

**Idaho Fish and Game Commission
Quarterly Meeting – July 27-28, 2011
Idaho Department of Fish and Game
Salmon Regional Office
1336/99 Hwy 93 North
Salmon, Idaho**

Note: Times on the agenda are approximate and subject to change.

July 27

- 8:00 am Commissioners will tour the Upper Lemhi area
8-3:00 p.m.
- 4:00 pm Executive Session I.C. 67-2345(1) (f)
- 7:00 pm Public Hearing
Salmon Regional Office

July 28

- 8:00 am 1. Opening Comments / Gavel to Tony McDermott
-- Wayne Wright, Commission Chairman
- 8:05 am 2. Agenda Changes
-- Chairman Tony McDermott
- 8:10 am 3. Echinococcus Granulosus Briefing
-- Dr. Christine Hahn, Idaho Department of Health and Welfare
-- Dr. Lesile Tengelsen, Idaho Department of Health and Welfare
-- Dr. Mark Drew, Idaho Department of Fish and Game
- 9:10 am 4. Consent Calendar (**Action Requested by Department**)
a. Minutes
b. Financial Report
- 9:15 am 5. Review of Public Comment
-- Chairman Tony McDermott
- 9:30 am BREAK
- 9:45 am 6. Nonbiological for Game Animals and Protected Nongame
(**Action Requested by Department**)
7. Season Setting: Gray Wolf
(**Action Requested by Department**)
--Jon Rachael, State Wildlife Manager
- 11:15 am 8. 2012 Legislative Proposals (**Action Requested by Department**)
ATV Task Force - Update
-- Sharon Kiefer, Deputy Director

- 11:25 am 9. 2011 Legislative Implementation
a. Proposed Rule to Implement House Bill 143
(Action Requested by Department)
b. Mentored Hunt Program - Update
-- Sharon Kiefer, Deputy Director
- 11:40 am 10. Wildlife Salvage and Sale Rule Proposal Update
-- Sharon Kiefer, Deputy Director
- 11:50 am 11. Idaho Fish and Wildlife Foundation Report
-- Ann Dehner, Executive Director
- 12:00 Presentation to Retiring Regional Supervisor Jim Lukens
LUNCH / catered
- 1:00 pm 12. Update on the Outfitted Waterfowl and Turkey Activities and IDFG
Comments to IOGLB
-- Director Virgil Moore
- 1:20 pm 13. Season Setting: 2011 Fall Chinook Salmon
(Action Requested by Department)
-- Ed Schriever, Chief, Fisheries
- 1:35 pm 14. Conservation Education Update
-- Victoria Runnoe, Conservation Education Supervisor
- 1:50 pm 15. IDFG Website
-- Mike Keckler, Chief, Communications
- 2:10 pm 16. Rules: Nonresident Deer and Elk Tag and Outfitter Set-Aside Quotas
(Action Requested by Department)
-- Jon Rachael, State Wildlife Manager
- 2:20 pm 17. Release of Bighorn Sheep Tags for Auction and Lottery
(Action Requested by Department)
-- Jeff Gould, Chief, Wildlife
- 2:35 pm 18. Commission Direction of Animal Damage Control Board Funds
(Action Requested by Department)
-- Jeff Gould, Chief, Wildlife
- 2:45 pm 19. Land Acquisitions (Action Requested by Department)
-- Gregg Servheen
- 3:00 pm BREAK

- 3:20 pm 20. Season Setting: Sandhill Cranes (Action Requested by Department)
-- Jeff Gould, Chief, Wildlife
- 3:35 pm 21. Briefing for 2011/2012 Migratory Game Bird and 2011 Sage Grouse Seasons
-- Jeff Gould, Chief, Wildlife
- 3:50 pm 22. Nonbiological Rules for Fish (Action Requested by Department)
-- Ed Schriever, Chief, Fisheries
- 4:00 pm 23. Director's Report
- 4:20 pm 24. Commissioner Reports
- 4:50 pm 25. Executive Session I.C. 67-2345(1) (c)

Meeting Date: July 28, 2011

Agenda Item No. 3

Agenda Item: Echinococcus Granulosus Briefing

Bureau Chief Approval: _____

Prepared by: Brad Compton for Dr. Christine Hahn (IDHW), Dr. Lesile Tengelsen (IDHW), Dr. Mark Drew (IDFG)

Background:

Although *Echinococcus granulosus* had been present in sheep and domestic dogs historically, the tapeworm had not been reported in wildlife until 2006 when a mountain goat was found to have hydatid cysts in the lungs. This discovery stimulated a survey for the tapeworm in wolves, the normal definitive host, in Idaho and Montana from 2006 to 2008. *Echinococcus granulosus* was detected in 63% of the wolves sampled from the 2 states. Results of the survey were published in the Journal of Wildlife Diseases in October 2009 (included).

Hydatid disease is an important zoonotic disease, and recently has generated a fair amount of concern from some members of the public.

Statutory Authority and/or Policy Issues:

Idaho Code 36-106(e)(9) [IDFG] - Any deer, elk, antelope, moose, bighorn sheep or bison imported or transported by the department of fish and game shall be tested for the presence of certain communicable diseases that can be transmitted to domestic livestock. Those communicable diseases to be tested for shall be arrived at by mutual agreement between the department of fish and game and the department of agriculture. Any moneys expended by the department of fish and game on wildlife disease research shall be mutually agreed upon by the department of fish and game and the department of agriculture.

In addition, a comprehensive animal health program for all deer, elk, antelope, moose, bighorn sheep, or bison imported into, transported, or resident within the state of Idaho shall be implemented after said program is mutually agreed upon by the department of fish and game and the department of agriculture.

Idaho Code 36-106(e)(10) [IDFG] - In order to monitor and evaluate the disease status of wildlife and to protect Idaho's livestock resources, any suspicion by fish and game personnel of a potential communicable disease process in wildlife shall be reported within twenty-four (24) hours to the department of agriculture. All samples collected for disease monitoring or disease evaluation of wildlife shall be submitted to the division of animal industries, department of agriculture.

Idaho State Department of Agriculture has lead authority for diseases affecting livestock and other agricultural products.

Idaho Department of Health and Welfare (IDHW) has lead authority for diseases affecting humans.

Public Involvement Process:

Both the Idaho Department of Fish and Game and Idaho Department of Health and Welfare post information on their respective websites about zoonotic diseases, including *E. granulosus*. Additionally, both agencies provide information to hunters how to reduce risk of infection from diseases carried by wildlife.

Staff Recommendation:

IDFG and IDHW staff will provide a briefing on *E. granulosus* and hydatid disease.

Justification:

Commission request for briefing.

Meeting Date: July 27, 2011

Agenda Item No. 4b

Agenda Item: Financial Report

Bureau Chief Approval: _____

Prepared by: Jim Lau, Chief, Bureau of Administration

Background:

Update the Commission on the Financial Status of the Department

Statutory Authority and/or Policy Issues:

None

Public Involvement Process:

None

Staff Recommendation:

None

Justification:

None

Meeting Date: July 28, 2011

Agenda Item No. 6

Agenda Item: Nonbiological Rules for game animals
(Action Requested by Department)

Bureau Chief Approval: _____

Prepared by: Jon Rachael

Background:

Annually or biennially, the Idaho Fish and Game Commission considers proposed changes for two types of hunting rules, biological and nonbiological. Biological rules are published annually (i.e. Big Game, Waterfowl) or biennially (e.g. Moose, Bighorn Sheep, and Mountain Goat; Upland Game) and include seasons, limits, size, sex, and harvestable species. Nonbiological rules include all other rules adopted by the Commission. Examples of nonbiological rules include methods of take, tagging requirements, evidence-of-sex requirements, and controlled hunt eligibility requirements. Nonbiological rules are officially published in the Idaho Administrative Code (<http://adm.idaho.gov/adminrules/agyindex.htm>) and included in hunting regulation brochures.

Historically, nonbiological rule changes were adopted by the Commission throughout the year. To accommodate requirements of the Idaho Administrative Procedures Act, the Commission now considers nonbiological rule changes during late spring through summer. The Department will be proposing a number of changes to big game and upland game nonbiological rules at the July 2011 Commission meeting.

