks that oppose state management have demonstrated they are not as good as their word and will take every opportunity to distort facts to gain an advantage for their position. Tremendous efforts have been expended in good faith collaboration, all for naught. Further, their interests are based on an ideology that is clearly counter to the culture, values and hunting traditions of most Idahoans. In addition to ideology, they appear to have a substantial economic interest based on continued controversy. None of these interest benefit from resolution of issues.

We have no choice but to act now. It is up to us to craft policies directing what can and should occur."

08-82 Commissioner Power moved and Commissioner McDermott seconded a motion TO ACCEPT THE WOLF MANAGEMENT DIRECTIVES AS LISTED. THE COMMISSION HEREBY AUTHORIZES AND DIRECTS THE DEPARTMENT AS FOLLOWS:

- 1. TO REVIEW AND UPDATE THE UNDERLYING DATA WHICH SUPPORTS OUR WOLF MANAGEMENT PLAN TO INCLUDE CURRENT DATA, REVIEW OF CONFLICT LEVELS, POPULATION STATUS, AND HARVEST OBJECTIVES NEEDED TO HUNT WOLVES IN THE FALL OF 2009, ASSUMING DE-LISTING OCCURS.**

2. TO DEVELOP AND IMPLEMENT PLANS AND METHODS TO OBTAIN CENSUS INFORMATION ON WOLVES WITHIN FEDERALLY CLASSIFIED WILDERNESS AREAS UTILIZING THE ACCEPTED “MINIMUM TOOLS ANALYSIS” PROCESS.
3. TO DEVELOP AND AGGRESSIVELY UTILIZE ALL AVAILABLE TOOLS AND METHODS TO CONTROL WOLF-CAUSED DEPREDATION OF DOMESTIC LIVESTOCK.
4. TO DEVELOP AND AGGRESSIVELY UTILIZE ALL TOOLS AND METHODS AVAILABLE UNDER THE NEW 10(J) RULE TO CONTROL WOLVES IN CRITICAL AREAS THAT ARE IMPACTING UNGULATES STARTING WITH THE LOLO ZONE AND PROGRESSING TO OTHER CRITICAL AREAS, IN THE EVENT DE-LISTING DOES NOT OCCUR.
5. TO CONTINUE TO DEVELOP, IMPLEMENT AND UTILIZE WOLF MONITORING AND ESTIMATION TECHNIQUES AND MODELING.
6. TO ASSEMBLE AND DISSEMINATE ACCURATE FACTUAL INFORMATION TO INFORM AND EDUCATE THE PUBLIC ON WOLF BIOLOGY AND SUCCESSFUL WOLF RECOVERY AND MANAGEMENT IN IDAHO.

The motion carried in a unanimous vote.

REPORT

Nonresident Deer and Elk Tag / Outfitter Set-Aside Quotas Report

Brad Compton, State Game Manager, provided a report on the Nonresident Deer and Elk Tag / Outfitter Set-Aside Quotas (Appendix 41, Exhibit 93). Mr. Compton stated that historically, the Commission has established nonresident deer and elk tag and outfitter set-aside quotas in November. A moratorium prohibits state agencies from promulgating temporary administrative rules from November through the legislative session. This moratorium limits Commission authority to implement any changes to nonresident deer and elk tag or outfitter set-aside quotas for the 2009 season. For the 2009 quotas, the Department intends to implement no change from the Commission adopted 2008 quotas.

The Department will present recommended nonresident deer and elk tag and outfitter set-aside quotas for the 2010 season during the July 2009 Commission meeting.

The moratorium on when administrative rules can be promulgated has no affect on biological rules (hunting seasons) adopted by the Commission. Additionally, any changes to outfitter allocated elk zone tags or outfitter allocated controlled hunt tags may be implemented by the Commission during the normal March season setting process.

Pelican Management Plan

Department fisheries and wildlife staff are developing a 5-year Pelican Management Plan to help alleviate predation by pelicans on spawning Yellowstone cutthroat and other game fish populations in Southeast Idaho

The *draft* Pelican Management Plan contains both non-lethal (hazing birds, physical deterrents) and lethal (shooting adults, oiling eggs) management actions intended to reduce pelican numbers at two breeding colonies in southern Idaho. Non-lethal methods could be implemented in 2009 following Commission approval of the plan. Because the American White Pelican is federally protected under the Migratory Bird Treaty Act, however, authorization from the USFWS will be required before lethal take could occur.

