

Idaho Fish and Game Commission

Quarterly Meeting - May 19-20, 2010

Fish and Game, Clearwater Regional Office, 3316 16th St., Lewiston, ID

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

MAY 19

- 7:30 a.m. Commissioners will tour the fish handling facilities at Lower Granite Dam.
7:00 p.m. **Public Hearing** — Clearwater Regional Office, 3316 16th St., Lewiston, ID

MAY 20

- 8:00 a.m. 1. Opening Comments — Wayne Wright, Commission Chairman
8:05 a.m. 2. Agenda Changes — Wayne Wright, Commission Chairman
8:10 a.m. 3. Review of Public Comment — Wayne Wright, Commission Chairman
8:25 a.m. 4. Director's Report — Cal Groen, Director
8:45 a.m. 5. Commission Reports — Commissioners
9:40 a.m. 6. Consent Calendar (Action Requested by Department)
- a. Minutes
 - b. [Financial Report](#)
 - c. [Adjustments to 2010 Outfitter Allocated General Hunt Elk Tags](#)
 - d. [Western Governors Association Decision Support System Pilot Project](#)

- 10:00 a.m. 7. [Idaho Fish and Wildlife Foundation Report](#) — Sharon Kiefer, Assistant Director-Policy

10:15 A.M. — BREAK

- 10:35 a.m. 8. [Legislative Update](#) — Sharon Kiefer, Assistant Director-Policy
10:55 a.m. 9. [Rule Proposals to Implement 2010 Statutes](#) (Action Requested by Department) — Sharon Kiefer, Assistant Director-Policy
11:40 a.m. 10. [Parentage Based Tagging/Genetic Stock Identification Report](#) — Matt Campbell, Genetics Lab Manager

12:00 — LUNCH

- 1:00 p.m. 11. [Grizzly Bear Update / Interagency Grizzly Bear Committee Issues](#) — Jim Unsworth, Deputy Director
1:15 p.m. 12. [Wolf Update](#) — Jim Unsworth, Deputy Director
1:30 p.m. 13. [Bighorn Sheep Status Report](#) — Jim Unsworth, Deputy Director
1:45 p.m. 14. [Nonbiological Rules Briefing](#) — Jeff Gould, Chief, Wildlife / Brad Compton, Assistant Chief, Wildlife

- a. Bonus point system
- b. Changes to Landowner Appreciation Program
- c. Methods of take for wolves (traps, electronic calls, bait)
- d. Muzzleloader equipment restrictions (sabots)
- e. Rules to prohibit use of telemetry for hunting game animals (does not prohibit use of telemetry on hunting dogs)

- f. Bear baiting (consider allowing additional bait sites)
- g. Prohibit shooting from boats for upland game hunting
- h. Take of native reptiles
- i. Methods of take for furbearers (trap placement restrictions)
- j. Remove Units 48 & 57 from Motorized Vehicle Restriction
- k. Various cleanup on additional sections

3:00 P.M. — BREAK

- 3:20 p.m.** 15. [Season Setting: Chinook Salmon](#) (Action Requested by Department) — Ed Schriever, Chief, Fisheries
- 3:35 p.m.** 16. Election of Commission Chairman, Vice Chairman (Action Requested by Department) — Wayne Wright, Commission Chairman
- 3:45 p.m.** 17. [Land Acquisition: Colston Land Exchange](#) (Action Requested by Department) — Gregg Servheen, Wildlife Program Coordinator
- 4:00 p.m.** 18. Executive Session I.C. 67-2345(1) (f) (c)

Individuals with disabilities may request meeting accommodations by contacting the Idaho Department of Fish and Game Director's office at (208) 334-5159 or through the Idaho Relay Service at 1-800-377-2529 (TDD).

Meeting Date: May 20, 2010

Agenda Item No. 6b

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: May 20, 2010

Agenda Item No. 6c

Agenda Item: Rules - Adjustments to 2010

Bureau Chief Approval: _____

Outfitter Allocated Hunt Elk Tags

Prepared by: Brad Compton

Background:

In March 2010, the Commission implemented new caps on Lolo 'A' and Salmon 'B' elk zone tags (Table 1). The number of outfitted nonresident tags was based on historic use information provided by the Outfitters and Guides Licensing Board in March.