Statutory Authority and/or Policy issues:

Idaho Code 36-104 grants authority to the Commission to promulgate biological and nonbiological rules. Idaho Code 67-52 (Idaho Administrative Procedure Act) governs the process for considering, adopting, and implementing nonbiological rules.

Public Involvement Process:

Proposed rules were scoped via the Department website, at regional meetings, and/or with affected stakeholder groups. In addition, proposed Landowner Appreciation Program changes were scoped with registered landowners via a direct mailing.

Justification:

Commission action is required to modify Administrative Rules. Staff will present proposed game and nongame rule changes.

Staff Recommendation:

Final recommended rules will be developed following public input and provided to the Commission during the agenda item.

***Proposed Big Game, Upland Game, and Migratory Game birds
Nonbiological Rule Changes
July 2011***

Note: Rules adopted by the Commission in July would undergo review by the 2012 Legislature. Upon approval by the legislature, rules would become effective in 2012, unless the Governor's Office grants emergency temporary rule-making authority.

Rule: IDAPA 13.01.04.400 – Landowner Appreciation Program

Issue: In 2010, the Commission adopted rule changes to address sportsmen concern about the sale of LAP tags, and landowner concern about inequitable distribution of LAP tags. The 2011 Legislature approved the new rules making them effective in 2011.

The Commission recognizes the newly adopted rules may not completely address all the sportsmen and landowner issues with LAP and directed staff to implement Phase II; continued evaluation of the program along with identifying potential solutions. The 2 remaining issues include: 1) lack of proportional benefits to sportsmen in LAP hunts with a 25% allocation, and 2) new LAP rules may not fully address inequitable distribution of LAP tags among eligible landowners. In May, the Commission directed the Department to scope potential incentives for landowners that may exceed the standard 10% allocation.

Proposal: Five game management units (40, 41, 42, 45 and 52) have an allocation of 25% for some or all deer, elk, and pronghorn LAP hunts. Staff developed potential incentives, providing proportional benefits to sportsmen, which landowners could voluntarily agree to in exchange for LAP tags in excess of the standard 10% allocation. Potential incentives included:

- 1) establish an *Access Yes!* agreement to provide for managed public access;
- 2) establish a depredation release agreement, thereby being ineligible for depredation compensation;
- 3) implement significant habitat improvement
- 4) provide special hunting opportunity for veterans and/or youth

A survey was sent to all 176 registered landowners in game management units 40, 41, 42, 45, and 52. The same survey (Appendix B) was also posted on the Department website for interested members of the public.

Staff will provide a review of the public scoping effort, and the 2011 LAP controlled hunt drawing. Additionally, staff will have draft LAP rule changes should the Commission consider action.

Rule: IDAPA 13.01.08.411.03 Motorized Vehicle Restriction rules for Trophy Species.

Issue: Motorized vehicle restrictions were adopted to resolve hunters' concerns about off-road travel while hunting big game and upland game. However, regulations stipulate that motorized vehicle rules must be established for each particular hunt to be enforceable. No motorized vehicle restriction rules have been identified for big game trophy species hunts (moose, bighorn sheep, mountain goat) in proclamation leading to situations wherein hunters pursuing other big game species (e.g., elk, deer, bear hunters) were restricted in the same area and at the same time as trophy hunters that could use motorized vehicles during hunting seasons. Currently the units with motorized restrictions are: 29, 30, 30A, 32, 36A, 37, 37A, 39 (muzzleloader hunt only), 45,

47 49, 50, 51, 52, 52A (muzzleloader hunt only), 53, 56, 58, 59, 59A, 66, 66A, 69, 70, 72 (late season), 73, 75, 76, 77, and 78.

13.01.08.411.01. Use Restriction. *In designated areas and hunts*, hunters may only use motorized vehicles on established roadways which are open to motorized traffic and capable of being traveled by full-sized automobiles. Any other use by hunters is prohibited. All off-road use by hunters is prohibited.

13.01.08.411.03. Restricted Areas and Hunts. This motorized vehicle use restriction shall apply to identified areas and hunts in all Big Game Management Units. ***The hunts and areas with a motorized vehicle use restriction are identified in the Commission's Big Game Season Proclamation***, which is published in a brochure available at department offices and license vendors.

Proposal: Staff will conduct scoping to determine if hunters, including trophy species hunters, support adding motorized vehicle restrictions to trophy species hunts that occur in units that currently have restrictions for other big game hunting. A final recommendation will be developed following public scoping and provided to the Commission during the meeting.

Rule: IDAPA 13.01.16.400.03.g - Rules Governing the Trapping of Predatory and Unprotected Wildlife and Taking of Furbearing Animals; campgrounds and picnic areas.

Issue: At the August 2010 commission meeting, the Commission approved rules governing trap placement for the take of furbearer, predatory, or unprotected wildlife. The commission further instructed the Department to work with trappers to determine if or how adjustments could be made to the rule prohibiting placing any ground set incorporating snare, trap, or attached materials within three hundred (300) feet of any designated public campground, trailhead, or picnic area.

Proposal: Wildlife staff is working with trappers to determine if and how to modify closures around campgrounds and picnic areas. Rule change proposals will be presented.

Rule: IDAPA 13.01.16.03.h - Rules Governing the Trapping of Predatory and Unprotected Wildlife and Taking of Furbearing Animals; break-away devices on snares.

Issue: At the August 2010 commission meeting, the Commission approved rules that made it unlawful to place or set any snare without a break-away device. It was understood that the Department would further define this rule, including consideration of minimum poundage, definition of what constitutes a break-away devices, and location of break-away devices in the snare set.

Proposal: Wildlife staff is working with trappers to further develop rule requiring break-away devices on snares. Rule change proposals will be presented.

Rule: IDAPA 13.01.16.03 - Rules Governing the Trapping of Predatory and Unprotected Wildlife and Taking of Furbearing Animals; foothold trap size.

Issue: Last year, with concern for public, pet, and livestock safety, and in conjunction with preparing to establish a wolf trapping season, the Department scoped a rule that would not allow placing any ground set incorporating a foothold trap with an inside jaw spread greater

than 9 inches. The rule was removed from the list of recommendations prior to the August 2010 commission meeting because wolves were relisted and there would be no reason for larger traps. In response to the recent wolf delisting, the Department will consider wolf trapping seasons.

Proposal: Limit the jaw size of foothold traps used in ground sets to 9 inches.

Rule: IDAPA 13.01.16.03 - Rules Governing the Trapping of Predatory and Unprotected Wildlife and Taking of Furbearing Animals; wolf trapping rules.

Issue: Staff will be proposing wolf trapping seasons. Rules associated with equipment used for trapping wolves may be appropriate (e.g., establish minimum cable diameter for snares, etc.).

Proposal: Staff is researching equipment regulations in place in other states with wolf trapping seasons and scoping ideas internally and with trappers. Staff will make recommendations at the commission meeting.

Rule: IDAPA 13.01.15.100.02 & .03 - Rules Governing the Use of Dogs:

Issue: A member of the Idaho Hound Association has requested that a hound-dog training and field trial permit be developed that would allow non-residents and their dogs to participate in field trials without having to obtain a Hound Hunter Permit. The field trial permit would only be valid for events that are training dogs to hunt raccoons. Currently, only a limited number of Hound Hunter Permits are issued for non-residents, and raccoons are listed under IDAPA 13.01.15 as a species that requires a Hound Hunter Permit. A 2010 legislative change makes take of raccoons (as predatory wildlife) not subject to seasons or limits as specified in IDAPA 13.01.06. which reads: “*Unprotected and Predatory Wildlife. Those species of wildlife classified as Unprotected Wildlife and Predatory Wildlife may be taken in any amount, at any time, and in any manner not prohibited by state or federal law, by holders of the appropriate valid Idaho hunting, trapping, or combination hunting and fishing licenses, provided such taking is not in violation of state, county, or city laws, ordinances, or regulations*”.

Proposal: Remove raccoons from the list of species that requires a Hound Hunter Permit to hunt.

Rule: IDAPA 13.01.15.200.02 - Rules Governing the Use of Dogs: Limitation on hound hunter permits for nonresidents.