Jeff Gould, Chief, Wildlife Bureau reported that staff needs additional time to finalize the draft Pelican Management Plan. Staff will present the draft plan to the Commission in January 2009, and request approval to release the plan for a 30-day public review.

White Sturgeon Final Management Plan

Scott Grunder, Fishery Program Coordinator presented the Snake River White Sturgeon Plan. Mr. Grunder noted that at the July 2008 Commission meeting, the Fisheries Bureau was given consent by the Fish and Game Commission to conduct a 30-day public review period for our Draft "Management Plan for the Conservation of Snake River White Sturgeon in Idaho." The Department solicited for public comment on the draft plan and received responses from the general public, the Oregon Department of Fish and Wildlife, Washington Department of Fish and Wildlife, Idaho Power Company, and the Nez Perce Tribe. Comments from the public have been summarized along with the Department's responses. We include letters from the agencies and Nez Perce Tribe for Commission review. Their comments, as appropriate, have been incorporated into the final management plan. Snake River white sturgeon have declined across their historical range in Idaho for a number of reasons. The historical range of white sturgeon in the Snake River is from Shoshone Falls near the city of Twin Falls, Idaho downriver into the Columbia River. This management plan summarizes historical and current information on Snake River white sturgeon. It describes their status with respect to abundance, trends, and an evaluation of limiting factors to the species. We present management objectives by river reach in the plan that will be implemented in collaboration with key agency partners and other important stakeholders.

The Management Plan for the Conservation of Snake River White Sturgeon in Idaho describes how the Department intends to manage and conserve this important game fish as per its mission found in Idaho Code Section 36-103. The Department's strategic plan has a goal to "Improve public understanding of and involvement in fish and wildlife management." This plan sets management direction for conservation of Snake River white sturgeon. The Commission sets policy and provides direction, considers input from the public, and has the authority to adopt, amend, or reject Department-recommended plans. The Fisheries Bureau solicited public and agency comments on the management

plan. Having done that and incorporating comments as appropriate, the Fisheries Bureau is seeking Commission adoption of the Snake River white sturgeon management plan.

The Department posted the Snake River white sturgeon management plan on its website and issued a news release notifying the public and agency partners that the management plan was ready for review. All involved Department regions and Mr. Grunder made personal contacts soliciting comment on the plan. Additionally, four open houses were held at Department facilities. We accepted comments on the plan for a 30-day period from early August through early September 2008.

The Fisheries Bureau is seeking Commission action to adopt the Management Plan for Conservation of Snake River White Sturgeon in Idaho as an official Department species management plan.

We believe this management plan offers the best available scientific information and necessary conservation actions that will allow the Department and other key stakeholders to effectively manage, conserve, and protect this species and its habitats in Idaho. White sturgeon are an important sport fish in Idaho.

08-83 Commissioner Wright moved and Commissioner Barowsky seconded a motion TO FORMALLY ADOPT THE WHITE STURGEON MANAGEMENT PLAN. The motion carried in a unanimous vote.

Trophy Species Update

Dale Toweill, Trophy Species Coordinator provided an update on trophy species (Appendix 41, Exhibit 94). This presentation provided Commissioners with (1) status of moose, bighorn sheep and mountain goat populations statewide, and (2) an overview of issues presented to the public for their comments prior to Commission action to adopt trophy species Controlled Hunt recommendations in January 2009.

Public scoping of Controlled Hunts for trophy species (moose, bighorn sheep, mountain goat) will occur in November and December. Fish and Game Commissioners will review staff recommendations and public comment regarding trophy species Controlled Hunts for calendar year 2009 and 2010 in January 2009. At that time, Commissioners will adopt final regulations for the coming two years.

Changes have occurred in some trophy species populations since the Commission was last advised in November 2006.

Policy issues regarding bighorn sheep have emerged in conjunction with ongoing development of a Statewide Bighorn Sheep Species Management Plan.

Status of trophy species and recommendations for changes in permit numbers, hunt Controlled Hunt boundaries, and Controlled Hunt dates will be presented to the public for

review and comment statewide during November and December 2008. In addition, the public was asked to comment on statewide bighorn sheep management issues in a survey of public opinion targeted to bighorn sheep applicants and available on the Idaho Department of Fish and Game website.