The Outfitters and Guides Licensing Board has informed us their original calculation of historic use was incomplete, and they request a modification to the 2010 allocation established in March.

Table 1. Original Commission approved elk tag allocation for the Lolo 'A' and Salmon 'B' elk zone tags.

Elk Zone (Tag)	Units	Total Tags	General Resident Tags	General Nonresident Tags	Outfitter Allocation
Lolo (A)	10, 12	404	128	216	60
Salmon (B)	21, 21A, 28, 36B	2,507	1,489	930	88

Statutory Authority and/or Policy issues:

13.01.04.505. DEER AND ELK TAG ALLOCATION.

01. Allocation of Tags. Pursuant to Idaho Code, Section 36-408, the Fish and Game Commission may allocate a number of deer and/or elk tags for use by hunters with signed agreements with licensed outfitters in zones with limited numbers of tags. The allocation will be calculated on a zone basis with reductions or increases in hunting opportunities to be proportionate among resident hunters, nonoutfitted nonresident hunters, and outfitted hunters. When the number of hunters in a general hunt unit or zone becomes restricted, the Department will calculate the initial number of allocated tags for each zone using the Idaho Outfitters and Guides Licensing Board's records of average historic use during the previous five (5) year period.

Public Involvement Process:

None.

Staff Recommendation:

Staff recommends adjusting the 2010 elk tag allocations for Lolo 'A' and Salmon 'B' zones as shown in Table 2 to accurately reflect the most recent 5-year historic outfitter use records.

Table 2. Proposed final 2010 elk tag allocation for the Lolo 'A' and Salmon 'B' elk zone tags.

Elk Zone (Tag)	Units	Total Tags	General Resident Tags	General Nonresident Tags	Outfitter Allocation
Lolo (A)	10, 12	404	128	215	61
Salmon (B)	21, 21A, 28, 36B	2507	1489	924	94

Justification:

Commission action required to adjust quotas in capped zones, and accommodate Outfitters and Guides Licensing Board request for adjustment to accurately reflect historic use.

Meeting Date: May 20, 2010

Agenda Item No. 6d

Agenda Item: Western Governors' Association
Decision Support System Pilot Project Budget
Modification

Bureau Chief Approval: _____

Prepared by: Sharon W. Kiefer

Background: The Department anticipates receiving a grant from the Western Governors' Association for \$100,000 to initiate two multi-state pilot projects, the Idaho –Montana Divide project and the Idaho-Oregon-Washington Arid Lands project. The funds originate from the U.S. Department of Energy. These projects are aimed at creating a visual planning tool for landscape-scale infrastructure such as energy development that identifies important wildlife habitats and corridors seamlessly across state and other jurisdictional boundaries.

Statutory Authority and/or Policy issues: The proposed projects are consistent with the statutory expectations for the Department and supports goals and objectives of the *Compass*.

Public Involvement Process: The pilot projects will involve public collaboration.

Staff Recommendation: The Director's Office recommends approval of this budget for the pilot projects. Governor Otter has been very involved in the wildlife protection and planning advanced by the Western Governors' Association.

Justification: These projects have the potential to significantly enhance the Department's ability to ensure wildlife considerations are addressed in planning and developing landscape-scale projects and to enhance our ability to identify important habitat across multi-state boundaries for connectivity.