Issue: The Commission asked staff to research whether an increase in the number of nonresident hound hunting permits would aide in the removal of black bears and mountain lions in GMUs that have struggling elk and/or deer herds. Currently the Department issues up to 70 nonresident permits that can be used by a nonresident hound hunters in any unit within the state. In addition, a total of 40 more hound hunter permits can be issued for the Selway Elk Zone (Units 16A, 17, 19, and 20) and 6 additional permits in hunt area 17-1; and, there are no limits to the number of nonresident hound hunter permits that can be sold for use in either the Middle Fork Elk Zone (Units 20A, 26, and 27) or the Lolo Elk Zone (Units 10 and 12).

Proposal: Wildlife staff will research past demand for nonresident hound hunter permits and success rates and scope the issue with regional staff. Results and a recommendation will be presented to the commission at the meeting.

Rule: IDAPA 13.01.04.700-800. Bighorn sheep Auction and Lottery tags.

Issue: Idaho's special auction and lottery tags were created by legislation which establishes only general guidelines relative to IDFG business practices designed to prevent their misuse by purchasers.

Proposal: Clearly establish Commission rule regarding the issuance of these tags to accommodate buyers (i.e., proxy bidders) while reducing opportunities for abuse (such as re-sale).

Proposed changes to IDAPA 13.01.04

700. SPECIAL BIGHORN SHEEP AUCTION TAG

01. **Eligibility.** In order to be eligible to bid on the ~~special~~ bighorn sheep auction tag, a person must be eligible to purchase an Idaho hunting or combination license. (3-20-04)

02. **Validity of Tag.** The ~~Special~~ Bighorn Sheep Auction Tag shall be valid in Unit 11 only during odd-numbered years and during even-numbered years when the Bighorn Sheep Lottery Tag holder chooses not to hunt in Unit 11. (4-7-11)

03. **License and Controlled Hunt Tag.**

a. A hunting license and controlled hunt tag will be provided to the successful bidder from the net proceeds of the auction. (4-7-11)

b. The successful bidder for the ~~Special~~ Bighorn Sheep Auction Tag must file a notarized affidavit within 15 days of the successful bid if the hunting license and tag are to be designated to another individual.

c. The successful bidder may also, by notarized affidavit filed within 15 days of the successful bid, identify and alternate hunter to receive the tag only should the successful bidder be unable to hunt because of serious illness or death.

04. **Application of Big Game Rules.** All rules governing the Taking of Big Game Animals, IDAPA 13.01.08, shall apply to the eligible and successful bidders other than as specified herein. (7-1-93)

a. No successful bidder shall be eligible to apply for a bighorn sheep controlled hunt tag the same year the bidder is issued a ~~Special~~ Bighorn Sheep Auction Tag. (4-7-11)

b. A person receiving a ~~Special~~ Bighorn Sheep Auction Tag, but who is unsuccessful in taking a bighorn sheep, shall be eligible to bid the following year for another ~~Special~~ Bighorn Sheep Auction Tag. (4-7-11)

c. A person successful in taking a bighorn sheep with a ~~special~~ bighorn sheep tag shall be eligible to bid the following year. (3-20-04)

701.—799. (RESERVED)

800. BIGHORN SHEEP LOTTERY TAG.

(7-1-93)

01. **Eligibility.**

a. In order to win and be issued the Bighorn Sheep Lottery Tag, a person must be eligible to purchase an Idaho hunting or combination license. (4-7-11)

b. If any person wins the Bighorn Sheep Lottery Tag and has already been drawn for a bighorn sheep controlled hunt tag for the same year, the controlled hunt tag shall be returned to the Department and voided and the tags fees refunded. The lottery tag will be valid to hunt bighorn sheep that year. (4-7-11)

02. **Validity of the Tag.** The Bighorn Sheep Lottery Tag shall be valid in Unit 11 only during even-numbered years and during odd-numbered years when the ~~Special~~ Bighorn Sheep Auction Tag holder chooses not to hunt in Unit 11. (4-7-11)

03. **Permit Tag.**

a. A hunting license (if needed) and a controlled hunt tag will be provided to the lottery winner from the net proceeds of the lottery. (4-7-11)

b. Lottery tickets are not transferable. The Bighorn Sheep Lottery Tag shall be issued to the person whose name appears on the winning ticket, and may not be transferred to another individual.

c. A person less than 18 years of age is ineligible to participate in an Idaho lottery, and should a person less than 18 years of age be selected as a winner the tag shall be invalidated.

04. Application of Big Game Rules. All rules governing the Taking of Big Game Animals shall apply to the eligible ticket purchasers and lottery tag winner, other than as specified herein. (7-1-93)

a. A person receiving a bighorn sheep lottery tag shall be eligible to purchase lottery tickets the following year for another bighorn sheep lottery tag. (3-30-01)

b. A person successful in taking a bighorn sheep with a bighorn sheep lottery tag shall be eligible to purchase lottery tickets the following year. (3-20-04)

c. Any person who wins a Bighorn Sheep Lottery Tag, and who is otherwise eligible to apply for a deer, elk or pronghorn controlled hunt tag and who has drawn such a tag, shall be allowed to ~~apply for a controlled~~ hunt for those species during the same year the Bighorn Sheep Lottery Tag is valid. (4-7-11)

801.—899. (RESERVED)

Rule: IDAPA 13.01.09—Rules governing the taking of game birds.

Issue: Administrative clean-up of duplicitous rules that are set by proclamation.

Proposal: Detail provided below, suggested rule modifications attached.

Rule: IDAPA 13.01.09.100.03.a.-b. - Wild Turkey

Issue: IDAPA references spring controlled turkey tags, which no longer exist.

Proposal: Correct rule to accurately reflect current use of general tags and controlled hunt permits.

Rule: IDAPA 13.01.09.100.04. – Early September Canada Goose Hunts

Issue: IDAPA references controlled hunts for Canada geese which no longer exist.

Proposal: Remove this section.

Rule: IDAPA 13.01.09.300.01.a. – Taking of Upland Game Birds

Issue: IDAPA incorrectly lists shooting hours for pheasants.

Proposal: Correct rule to accurately reflect the correct shooting hours.

Rule: IDAPA 13.01.09.600 – Pheasant Seasons, Bag and Possession Limits

Issue: IDAPA included area descriptions that may change.

Proposal: Condense rule to reflect the current situation whereby the Commission sets seasons, bag limits, and possession limits by proclamation.

Rule: IDAPA 13.01.09.603 – Quail Seasons, Bag and Possession Limits

Issue: IDAPA included area descriptions that may change.

Proposal: Condense rule to reflect the current situation whereby the Commission sets seasons, bag limits, and possession limits by proclamation.

Rule: IDAPA 13.01.09.605 – Sage Grouse Seasons, Bag and Possession Limits

Issue: IDAPA included inaccurate area descriptions.

Proposal: Condense rule to reflect the current situation whereby the Commission sets seasons, bag limits, and possession limits by proclamation.

Rule: IDAPA 13.01.09.606 – Sharp-tailed Grouse Seasons, Bag and Possession Limits

Issue: IDAPA included inaccurate area descriptions.

Proposal: Condense rule to reflect the current situation whereby the Commission sets seasons, bag limits, and possession limits by proclamation.

Rule: IDAPA 13.01.09.615. – Sandhill Cranes

Issue: IDAPA references controlled hunts for sandhill cranes which no longer exist.

Proposal: Update rule to reflect the current situation whereby the Commission sets seasons, bag limits, and possession limits by proclamation.

Rule: IDAPA 13.01.09.616 – Sandhill Crane Seasons, Bag and Possession Limits

Issue: IDAPA included inaccurate area descriptions.

Proposal: Condense rule to reflect the current situation whereby the Commission sets seasons, bag limits, and possession limits by proclamation.

Rule: IDAPA 13.01.09.620 – Early Canada Goose Seasons, Bag and Possession Limits

Issue: IDAPA included inaccurate area descriptions.

Proposal: Condense rule to reflect the current situation whereby the Commission sets seasons, bag limits, and possession limits by proclamation.

Rule: IDAPA 13.01.09.900.02. – Duck Seasons, Bag and Possession Limits

Issue: IDAPA included inaccurate area descriptions.

