

**Idaho Fish and Game Commission
Special Meeting
February 11, 2010
Boise, Idaho**

Present in the Director's Office: Director Groen, Deputy Director Moore; Deputy Director Unsworth; Dallas Burkhalter, Deputy Attorney General; Sharon Kiefer, Assistant Director - Policy; Lance Hebdon, Inter-Governmental Policy Coordinator; Mary Boyer, Executive Assistant; Jeff Gould, Chief, Wildlife; Jeff Knetter, Mike Keckler, Chief, Communications; Jon Heggen, Chief, Enforcement and Grant Simonds, Idaho Outfitters and Guides Association.

Participating from the Clearwater Regional Office, Dave Cadwallader and Keith Lawrence, Nez Perce Tribe.

A special meeting of the Idaho Fish and Game Commission was held by telephone conference. The meeting was called to order by Chairman Wayne Wright with Commissioners McDermott, Trevey, Barowsky, Wheeler, Budge and Power participating.

RULES

Status of Fish and Game Rule Dockets in the Committees

Sharon Kiefer, Assistant Director, provided an update on the Fish and Game rule dockets. Ms. Kiefer stated that both the House and Senate Resource Committees have completed their consideration of Department rules. The Department will wait to see what action the committees may take. The Department has requested that one subsection of the Fish rules to be rejected due to a printing error in the Administrative Bulletin; an unlawful activity turned into a lawful activity. The Department has asked the committee to strike that to avoid the misprint.

The Department anticipates that on Friday a legislative proposal to reject one of our final rules which is to reject the protected nongame classification for native reptiles.

Joint hearing with both the House and Senate resource committees on March 1st to discuss OHV motorized vehicle hunting rules, shooting from roads and vehicles, definitions of roads and so forth.

LEGISLATION

New Bill Analysis

Sharon Kiefer, Assistant Director, provided a legislative update to the Commission.

Senate Bill 1328 (Appendix 43, Exhibit 15) is a modified version of SB 1291. SB 1291 allows for predatory or unprotected wildlife to be released alive on private property with landowner permission after control actions. The only addition is to add the written consent of the landowner and must include the date and the number of each species that is authorized for release on the private property.

Senate Bill 1333 – allows a county or municipality to regulate capture, neuter, and live-release of free-roaming cats.

Synopsis/Analysis: This bill (Appendix 43, Exhibit 16) would create authority for any county or municipality to enact ordinances, rules, or resolutions to allow and regulate humane capture, neuter, and release of “free-roaming” cats in their jurisdiction. This activity would not be considered cruel, neglectful, or abandonment. Some proponents believe this would alleviate the number of cats brought to humane shelters, particularly unadoptable cats.

Free-roaming cat is not defined. There are no criteria for where such cats could be released in this statute; it would completely be at the discretion of the county or municipality creating the regulatory structure.

Ms. Kiefer referenced a handout from the Bird Conservation Alliance (Appendix 43, Exhibit 17) regarding the impacts of free-roaming cats on bird populations.

The Department will monitor, answer questions and testify regarding SB 1333 because there are effects to wildlife from this bill and could be effects to Department property.

10-12 Commissioner Trevey moved and Commissioner Barowsky seconded a motion TO MONITOR SENATE BILL 1333. The motion carried in a unanimous vote.

Status of Previously Discussed Bills

Ms. Kiefer stated that House Bills 415, 416, 417 and 463 are all up for hearing today in the House Resources and Conservation Committee. Staff will provide testimony about the technical elements of these bills and the Commission’s policy positions.

Senate Bills 1286, 1291 and SCR 113 to include Department sponsored bills have yet to have a hearing scheduled.

A new print hearing is scheduled for a Fish and Game taxidermy Furbearer records more information to follow.

A print hearing is scheduled in the House today for a Fish and Game Lands Conservation License and a Fish and Game Records Confidentiality, both are being carried by Representative Boyle.