Report on Leftover Tag Allocation Process

Brad Compton, State Game Manager (Appendix 41, Exhibit 95) stated that prior to 2004, the Department used a first-come, first-served process for issuing leftover deer, elk, pronghorn, and fall bear controlled hunt permits. Almost all leftover controlled hunt permits were for low demand hunts, minimizing problems with a first-come, first-served allocation process. Leftover controlled hunt permits did not include unclaimed permits, which annually numbered several hundred statewide including numerous high-demand permits.

In 2003, the Commission adopted rules requiring successful applicants to claim their controlled hunt permit by August 20 to provide opportunity for sportsmen which historically had been lost because of unclaimed permits. Because of numerous high-demand permits being unclaimed and available in 2003, the first-come, first-served allocation process was problematic (congestion at vendors and reported vendor abuses).

In 2004, the Commission established a second drawing to issue unclaimed and leftover controlled hunt deer, elk, pronghorn, and fall bear permits. The second drawing process required a change in when successful applicants from the first drawing needed to pick up their permits (to August 1). Currently, successful applicants from the second drawing are notified no later than August 25. Any leftover controlled hunt deer, elk, pronghorn, and fall bear permits following the second drawing are issued first-come, first-served.

Some deer (5) and elk (9) controlled hunts begin prior to the second drawing being completed. All of these early opening controlled deer hunts extend until at least September 24. However, 2 of the early opening controlled elk hunts close on August 29, with the remainder remaining open until at least September 15.

Additionally, a couple of recurring comments from sportsmen regarding the second drawing process have arisen since 2004, including: 1) having to submit another application fee, even if entered into the first drawing for the same hunt; and 2) allowing people who didn't enter the first drawing to compete with those who did and are applying again.

Commission administrative rule 13.01.08.260 regulates allocation of controlled hunt permits.

This agenda provided an update to the Commission on the existing leftover controlled hunt permit allocation process. Additionally, staff will discuss other options and seek direction from the Commission for any potential changes to be considered during the July 2009 Commission meeting. Any changes to the allocation process could be implemented in 2010.

RULES

Ratification of Rules

Dallas Burkhalter, Deputy Attorney General provided a report on the procedure for ratification of rules. Mr. Burkhalter stated that as part of the rulemaking process under the Idaho Administrative Procedures Act (IDAPA), the Commission needs to adopt as **Pending Rules** those Proposed Rules previously promulgated during the last rulemaking year. We have referred to this process as 'ratification' because the Commission is formally approving rules which it has already promulgated. This approval is needed for the rules to be reviewed by the 2009 Legislature. If the Pending Rules are accepted by the Legislature, the rules will become Final Rules.

Statutory Authority and/or Policy issues: The IDAPA provision for adopting Pending Rules and the legislative review process is Idaho Code Section 67-5224. There are no policy issues. This is an annual step in the rulemaking process.

Public Involvement Process: The public involvement process has already occurred during previous Commission meetings and Department open houses. No additional public comments were received after the Proposed Rules were filed and published.

Staff Recommendation: I recommend that the Commission adopt as **Pending Rules** the following Proposed Rules:

08-84 Commissioner Barowsky moved and Commissioner Trevey seconded a motion to adopt the following as pending rules:

- 1) IDAPA 13.01.04 Rules Governing Licensing, Docket No. 13-0104-0801
- 2) IDAPA 13.01.04 Rules Governing Licensing, Docket No. 13-0104-0802
- 3) IDAPA 13.01.04 Rules Governing Licensing, Docket No. 13-0104-0803
- 4) IDAPA 13.01.07 Rules Governing the Taking of Upland Game Animals, Docket No. 13-0107-0801
- 5) IDAPA 13.01.08 Rules Governing the Taking of Big Game Animals, Docket No. 13-0108-0801
- 6) IDAPA 13.01.08 Rules Governing the Taking of Big Game Animals, Docket No. 13-0108-0802
- 7) IDAPA 13.01.08 Rules Governing the Taking of Big Game Animals, Docket No. 13-0108-0803
- 8) IDAPA 13.01.09 Rules Governing the Taking of Game Birds, Docket No. 13-0109-0801
- 9) IDAPA 13.01.11 Rules Governing Fish, Docket No. 13-0111-0801
- 10) IDAPA 13.01.11 Rules Governing Fish, Docket No. 13-0111-0802
- 11) IDAPA 13.01.16 Rules Governing the Trapping of Predatory and Unprotected Wildlife and the Taking of Furbearers, Docket No. 13-0116-0801
- 12) IDAPA 13.01.17 Rules Governing the Use of Bait for Taking Big Game Animals, Docket No. 13-0117-0801

13) IDAPA 13.01.19 Rules for Operating, Discontinuing, and Suspending Vendors, Docket No. 13-0119-0801

14) IDAPA 13.01.20 Selection Rules for New Fish and Game License Vendors, Docket No. 13-0120-0801

The motion carried in a unanimous vote.