Proposal: Condense rule to reflect the current situation whereby the Commission sets seasons, bag limits, and possession limits by proclamation.

Rule: IDAPA 13.01.09.900.03 – Common Snipe Canada Goose Seasons, Bag and Possession Limits

Issue: IDAPA included inaccurate area descriptions.

Proposal: Condense rule to reflect the current situation whereby the Commission sets seasons, bag limits, and possession limits by proclamation.

Rule: IDAPA 13.01.09.620 – Early Canada Goose Seasons, Bag and Possession Limits

Issue: IDAPA included inaccurate area descriptions.

Proposal: Condense rule to reflect the current situation whereby the Commission sets seasons, bag limits, and possession limits by proclamation.

Rule: IDAPA 13.01.09.900.05. – Youth Waterfowl Hunting Day.

Issue: Youth waterfowl day is currently open only to youth 12-15 yrs of age. However, federal regulations allow youth 15yrs and under.

Proposal: Modify rule to open youth waterfowl hunting day only to youth 15yrs of age and under.

Rule: IDAPA 13.01.09.600-606. – Upland Game Bird Seasons, Bag and Possession Limits

Issue: IDAPA provides rules for all upland game birds separately.

Proposal: Combine all species and condense rule to reflect the current situation whereby the Commission sets seasons, bag limits, and possession limits by proclamation.

Rule: IDAPA 13.01.08.600--Game Management Unit Boundary Descriptions.

Issue: Landmarks and roads specified in game management unit boundaries have changed over time and parts of some boundaries are difficult to follow on the map or ground. Clarification of these boundaries is intended to reduce hunter confusion rather than make significant changes to move the boundaries.

Proposals: Unit 52A – Those portions of Blaine, Butte, Lincoln, and Minidoka counties within the following boundary: beginning at Shoshone, then north and east on U.S. 93 to [the Arco-Minidoka Road \(approximately 2 miles SW of Arco\)](#), then south on the Arco-Minidoka Road to [the East Minidoka Road \(approximately 2 miles east of Minidoka\)](#), then northwest on [the East Minidoka Road to](#) Minidoka, then northwest on State Highway 24 to Shoshone, the point of beginning.

Unit 53 – Those portions of Blaine, Cassia, Gooding, Jerome, Lincoln, Minidoka, Power, and Twin Falls counties within the following boundary: beginning at Twin Falls, then west and north on U.S. 30 to the Snake River, then down the Snake River to the Malad River, then up the Malad River to U.S. 30, northwest on U.S. 30 to Bliss, then east on U.S. 26 to Shoshone, then southeast on State Highway 24 to Minidoka, then east on the ~~Union–Pacific railroad tracks~~ [East Minidoka Road approximately 1 mile](#) to the Minidoka-Blaine county line, then south along the Blaine-Minidoka county line to the Minidoka National Wildlife Refuge, then southeast along the refuge boundary to the Cassia-Power County line, then south along the Cassia-Power County line to Interstate 86 near Raft River, then west along Interstate 86 to Yale Road, then southwest on Yale Road over Interstate 84 to State Highway 81, then west on State Highway 81 to Burley, then west on U.S. 30 to Twin Falls, the point of the beginning. Minidoka National Wildlife Refuge- closed.

Unit 66A / 69 border. Exchange “west road” for “Bone road” on the southern boundary.

Unit 66A/66. Specify the “Bone –Grays Lake road “ that lies west of Herman.

Unit 68 – Those portions of Bingham, Blaine, Butte, Cassia, Minidoka, and Power counties within the following boundary: beginning at Arco, then southeast on U.S. 26 to Blackfoot, then southwest on State Highway 39 to American Falls, then southwest on Interstate 86 to the Cassia-Power County line east of Raft River, then north along the Cassia-Power county line to [the north bank of](#) the Snake River, then northwest along the northern boundary of the Minidoka National Wildlife Refuge to the Minidoka-Blaine County line, then north along the Minidoka-Blaine County line to the ~~Union–Pacific railroad tracks~~ [East Minidoka Road](#), then west on the ~~tracks to Minidoka~~ [then east on the East Minidoka Road approximately 1 mile to the Arco-Minidoka Road](#), then north on the Minidoka-Arco Road [to U.S. 93 approximately 2 miles](#)

southwest of Arco, then northeast approximately 2 miles on U.S. 93 to Arco, the point of the beginning.

Unit 77- That portion of **Franklin County** within the following boundary: beginning at U.S. 91 on the Idaho-Utah State line, then north to Preston, then north on State Highway 34 to Cleveland Bridge, then south on the county road to Maple Grove Hot Springs, then east on the Hot Springs-Strawberry Canyon Road to the Strawberry Canyon-Emigration Canyon Road, then south on the Highline Trail (Forest Service Trail 316) to Danish Pass (Forest Service Road 415), then west on (Forest Service Road 415), then south on the Franklin Basin Road to the Idaho-Utah State line. then west on the state line to U.S. 91, the point of beginning.

Unit 78- Those portions of **Bear Lake and Franklin counties** within the following boundary: beginning at U.S. 89 on the Idaho-Utah State line, then north to Ovid, then west on the Emigration Canyon-Strawberry Canyon Road, then south on the Highline Trail (Forest Service Trail 316) to Danish Pass (Forest Service Road 415), then west on (Forest Service Road 415), then south on Franklin Basin Road to the Idaho-Utah State line, then east on the state line to U.S. 89, the point of beginning.

13.01.08.605-- Elk Zone Descriptions

08. Middle Fork Zone. All of Units 20A, 26, and ~~36B~~ **27**.

09. Salmon Zone. All of Units 21, 21A, ~~27, 36B,~~ and 28, and ~~36B~~.

Meeting Date: July 28, 2011

Agenda Item No. 7

Agenda Item: Season Setting: Gray Wolf **(Action)** **Bureau Chief Approval:** _____

Prepared by: Jon Rachael

Background:

Wolves were delisted from the Endangered Species Act (ESA) in Idaho and Montana in May 2009. Idaho held a successful hunting season for wolves in fall and winter 2009-2010, but following a Federal District Court decision, wolves were relisted under the ESA. On August 5, 2010, Judge Molloy vacated the rule that delisted wolves in Montana and Idaho and returned them to protections of the ESA, effectively restricting state management and eliminating the possibility of a state-regulated wolf hunt. Governor Otter informed the Secretary of Interior on October 18, 2010 that Idaho would no longer manage wolves as the designated agent of the federal government until wolves were again delisted.

At that time IDFG staff ceased involvement in wolf monitoring, and stopped responding to wolf depredations on livestock, or investigation of violations of the ESA. IDFG focused efforts on our research project and assessing impacts of wolves on ungulates in the Lolo and Sawtooth study areas.

On April 15, 2011, President Obama signed the 2011 federal Budget Bill that included the following language:

"Before the end of the 60-day period beginning on the date of enactment of this division, the Secretary of the Interior shall reissue the final rule published on April 2, 2009 (74 Fed. Reg. 15123 et seq.) without regard to any other provision of statute or regulation that applies to issuance of such rule. Such reissuance (including this section) shall not be subject to judicial review and shall not abrogate or otherwise have any effect on the Order and Judgment issued by the United States District Court for the District of Wyoming in Case Numbers 09-CV-118J and 09-CV-138J on November 18, 2010."

The 2009 rule determined that the NRM wolf population was biologically recovered and that management by the states, except for Wyoming, would ensure it remained recovered. The 2009 rule contains mandatory post-delisting monitoring and public reporting requirements, and triggers/safeguards that would cause wolves to be considered for relisting under the Endangered Species Act.

As a result of this action, wolf management responsibility was returned to the States of Montana and Idaho on May 5, 2011. The USFWS will continue to manage wolves in Wyoming until the state has a USFWS-approved regulatory framework for wolf management.

The Idaho Department of Fish and Game immediately resumed responsibility for wolf monitoring, responsibility for responding to livestock depredations and authorizing control actions, and continued preparation for a 2011-2012 hunting season.