Consent Calendar

Items included in the consent calendar:

- A. Minutes, November 18-19 and December 23, 2009

10-13 Commissioner McDermott moved and Commissioner Power seconded a motion TO ACCEPT THE NOVEMBER 18-19, AND DECEMBER 23, 2009 MINUTES LISTED IN THE CONSENT CALENDAR. The motion carried in a unanimous vote.

RULES

Discussion of Public Input on Chukar Season and Request for Reconsideration.

Director Groen stated that Commission would like to reconsider the chukar and gray partridge seasons that were set at the January 28, 2010 meeting. At the January meeting the Commission set the season for the season to open statewide on October 1st with a daily bag limit of 6 birds and 12 in position. The reconsideration could be addressed on the call today or a future conference call or at the March meeting. The March meeting does create a problem for getting the regulations out in a timely manner.

Jeff Gould, Chief, Wildlife, provided a briefing to the Commission on Chukar/Gray Partridge Season Setting (Appendix 43, Exhibit 18). Mr. Gould stated the Department has received 17 comments on the Commission decision set at the January meeting. Eleven were opposed to a season change; however, 2 of these supported moving the opener; and 6 agreed with the season changes.

There was concern from the Outfitters and Guides Association on the season changes adopted by the Commission. Currently there are 111 outfitters licensed statewide for chukar hunting incidental to other activities. On the Middle Fork of the Salmon River there are 32 licensed chukar outfitters and 27 are water-based. Thirteen people were outfitted in 2009 from the 3rd Saturday in September – September 30; not necessarily for chukars. An average of 43 people were outfitted from 2005-2009 from the 3rd Saturday in September – September 30. No information was obtained for the Main Stem of the Salmon.

Options for the Commission to consider are:

- No change from Commission Action (October 1 Statewide)
- Delay change one year
- Create two areas
 - Lemhi and Custer Counties: 3rd Saturday in “September opener
 - Remainder of the State: October 1 opener

Commissioner Power stated that he would abstain from voting on the reconsideration of the chukar and gray partridge season setting.

10-14 Commissioner Wheeler moved and Commissioner Barowsky seconded a motion TO DELAY CHANGES TO UPLAND GAME SEASONS FOR ONE YEAR AND FULLY SCOPE ALL UPLAND GAME SEASONS PRIOR TO THE JULY MEETING.

Commissioners Trevey, Budge, Wheeler, Barowsky, McDermott, Wright voting I and Commissioner Power abstaining.

The Commission approved upland game and furbearer seasons for the 2010/2011 and 2011/12 hunting seasons during the January Commission meeting. The Commission has reconsidered a specific action made in January to shift the chukar and gray partridge season to an October 1 opener and reduce the bag and possession limits to 6 per day and 12 in possession. Because this season change was not scoped statewide prior to their action in January and the nature of comments received to date, the Commission has decided to delay implementation of changes to the hunting seasons. This means the chukar and gray partridge season opener will remain the third Saturday of September (September 18, 2010) and the bag/possession limits will remain at 8 and 16 for the 2010/11 season statewide. The Commission also directed staff to scope all upland game seasons with the public prior to the July Commission meeting when upland game season changes will be revisited. This allows the public to consider anticipated changes to the partridge seasons and perhaps other seasons that may be improved through a coordinated approach. Several Commissioners pointed out it is best to consider how all seasons work together rather than making single species changes without regard to other opportunities.

This year the final season adjustments will be made in July which necessitates a change to the brochure printing schedule from March to July. Hunters seeking information on spring turkey seasons can view the season rules on the IDFG website at present, or request a brochure from any license vendor or Regional Office in March.

MISCELLANEOUS

Adjournment

The meeting adjourned at 9:27 a.m.

10-15 Commissioner Power moved and Commissioner Barowsky seconded a motion TO ADJOURN. The motion carried in a unanimous vote.

Wayne Wright
Chairman

Cal Groen
Secretary