MISCELLANEOUS

Election of Commission Chairman

08-85 Commission McDermott moved and Commissioner Budge seconded a motion TO ELECT WAYNE WRIGHT AS THE COMMISSION CHAIRMAN AND TO ELECT GARY POWER AS VICE CHAIRMAN. The motion carried in a unanimous vote.

Commission Meeting Calendar

The Commission set the following dates for the 2009 meetings: January 14,15,16 in Boise; March 23,24 in Boise; May 13,14,15 in Pocatello; July 22,23,24 in McCall; August and October Conference Calls (dates to be determined); and November 18,19,20 in Coeur d'Alene.

Appointment Commission Representative to WAFWA

08-86 Commissioner Barowsky moved and Commissioner Wright seconded a motion THAT COMMISSIONER TONY MCDERMOTT WILL CONTINUE AS THE REPRESENTATIVE OF THE COMMISSION TO WAFWA. The motion carried in a unanimous vote.

Application Fee Adjustment for Super Hunt/Super Hunt Combo

Jeff Gould, Chief, Bureau of Wildlife presented the changes for consideration.

- The Special Control Hunt Program (IDAPA 13.01.08) offers forty (40) big game tags through a random lottery draw process and revenue generated from the program provides partial funding for Access Yes.
- Special Control Hunt Tags include twelve (12) each for elk, deer, and antelope, and four (4) for moose. Applications can be sold for individual species (Super Hunt) or for combined species (Super Hunt Combo).
- Application fees are either priced equal to the controlled hunt fee established in Section 36-416, Idaho Code, or fees may be discounted by Commission Order under Section 36-415, Idaho Code.
- The current marketing structure allows Super Hunt/Combo Hunt customers to apply for a single application, or in bundles of six (6) or thirteen (13) with a slight price discount for bundled applications.

- Super Hunt/Combo Hunt customers must fill out application forms and submit the application(s) to the department by a specified deadline.
- In early December 2008, the IWILD system will accept electronic Super Hunt/Combo Hunt applications in any amount and at any vendor. Selecting bundled options and completing hunt applications by hand will no longer be necessary.
- The Commission's intent of the Special Control Hunt Program is to provide some additional funding for a statewide sportsman access program. This transition to an electronic application process and the elimination of bundled applications will provide customers with better service and the freedom to select the number of applications they wish to purchase without complicated pricing.
- The application fee adjustment is intended to simplify the application process and should result in a revenue neutral outcome during the short-term. Long-term, this simplified process and pricing will increase revenue as we capitalize on new marketing strategies and outlets.

Staff Recommendation:

- The Commission is asked to eliminate the current application fee structure that involves bundled packaging and set a new fee structure as recommended below.
- Super Hunt Application Fee: First application will cost \$6.00 (\$4.25 application fee, \$1.75 vendor fee); all additional applications within the same transaction will cost \$4.00 each.
- Super Hunt Combo Application Fee: First application will cost \$20.00 (\$18.25 application fee, \$1.75 vendor fee); all additional applications within the same transaction will cost \$16.00 each.
- Each individual transaction requires a \$1.75 vendor fee.
- Electronic sales will eliminate long-hand hunt applications, result in instant processing, and will be readily accessible to potential customers.
- Simplified pricing will be easier to understand and will allow flexibility to purchase any amount of super hunt applications that are desired in one transaction.

08-87 Commissioner Barowsky moved and Commissioner Power seconded a motion TO ACCEPT THE APPLICATION FEE ADJUSTMENT AS PRESENTED. The motion carried in a unanimous vote.

Executive Session

08-88 Commissioner McDermott moved and Commissioner Trevey seconded a motion TO HOLD AN EXECUTIVE SESSION, PURSUANT TO IDAHO CODE 67-2345(1) (C) AND (F) TO DISCUSS LAND ACQUISITION AND LEGAL. The motion carried in a unanimous vote.

08-89 Commissioner Barowsky moved and Commissioner Power seconded a motion to come out of executive session. The motion carried in a unanimous vote.

The session ended at 18:45 p.m. with no official action taken.

Wayne Wright
Chairman

Cal Groen
Secretary