Wildlife staff worked closely with regional staff around the state to propose hunting and trapping seasons and rules (attached) for 13 wolf management zones based on wolf population status, conflicts with ungulate populations, conflicts with livestock, and experience gained from our 2009-2010 hunting season.

Policy issues:

Idaho Statute 36-104 authorizes the Commission to establish rules for the taking of wildlife consistent with state policy. Species management plans provide Commission direction for population and harvest management.

Public Involvement Process:

IDFG released wolf hunting and trapping season proposals to the public at a press conference on July 8. The Department conducted a scientific survey to solicit input from 1,000 randomly selected deer and elk hunters and 2,000 randomly selected adult Idaho residents. Additionally, the proposals and the survey were made available on our website to allow others to provide input. Wildlife Bureau recommendations are based on public response to the proposals, year-round input through regional meetings, website outreach, and from input from regional supervisors and wildlife staff around the state.

Staff Recommendation:

Staff will provide a review of public input and provide recommendations at the meeting.

Justification:

Commission action is required to adopt 2011-2012 harvest seasons and rules for gray wolves.

Meeting Date: July 28, 2011

Agenda Item No. 8

Agenda Item: 2012 Legislative Proposals and ATV
Task Force Update

Bureau Chief Approval: _____

Prepared by: Sharon W. Kiefer

Background: Staff will brief the Commission and seek policy guidance regarding the Department package of legislation ideas for submission to the Executive Agencies Legislation System (EALS) for Governor Office approval. This is the first step of the executive agency legislative process. Agency ideas must be electronically submitted to EALS by August 1. Governor-approved ideas must be drafted as legislative proposals and submitted to EALS by September 16.

Staff will also update the Commission with continuing work on improvement of the Motorized Vehicle Rule for hunters and expectations of the interim legislative ATV Task Force.

Statutory Authority and/or Policy issues: Commission has responsibility to provide policy direction for Department-sponsored legislation.

The preliminary list for policy consideration is a combination of “clean-up” legislation and new legislative proposals.

Clean-up legislative proposals

- Amend 36-1510 to also allow youth under the age of twelve who are participating in the mentor hunt program to possess a firearm.

New legislative proposals

- Create ability to transfer a control hunt tag to a youth.

- Create Commission authority to dispose of Fish and Game owned property.

- Amend the Nonresident Season Hunting License to be a Nonresident Season Hunting/3 Day Fishing License, retaining current fee structure for the nonresident season hunting license.

- Amend the Junior Hunting License for resident youth to include ages 10 to 17 and delete the Youth Small Game License, including requirement for resident youth 10-11 to be accompanied in the field by a licensed adult. Convert license age limitations for hunting species to tags, i.e. youth must be at least 12 to hunt big game but can apply for a control hunt at age 11, as long as they are 12 when hunting. Hunter education certification applies for licensure.

- Create a Junior Hunting License for nonresident youth ages 10 to 17 and delete the nonresident Junior Mentored Hunting License and the nonresident Youth Small Game License, including the requirement that nonresident youth ages 10 to 17 must accompanied in the field by a licensed adult. Convert license age limitations for hunting species to tags, i.e. nonresident youth must be at least 12 to hunt big game but can apply for a control hunt at

age 11, as long as they are 12 when hunting. Hunter education certification applies for licensure. Amend tags to be consistent with license structure.

Public Involvement Process: There has not been targeted public involvement prior to Commission policy approval of legislative ideas. There may be future public involvement strategies that occur prior to and during the 2012 Legislative session for specific legislative proposals.

Staff Recommendation: Provide policy approval or direction for legislation sponsored by the Department.

Justification: Review is necessary to ensure consistency between legislative ideas and Department policies and procedures

Meeting Date: July 28, 2011

Agenda Item No. 9a

Agenda Item: Proposed Rule to Implement House
Bill 143

Bureau Chief Approval: _____

Prepared by: Sharon W. Kiefer

Background: House Bill 143 was approved by the 2011 Legislature and signed by the Governor. The bill became effective July 1, 2011. This legislation allows nonresident disabled veterans who are participating in a hunt in association with a qualified organization to receive reduced fees for certain licenses and tags.

Statutory Authority and/or Policy issues: Implementation of this new program requires new rule implementation and new administrative procedures.

It is important to clarify the documentation expectation for program participants. The documentation expectation for the new program is attached. The Commission has the authority to approve new rules to complete implementation of the new program.

Public Involvement Process: The 2011 Legislature provided public involvement via bill hearings in the House and Senate. Staff reviewed the implementation framework with the legislative sponsor.

Staff Recommendation: Adopt temporary and proposed rules as recommended by staff to implement this new program. Recommended rules are attached.

Justification: The recommended rules will facilitate implementation of this new program.

Meeting Date: July 28, 2011

Agenda Item No. 9

Agenda Item: Mentored Hunt Program Update

Bureau Chief Approval: _____

Prepared by: Lance Hebdon and Sharon Kiefer

Background:

House Bill 85, which passed during the 2011 legislative session, authorized the Commission to establish rules to implement a mentored hunting program in Idaho. The objective of the Mentor Hunt Program is to allow interested individuals of any age to experience hunting with a mentor to foster participating in hunting as a lifetime activity.

Statutory Authority and/or Policy issues:

House Bill 85 contained specific provisions that must be included in the program. The provisions are:

- 1) an application to the Department for a special authorization to take wildlife (not considered a license) while accompanied by a mentor,
- 2) the mentor must possess a valid Idaho hunting license and be over 18 years of age,
- 3) the authorization shall be for a specific period of time,
- 4) the authorization can allow eligibility for certain game tags,
- 5) the authorization does not alter the hunter education requirement to purchase a hunting license.

The draft framework is attached for Commission review and discussion.

Public Involvement Process:

Public review and input is in progress. A key stakeholder targeted for public involvement is the Idaho Hunter Education Association.

Staff Recommendation:

Continue public involvement and provide rules for program implementation to the Commission for temporary/proposed rule action at the August, 2011 meeting. Any temporary/proposed rule must be submitted by August 31 to be published in the October issue of the Idaho Administrative Bulletin to enable 2012 Legislative review.

Justification:

Public involvement and rule process required for statute implementation.

Meeting Date: July 28, 2011

Agenda Item No. 10

Agenda Item: Wildlife Salvage and Sale Rule
Proposal Update

Bureau Chief Approval: _____

Prepared by: Sharon W. Kiefer

Background: During the 2010 session, there was legislative interest in a mechanism for the public to salvage wildlife, including allowance for sale of salvaged wildlife specifically from vehicle collision. The Department committed to evaluate existing mechanisms for wildlife salvage and consider options to enhance them for Commission consideration and direction.

During the November, 2010 Commission meeting, staff reported that there is a mix of statutory and rule provisions that allow for salvage (i.e. possession), of animal parts obtained from methods of legal take other than hunting. A foundation of statute and rule is that wildlife must have been “legally taken”. A key issue for the salvage issue is that unintentional vehicular collision is currently not defined as a legal method of take.

Staff also reported that Idaho Code 36-501 gives the Commission the authority to permit “by rule” the sale of parts of wildlife when such sale will not injuriously affect the species permitted. Coupled with IDAPA 13.01.10.300.02, which states that protected species of wildlife that have died naturally or accidentally remain in public trust to be disposed of by the Department, staff believes that the Commission does have the authority to enhance salvage opportunity specifically for wildlife accidentally killed by unintentional vehicle collision by amending rule and giving policy guidance to the Department to create an appropriate reporting and possession mechanism.

Staff requested Commission guidance regarding the policy desire to enhance salvage opportunity to also include sale of salvaged wildlife, particularly from vehicle collision (i.e. man-caused, non-natural death) with the advice that providing a mechanism for sale of salvaged wildlife would require rule modification whereas providing for salvage only (possession but no sale) likely requires only policy enhancement. The Commission requested a rule proposal for policy consideration.

Statutory Authority and/or Policy issues: Salvage of wildlife falls within either statute or the rule and policy authority of the Commission to address.

Public Involvement Process: The Commission process for either rulemaking or policy direction provides for public involvement. Future legislative review of any new or amended rules would also provide for public involvement.

Staff Recommendation: Consider a staff proposal for rule action at the August, 2011 meeting. Provide for public input opportunity to inform the rule discussion and decision.