Meeting Date: May 20, 2010

Agenda Item No. 7

Agenda Item: Idaho Fish & Wildlife Foundation
Report

Bureau Chief Approval: _____

Prepared by: Sharon W. Kiefer

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. Ann Dehner has been hired as the new Fish and Game Foundation Development Coordinator to take over for Gayle Valentine who is retiring. There were about 70 applicants for this job and 8 highly qualified candidates were interviewed. A primary duty will be to serve as the Idaho Fish and Wildlife Foundation (IFWF) Executive Director. Ann is currently serving in a temporary capacity and will become a permanent employee upon Gayle's retirement in late June. Director Groen introduced Ann to the IFWF Board at their April 23-25 meeting in Lewiston.
2. The IFWF Board approved sale of Springfield hatchery to the Commission for the appraised purchase price of \$1.96 million at their April meeting. Final technical edits to a purchase and sale agreement for signature by both parties are in progress and BPA review of the purchase and sale agreement is also in progress.
3. At their April meeting, the IFWF Board elected new officers and approved grant funding for 6 projects totaling \$20,000. Funded IDFG Projects include the Waterlife Discovery Center in the Panhandle Region and the Boundary Creek launch site interpretive sign project in the Salmon Region.

Meeting Date: May 20, 2010

Agenda Item No. 8

Agenda Item: Legislative Update and Review

Bureau Chief Approval: _____

Prepared by: Sharon W Kiefer

Background:

Staff will review actions required by the Commission and the Department to implement new laws enacted by the 2010 Legislature as signed by the Governor.

Statutory Authority and/or Policy issues:

The Commission has both statutory and policy authorities that must be exercised to implement new laws resulting from the 2010 legislative session.

Public Involvement Process:

None.

Staff Recommendation:

Proceed with measures to implement new laws.

Justification:

Commission action will be needed to implement certain bills approved during the 2010 legislative session.

Meeting Date: May 20, 2010

Agenda Item No. 9

Agenda Item: Rule Proposals to Implement 2010 Statutes

Bureau Chief Approval: _____

Prepared by: Sharon W Kiefer

Background: The 2010 Legislature passed several statutes that require amendment of existing Commission rules for consistency with new laws. The new laws become effective July 1, 2010.

New laws that require rule amendment:

H416 – clarifies waste definition of edible meat, expands species exempt from waste.

H463 – provides Commission authority to establish rules to allow nonresident deer or elk tags to be valid for black bear, mountain lion, or wolf.

S1283 – allows hunter education certification from other countries.

S1285 – allows 9 year olds to apply for controlled turkey hunts.

S1286 – adds raccoons to predatory wildlife.

S1328 – allows release of captured predatory and unprotected wildlife with written landowner permission.

S1342 – allows the Department to require records from taxidermy/fur buyers, adds reporting requirements for purchase of raw cougar and black bear parts

Statutory Authority and/or Policy issues:

The Commission has both statutory and policy authorities that must be exercised to implement new laws resulting from the 2010 legislative session.

Public Involvement Process: Many of the rule issues were covered in legislative testimony; there has not been a separate public involvement process.

Staff Recommendation: Adopt rules as proposed to implement new laws.

Justification: Commission action will be needed to implement certain bills approved during the 2010 legislative session.

[Note – Rule proposals will be forwarded prior to the Commission meeting]

Meeting Date: May 20, 2010

Agenda Item No. 10

Agenda Item: Parentage Based Genetic Tagging

Bureau Chief Approval: _____

Prepared by: Matthew Campbell, Fish Genetics Manager

Background:

Matthew Campbell will present overviews and applications of genetic stock identification and parentage-based tagging technologies. Genetic stock identification allows estimation of stock proportions within mixed stock fisheries and can be used on wild stocks and hatchery stocks that are sufficiently differentiated. Parentage-based tagging is especially useful for differentiating closely related hatchery stocks and allows the identification of the exact parents of an individual fish, thus identifying their stock of origin and age. Together, these technologies should provide unprecedented tools for managing wild and hatchery salmon and steelhead populations in Idaho and throughout the Columbia River basin.

Statutory Authority and/or Policy issues:

None

Public Involvement Process:

None

Staff Recommendation:

None

Justification:

To provide the Commission background information on two new Department genetic projects recently awarded funding by the Bonneville Power Administration.