Justification: Legislative interest prompted staff evaluation for Commission consideration.

Meeting Date: July 28, 2011

Agenda Item No. 11

Agenda Item: Idaho Fish and Wildlife Foundation Report

Bureau Chief Approval: _____

Prepared by: Ann Dehner

Background:

Commission has requested updates about the Idaho Fish and Wildlife Foundation activities.

Statutory Authority and/or Policy issues:

None

Public Involvement Process:

None

Staff Recommendation:

Present update as follows.

Justification:

Requested by Commission.

1. The Foundation approved two new board candidates at its April 2011 meeting: Bruce Wyatt from Lewiston, Region 2, and Ron Polley from Rathdrum, Region 1. The board also elected a new slate of officers: Jim Mathias, President (Blackfoot); Mike Veile, First Vice-President (Soda Springs); Gary Bills, Second Vice-President (Pocatello); Joan Yost, Secretary (Meridian). The Foundation currently has 18 voting board members. A new committee structure was approved by the full board, and annual committee assignments have been made to conduct the work of the Foundation.

2. The Foundation held a strategic planning retreat for its Board of Directors and staff following its annual meeting on April 29-30 in Coeur d'Alene. There was much good discussion of the history of the Foundation and its relationship with the Department and Commission. It is anticipated that the future direction for programs, projects, and operations of the Foundation will be clarified in discussions among representatives of all three parties given a new Chair of the Commission, a new Director of the Department, and a new President of the Foundation.

3. Among other ongoing work at the Foundation, Foundation staff continues to engage in inquiries regarding potential land acquisitions, conservation easements and partnership requests. Foundation staff continues to work in consultation with the Department regarding stewardship and management issues for such inquiries.

Meeting Date: July 28, 2011

Agenda Item No. 12

Agenda Item: Update on the Outfitted Waterfowl and Turkey Activities and IDFG Comments to IOGLB

Bureau Chief Approval: _____

Prepared by: Lance Hebdon

Background:

The Outfitters and Guides Licensing Board is continuing to move toward a decision regarding outfitted turkey and waterfowl hunting. On request of Director Howard, Director Moore provided input for the Board's consideration during their May work session.

Statutory Authority and/or Policy issues:

Public Involvement Process:

Department worked cooperatively with the Board to convene the Outfitted Turkey and Waterfowl Advisory Group. The Department will continue to interface with sportsmen and their representatives as the Board moves forward with the discussion.

Staff Recommendation:

Continue to work with and provide input to IOGLB for consideration as the prospect for licensing moves forward.

Justification:

Meeting Date: July 14, 2011

Agenda Item No. 13

Agenda Item: Set the 2011 fishing season for fall Chinook salmon in the Snake and Clearwater rivers

Approved by: _____

Prepared by: Sam Sharr, Anadromous fisheries Coordinator

Background:

This agenda item concerns the setting of a fishing season for fall Chinook salmon on the Snake River and a portion of the Clearwater River in September and October of 2011. A fishery for fall Chinook salmon was conducted on the Snake River in October 2008 and September and October of 2009 and 2010. Staff is projecting that sufficient numbers of hatchery origin adipose fin-clipped fall Chinook salmon will return to the proposed fishing area to meet hatchery brood stock needs and permit a non-tribal sport fishery on the harvestable share available. Natural origin fall Chinook that return to the proposed fishing area are listed as threatened under the Endangered Species Act and allowable encounter rates on these listed fish are stipulated in the Fisheries Management and Evaluation Plan for Steelhead and Fall Salmon Fisheries submitted by the Department to NOAA Fisheries on December 30, 2010.

Policy issues:

Idaho Statute 36-104(b)2 gives the Commission the authority to make rule or proclamation establishing seasons and methods for taking of fish. Fishing rules are provided in IDAPA 13.01.11

Public Involvement Process:

This is only the fourth year of proposing the relatively new fall Chinook salmon fishery. This fishing opportunity arises from ESA coverage for natural origin fall Chinook encountered incidentally in the steelhead and fall salmon fisheries as stipulated in the Fisheries Management and Evaluation Plan for Steelhead and Fall Salmon fisheries that was submitted to NOAA Fisheries on December 30, 2010. To date there has been no public process specific to this fishery.

Justification:

Title 36 of Idaho State Code gives the Commission the authority to set rules to preserve, protect, or manage fish and wildlife in Idaho. The proposed fishery addresses biological issues, mitigation hatchery programs, and angler desires.

Action Requested:

Set a season and methods for harvesting fall Chinook salmon in the Snake River in 2011.

Staff Recommendations:

Approve the proposed 2011 fishery for fall Chinook salmon in the Snake River.

Meeting Date: July 28, 2011

Agenda Item No. 14

Agenda Item: Conservation Education Update

Bureau Chief Approval:

Prepared by: Victoria Runnoe

Background: This agenda item will provide the Commission with an update of conservation education activities around the state during 2010. The upcoming 15th anniversary of Salmon and Steelhead Days will be highlighted along with a cooperative partnership with Idaho Public Television's D4K children's science program.

Statutory Authority and/or Policy issues: None

Public Involvement Process: None

Staff Recommendation: None

Justification: None

Meeting Date: July 28, 2011

Agenda Item No. 15

Agenda Item: IDFG's New Website

Bureau Chief Approval: _____

Prepared by: Mike Keckler

Background:

For the last 18 months, department web designers have been working on the new Fish and Game website, which will be launched July 25. The new site is data-based driven, making it much faster and better organized and easier for users to find information. We will conduct a brief demonstration of new features including event calendars and explain how to use the new website.

Statutory Authority and/or Policy issues:

None

Public Involvement Process:

None

Staff Recommendation:

None

Justification:

None

Meeting Date: July 28, 2011

Agenda Item No. 16

Agenda Item: Rules: Nonresident Deer and Elk Tag and Outfitter Set-Aside Quotas (**Action Requested by Department**)

Bureau Chief Approval: _____

Prepared by: Jon Rachael

Background:

Annually, the Commission establishes quotas for total nonresident deer and elk tags and quotas on nonresident deer and elk tags for use by hunters using the services of a licensed Idaho outfitter. Outfitter set-aside quotas are a subset of total nonresident deer and elk tag quotas, and are not in addition to. Any outfitter set-aside tags not claimed by outfitted clients by July 1 revert back to the Department for sale to nonresident hunters. The table below provides a review of total nonresident deer and elk tag quotas since 1990.

Year	Elk	Regular Deer*	Southeast Deer	White-tailed Deer	Total Deer Tags
1990	12,815	15,500			15,500
1991	12,815	15,500			15,500
1992	12,815	15,500			15,500
1993	12,815	15,500			15,500
1994	12,815	15,500			15,500
1995	12,815	14,700	800		15,500
1996	12,815	14,500	1,000		15,500
1997	12,815	12,800	1,200		14,000
1998	12,815	12,800	1,200		14,000
1999	12,815	12,800	1,200		14,000
2000	12,815	12,800	1,200		14,000
2001	12,815	12,800	1,200		14,000
2002	12,815	12,800	1,200		14,000
2003	12,815	12,800	1,200		14,000
2004	12,815	12,800	1,200		14,000
2005	12,815	12,800	1,200		14,000
2006	12,815	12,800	1,200		14,000
2007	12,815	12,800	1,200		14,000
2008	12,815	14,000		1,500	15,500
2009	12,815	14,000		1,500	15,500
2010	12,815	14,000		1,500	15,500
2011	12,815	14,000		1,500	15,500

* Regular tags include Regular, Clearwater (1998-2004) & White-tailed deer (2005-present) tags.

Statutory Authority and/or Policy issues:

Idaho Code 36-408. COMMISSION'S AUTHORITY -- TAGS -- PERMITS -- NONRESIDENTS LIMITED -- OUTFITTERS SET-ASIDE.

(2) Limit -- Licenses, Tags or Permits -- Controlled Hunts. The commission is hereby authorized to establish a limit annually as to the number of each kind and class of licenses, tags, or permits to be sold or issued and is further authorized to limit the number or prohibit entirely, the participation by nonresidents in controlled hunts.

(3) Outfitters Set-aside. When the commission establishes a limit as to the number of nonresident deer tags and nonresident elk tags, it shall set aside annually a maximum of twenty-five percent (25%) of the nonresident deer tag and nonresident elk tag limit. The set-aside tags shall be sold pursuant to commission rule, only to persons that have entered into an agreement for that year to utilize the services of an outfitter licensed pursuant to Chapter 21, Title 36, Idaho Code.

IDAPA 13.01.04.600. NONRESIDENT DEER AND ELK TAG QUOTAS.

01. Tag Quotas. The following number of deer tags and elk tags shall be set aside annually and reserved for sale to nonresidents:

- a. Fourteen thousand (14,000) regular or white-tailed deer tags;
- b. Twelve thousand eight hundred fifteen (12,815) A or B elk tags for all zones;
- c. One thousand five hundred (1,500) white-tailed deer tags;

IDAPA 13.01.04.500. NONRESIDENT DEER AND ELK TAG OUTFITTER SET-ASIDE.

01. Tags. The following number of nonresident deer tags and nonresident elk tags shall annually be set aside and reserved for sale to persons who have entered into an agreement to utilize the services of an outfitter who is licensed under Chapter 21, Title 36, Idaho Code. For the each hunting season:

- a. One thousand nine hundred eighty five (1,985) deer tags (regular or white-tailed);
- b. Two thousand four hundred (2,400) elk tags (A or B tags for all zones);

Public Involvement Process:

The Idaho Outfitters & Guides Licensing Board and the Idaho Outfitters & Guides Association have been consulted with.

Staff Recommendation:

Staff recommends no change to existing (2011) nonresident deer and elk tag quotas, or outfitter set-aside quotas.

Justification:

Commission action requested to establish quotas for nonresident deer and elk tags and outfitter set-aside quotas.

Meeting Date: July 28, 2011

Agenda Item No. 17

Agenda Item: Release of Bighorn Sheep Tags for Auction and Lottery **(Action Requested by Department)**

Bureau Chief Approval: _____

Prepared by: Jeff Gould

Background:

At Commission direction the Bureau of Wildlife staff developed guidelines for selection of organizations competing for opportunity to offer wildlife auction and lottery tags. Two organizations each have expressed interest in offering the 2012 bighorn auction and bighorn lottery tags. Agency staff have reviewed and scored all applications to assist in selecting which conservation groups receive these special wildlife tags to market through lottery or auction.

Statutory Authority and/or Policy issues:

The Commission is authorized under IC 36-408 to release 2 special bighorn sheep tags; one issued through auction, one through lottery. Funds received from the auction tag are currently used to identify causes for, and solutions to, disease in bighorn sheep. Lottery-generated funds are used to support the Wildlife Health program. Selection of tag recipients is assigned to the Commission for bighorn sheep tags. A qualification and selection process was implemented in 2010 to assure that these special tags are awarded in a credible and independent fashion. The qualification process also helps conservation groups submit competitive bids in a timely manner.

Public Involvement Process:

Applications to be awarded opportunity to market the 2012 bighorn sheep tags were received from the Idaho Chapter of the Wild Sheep Foundation (lottery tag only), Idaho Sportsmen for Fish & Wildlife (auction and lottery tag), and Wild Sheep Foundation (auction tag only).

Staff Recommendation:

Staff has reviewed all applications and ranked them to assist the Commission in the selection process.

Justification:

Commission action required to release special bighorn sheep tags to conservation groups. The competitive bid process assures special tags are issued objectively and that maximum value is received for the tags to implement critical management programs.

Meeting Date: July 28, 2011

Agenda Item No. 18

Agenda Item: Commission Direction of Animal Damage Control Board Funds (**Action Requested by Department**)

Bureau Chief Approval: _____

Prepared by: Jeff Gould

Background:

Idaho statute annually appropriates \$100,000 of Department funds to the State Animal Damage Control Board for control of predatory animals and birds. Additionally, the Department annually transfers surplus funds from the expendable depreciation account to the State Animal Damage Control Board when a surplus exists (a surplus does not exist this year). Idaho statute authorizes the Commission to direct how these funds are to be used.

Since 2005, the Commission has directed \$50,000 or more to be used for intensive coyote removal in conjunction with the Mule Deer Initiative in eastern Idaho. Additional funds, approximately \$50,000, have been directed by the Commission to support Wildlife Services activities identified in the MOU between the Department and the Animal Damage Control Board.

Statutory Authority and/or Policy issues:

36-112. ANIMAL DAMAGE CONTROL FUND. The animal damage control fund is hereby established in the state treasury. Moneys in the fund are subject to appropriation to the state animal damage control board established by section 25-2612A, Idaho Code, for the control of predatory animals and birds. In addition to moneys transferred into the fund pursuant to section 36-115(c), Idaho Code, the state controller shall annually, by August 1 of each year, transfer the sum of one hundred thousand dollars (\$100,000) from the fish and game fund to the animal damage control fund. The state animal damage control board in using these moneys shall follow fish and game commission direction on actions regarding predatory animals or birds forwarded by the department by the same date.

Public Involvement Process:

None.

Staff Recommendation:

Department staff will provide a recommendation for directing expenditure of funds allocated to the Animal Damage Control Board.

Justification:

Commission direction on expenditure of Department funds is required.

Meeting Date: July 28, 2011

Agenda Item No. 19

Agenda Item: Region 3 – City of Nampa/Wilson
Springs easement

Bureau Chief Approval: _____

Prepared by: Gregg Servheen and Steve Elam

Background:

The City of Nampa requests a trail easement to connect the Wilson Springs Access footpath on Department property to a city-managed walking path/greenbelt, including installation of a box culvert to connect the path to a public road. Total distance is approximately 400 feet and 1/10 acre.

The Department currently has an MOU with Canyon County to use the Wilson Springs area as a component of their elementary school science and outdoor programs. Connecting to the pathway would enhance community access to what is becoming an urban fishery and nature area. Other than some Department staff time, all costs associated with implementing the project would be the responsibility of the City of Nampa.

This was presented in Executive Session on May 19, 2011.

Statutory Authority and/or Policy Issues:

Land acquisition in accordance with Commission land acquisition policy.

Public Involvement Process:

N/A.

Staff Recommendation:

The Lands Committee recommends granting of this easement.

Meeting Date: July 28, 2011

Agenda Item No. 19

Agenda Item: Region 6 – Rothwell easement
donation

Bureau Chief Approval: _____

Prepared by: Gregg Servheen and Steve Elam

Background:

This small donated easement (about 0.72 acres--50 feet x 630 feet) will allow access across private land to the Big Lost River above the Blaine Diversion. The vast majority of the Big Lost is private property and public access is a huge issue in the area. Loss of this access point would affect a long stretch of river as there would be no place for floaters to exit the river.

Initial cost estimated at \$5,000 (survey, gravel road, fence) and annual O&M is estimated at \$500.

This was presented in Executive Session on May 19, 2011.

Statutory Authority and/or Policy Issues:

Land acquisition in accordance with Commission land acquisition policy.

Public Involvement Process:

County commissioners have been notified and asked for their input. The public will be informed and contacted for their input regarding management of the property.

Staff Recommendation:

The Lands Committee recommends accepting this easement.

Meeting Date: July 28, 2011

Agenda Item No. 20

Agenda Item: 2011 Mourning Dove, and Sandhill Crane
Seasons (**Action**)

Bureau Chief Approval: _____

Prepared by: Jeffrey M. Knetter

Background:

Mourning dove and sandhill crane seasons are set in July to allow for seasons to open as early as September 1. The mourning dove season is the earliest allowed by treaty and is unchanged since 1988. Sandhill crane depredation on grain crops is a problem in some areas; therefore, the season has been established to allow harvest of cranes that nest in Idaho before migration begins. The sandhill crane harvest allocation for Idaho has increased in recent years, but the number of birds harvested has remained relatively steady. The supply of sandhill cranes currently exceeds the demand by hunters.

Idaho’s 2011 crane harvest allocation, as directed by the Pacific Flyway Council Rocky Mountain Population Crane Plan, is 410, down slightly from the 458 in 2010. Harvest in 2010 was 253.