Meeting Date: May 20, 2010

Agenda Item No. 11

Agenda Item: Grizzly Bear Update

Bureau Chief Approval: _____

Prepared by: Jim Unsworth

Background:

The Commission has requested an update on grizzly bear management issues in Idaho. Staff will provide an overview of information contained in the 2010-2014 IGBC Committee Plan as well as local updates specific to the Selkirk, Bitterroot, and Yellowstone ecosystems.

Statutory Authority and/or Policy issues:

Information only.

Public Involvement Process:

Information only.

Justification:

Information will aid Commissioners as they respond to requests, clarifications, or recommendations from the public.

Action Requested:

None. This item is provided for Commissioner information only.

Meeting Date: May 20, 2010

Agenda Item No. 12

Agenda Item: Wolf Update

Bureau Chief Approval: _____

Prepared by: Jon Rachael for Jim Unsworth

Background:

Wolf harvest seasons closed March 31. Seven wolf management zones closed earlier when harvest limits were met: Upper Snake zone (November 2), McCall-Weiser zone (November 9), Dworshak-Elk City zone (November 17), Palouse-Hells Canyon zone (December 18), Southern Mountains zone (December 31), Middle Fork zone (January 31), and Salmon zone (March 15).

The Department sold 26,428 wolf tags in 2009, and through March 31, had sold 4,972 tags for the 2010 season.

The Commission will be provided with a final report on the harvest season at the commission meeting.

Litigation Status

In June 2009, a coalition of 13 special interest groups filed a legal challenge to the wolf delisting in Federal District Court in Missoula, Montana. The Greater Yellowstone Coalition brought a separate lawsuit, and the cases were consolidated. Their complaints allege the Northern Rocky Mountain wolf population is not recovered and that the delisting violates the Endangered Species Act for several reasons, including challenges to Montana and Idaho's regulatory frameworks and the assertion that it is not legal to delist only a portion of this distinct population. Judge Molloy denied the Plaintiffs' motion for a preliminary injunction to stop wolf hunts in Idaho and Montana on grounds that the Plaintiffs failed to show a likelihood of irreparable harm to the wolf population. The final legal briefs were filed by January 28, 2010. A hearing date for oral arguments has been set for June 15. Director's office, wildlife, and legal staff have been meeting with Montana Fish, Wildlife and Parks staff and U.S. Fish and Wildlife Service staff to stress the critical importance of maintaining state authority to hold a hunting season in fall 2010.

Statutory Authority and/or Policy issues:

Information only.

Public Involvement Process:

Information only.

Justification:

Information will aid Commissioners as they respond to requests, clarifications, or recommendations from the public.

Action Requested:

None. This item is provided for Commissioner information only.

Meeting Date: May 20, 2010

Agenda Item No. 13

Agenda Item: Bighorn Sheep Status Report

Bureau Chief Approval: _____

Prepared by: Jim Unsworth

Background:

Staff will present an update on numerous bighorn sheep management issues, including:

1. The Payette National Forest released a Supplemental Draft Environmental Impact Statement in January 2010, and expects to announce a decision on the Forest plan appeal in June 2010.
2. The Idaho Department of Fish and Game is updating the statewide Bighorn Sheep management Plan, with a draft due to the Fish and Game Commission in July 2010.
3. Idaho Governor “Butch” Otter has convened a stakeholders Working Group providing input to the Department’s planning process.
4. Update on Annual Renewals of Certification Agreements.
5. The Idaho Department of Fish and Game continues efforts to develop information on bighorn sheep management.
 - a. The Hells Canyon Initiative has documented movements of bighorn sheep over more than a decade, and current research (in cooperation with Washington State University) focuses on bighorn sheep diseases.
 - b. A Salmon River Bighorn Sheep Initiative, in partnership with the Nez Perce tribe, was initiated in 2007. This effort has been supported in part by other groups including the American Sheep Industry, wildlife management agencies in Oregon and Washington, and many sportsmen’s groups.
6. In 2010, bighorn sheep die-offs were reported in states surrounding Idaho (Montana, Washington, Nevada, and Utah). Several states, facing loss of the majority of local bighorn populations, killed a majority of local herds to prevent disease spread.