Statutory Authority and/or Policy Issues:

Idaho Code 36-104(2) grants authority to the Commission to determine when an open season may be declared for the taking of wildlife.

IDAPA 13.01.09.301 establishes rules regarding the take of migratory game birds.

Public Involvement Process:

Staff will solicit public input on the proposed changes via the website and at regional open houses during July (attached scoping document).

Staff Recommendation:

Staff will review public input with the Commission and develop final recommendations to be presented during the agenda item.

No change to the mourning dove season, which is 9/1-9/30 and bag and possession limits of 10 and 20, respectively.

Increase the sandhill crane daily bag limit from two to three; no change to the season limit of nine. No change to the sandhill crane season structure. All tags (680) will be offered on a first-come first-served basis at any vendor as per the allocation below.

Hunt Area	Season	Permits
1	9/1 – 9/30	400
2	9/1 – 9/15	100
3	9/1 – 9/15	100
4	9/1 – 9/15	40
5	9/1 – 9/15	40

Justification:

The proposed mourning dove season is the earliest and most liberal allowed by federal framework. The proposed daily bag limit for sandhill cranes will match up with what is allowed by Federal Framework.

Action Requested:

Commission adoption of the Department’s recommendations.

Proposed changes to the sandhill crane season

The Idaho Department of Fish and Game is seeking public review on proposed changes in the Upland Game seasons.

Please read the proposed changes listed below and select your preferences. You may enter additional written comments on any of the proposals in the box at the bottom of the page.

Your comments will be used by the Idaho Fish and Game Commissioners as they deliberate the proposals during their July 27-29 meeting in Salmon.

Please Return Comments by July 15.

If you wish to submit written comments by mail, please send to:

Upland Game Bird Comments
Idaho Department of Fish and Game
PO Box 25
Boise ID 83707

In which Idaho Fish and Game Region do you live?

- **Please check one:** Panhandle Clearwater Southwest Magic Valley
 Southeast Upper Snake Salmon Non-resident I don't know

Sandhill Crane Season

1. Southeast & Upper Snake regions: The sandhill crane harvest allocation for Idaho has increased in recent years, but the number of birds harvested has remained relatively steady. The supply of sandhill cranes currently exceeds the demand by hunters. For the 2011 season, Fish and Game proposes to increase the daily bag limit for sandhill cranes from two to three.

Proposal 1: Do you support increasing the bag limit from two to three?

- **Please check one:** Yes No No Opinion

If you have any further comments regarding the proposals, please enter them in the box below.

Thank You for Your Comments

Meeting Date: July 28, 2011

Agenda Item No. 21

Agenda Item: 2011/2012 Migratory Game Bird and
2011 Sage-grouse Seasons

Bureau Chief Approval: _____

Prepared by: Jeffrey M. Knetter and Don Kemner

Background:

The Commission sets seasons for ducks, geese, and sage-grouse in August. This presentation will review the 2011 status of Idaho's waterfowl and sage-grouse populations as well as preliminary Department proposals for 2011 seasons. The 2011 waterfowl season frameworks will be finalized by the U.S. Fish and Wildlife Service during the last week in July and the Commission will take final action during their August meeting.

Please see the Director's Report for additional information on habitat conditions for waterfowl and results from 2011 sage-grouse lek routes.

Statutory Authority and/or Policy Issues:

Informational item.

Public Involvement Process:

Sage-grouse local working groups have provided recommendations on sage-grouse hunting seasons for their sage-grouse planning area.

Staff Recommendation:

Informational item.

Justification:

This agenda item is for informational purposes only.

Meeting Date: July 28, 2011

Agenda Item No. 22

Agenda Item: Nonbiological Fish Rules

Bureau Chief Approval: _____

Prepared by: Fisheries Bureau Chief, Ed Schriever

Background: Biannually, the Fisheries Bureau recommendations to the Commission updates to nonbiological fish rules. Rule recommendations this year focus on adding new definitions to IDAPA that are used in the 2011 – 2012 Fishing Rules, simplifying current definitions, creating conditions under which hatchery salmon and steelhead legally harvested can be transported without tails and heads, making it illegal to mark and release fishing without a collecting permit, and allowing the use of a gaff hook when harvesting nongame fish taken with archery equipment.

Statutory Authority and/or Policy Issues: Idaho Code §36-104

Public Involvement Process: Solicitation of potential changes or additions to nonbiological fish rules began in February 2011. In May of 2011, the Commission approved a list of potential rule changes, provided by the public and staff, for scoping. Two statewide press releases were issued with dates and times of open-houses in each of the seven regions. Press releases highlighted potential rules and noted the location on the IDFG website of the proposed rules and instructions for providing feedback to the Department via the IDFGINFO e-mail site.

Staff Recommendation: Approve the list of nonbiological rule changes/additions for incorporation into IDAPA.

Justification: To simplify and keep current fish related rules found in IDAPA. Most changes are to add definitions used in the 2011 – 2012 fish rules booklet, protect sensitive nongame fish, and to respond to requested rule changes by the public.

Agenda Item 9- Proposed Mentor Hunt Program for Scoping

Draft 7/8/11

Framework of Mentor Hunt Program that applies to the Mentee

- Hunter Education certification is not required to receive a Mentor Hunt Authorization to take wildlife.
- The Mentor Hunt Authorization will allow an individual to hunt while accompanied by a mentor. The Mentor Hunt Authorization is not a license. *License purchase will still require hunter education certification per Idaho Code 36-411.*
- Parent or guardian approval is not required for minors to receive the Mentor Hunt Authorization. *No parent/guardian approval is currently required for minor children to acquire hunting licenses. Will use the same procedures currently used with minor children to certify residency if required for tag purchase.*
- Mentor Hunt Authorization will follow the annual license year.
- No age limitation to participate in the Mentor Hunt Program.
- Mentor Hunt Authorization will be free except for issuance fee and any cost of other tags and validations purchased by the applicant.
- Mentor Hunt Authorization will be issued by Fish and Game license system with a unique number that can be tracked in the Fish and Game license database.
- Will be available at all vendors.
- Previous holders of any hunting license are ineligible to participate. IDFG will use an “attest” validation on the Mentor Hunt Authorization to document that the applicant has not previously held any hunting license.
- Applicants who have completed Hunter Education but have not purchased a hunting license are eligible to participate in the Mentor Hunt Program.
- Applicant for Mentor Hunt Authorization can be younger than 10 if hunting game birds or nongame species not requiring tags
- The Mentor Hunt Authorization will be valid for acquiring general big game tags prescribed in 36-404 (must be 10 at the time of turkey season to buy a turkey tag and must be 12 at the time of the respective big game hunt to purchase a big game tag).
- Federal Migratory Hunting and Conservation Stamp is required for applicants over 16 years of age hunting waterfowl,
- We are still researching whether the requirement to possess a Federal Migratory Game Bird Harvest Information Program validation which is required to hunt waterfowl, mourning doves, sandhill cranes, or common snipe would apply.

Framework of Mentor Hunt Program that applies to the Mentor

- ◆ Must Accompany a mentee with a Mentor Hunting Authorization. *Will use the current definition of “Accompany” from IDAPA 13.01.02.010.01 which reads, close enough to be within normal conversation or hearing range without shouting or the aid of electronic devices*
- ◆ Must be 18 or older.
- ◆ Must possess any valid Idaho hunting license but is not restricted to the type of hunting the mentee might have tags for (example: mentee has an elk tag but mentor could have a nonresident small game license).
- ◆ No registration will be required for the mentor
- ◆ Is not restricted from hunting with valid license and tags while serving as a mentor.

Additional issues to consider and resolve during scoping

- ◇ Should there be a limit on how many mentees that a mentor can take hunting at one time?
- ◇ Should holders of the Mentor Hunt Authorization be eligible to apply for turkey, deer, elk, pronghorn antelope control hunt tags?
- ◇ Should holders of the Mentor Hunt Authorization be eligible to apply for control hunt tags for moose, bighorn sheep, and mountain goat?
- ◇ Should more than one term of Mentor Hunt Authorization be allowed?
- ◇ Should the mentor be allowed to carry a weapon for personal hunting? (carrying personal safety weaponry would not be precluded)