Statutory Authority and/or Policy issues:

None.

Public Involvement Process:

None.

Justification:

Provide update to the Commission on bighorn sheep management issues.

Action Requested:

None.

Staff Recommendation:

For informational purposes only.

Meeting Date: May 20, 2010

Agenda Item No. 14

Agenda Item: Nonbiological Rules Briefing

Bureau Chief Approval: _____

Prepared by: Brad Compton and 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. For the 2010 hunting seasons, the Department will be proposing a number of changes to big game and upland game nonbiological rules at the July 2010 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 will be scoped with the public via regional meetings and through the Department web site during June.

Justification:

Staff will present a preliminary list of potential big game and upland game rule changes to be scoped with the public, and considered by the Commission in July.

- a. Bonus point system
- b. Changes to Landowner Appreciation Program
- c. Methods of take for wolves (traps, electronic calls, bait, depredation hunts)
- d. Muzzleloader equipment restrictions (sabots)
- e. Rules to prohibit use of telemetry for hunting game animals
- f. Bear baiting (consider allowing additional bait sites)
- g. Prohibit shooting from boats for upland game hunting
- h. Take of native reptiles

Action Requested:

This item is for information only, no action is required.

Staff Recommendation:

Potential rule changes are provided for informational purposes, and to solicit Commission direction.

Meeting Date: May 20, 2010

Agenda Item No. 15

Agenda Item: Season Setting, Chinook Salmon Fishery

Bureau Chief Approval: _____

Prepared by: Ed Schriever, Fisheries Bureau Chief

Background:

The Commission approved, at its March meeting, Chinook salmon fisheries in the Clearwater River drainage and on portions of the Snake, Salmon and Little Salmon rivers. This agenda item concerns fisheries targeting hatchery-origin Chinook salmon on the South Fork Salmon River and the upper Salmon River. Chinook salmon fisheries were conducted on the South Fork Salmon River in 1997 and 2000 through 2009. The upper Salmon River fishery is proposed to occur on a section of that river from approximately the town of Salmon upstream to the mouth of the Pahsimeroi River. Also under consideration is a fishery between the town of Stanley and the Sawtooth Fish Hatchery weir targeting fish returning to that hatchery. For all fishing areas, staff is forecasting the return of a sufficient number of hatchery salmon to allow sport fisheries that target the non-tribal harvestable share when hatchery production and brood stock targets are considered.

Statutory Authority and/or Policy issues:

Idaho Statute 36-104(b)2 gives the Commission the authority to set Fishing Rules. Fishing Rules are provided in IDAPA 13.01.11

Public Involvement Process:

Public meetings to obtain input on Chinook salmon fisheries were held in February and March. Findings from the Public Involvement Process will be reported to the Commission during their meeting.

Staff Recommendation:

Approve the proposed 2010 Chinook salmon fishing seasons for South Fork Salmon River and Upper Salmon River.

NOTE: At the time of preparation of this gold sheet, Regional and Bureau fisheries staffs were in the process of updating salmon return forecasts and scoping fishery options. The specific fishery proposals are not included here but will be delivered to the Commission during the week prior to the May Commission meeting.

NOTE: Staff may also propose modifications to currently open Chinook salmon seasons dependent on run-size updates.

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 fisheries are to address biological issues, mitigation hatchery programs and angler desires.

Meeting Date: May 20, 2010

Agenda Item No. 17

Agenda Item: Region 7 – Colston Ranch
Exchange

Bureau Chief Approval: JG

Prepared by: Kathy Cousins and Gregg Servheen

Background:

This is a fee-title for fee-title exchange with a landowner on the Salmon River in Lemhi County. The landowner will gain fee-title of the Department's 98-acre Colston property, which is on the Department's disposal list, with covenant specifying a 100-foot setback from the river. The 100-foot setback restricts the removal of vegetation except when needed to control for noxious weeds, and development with the exception of the area needed to anchor a bridge.

The Department would gain fee-title of the landowner's 8.3-acre property located on Highway 75, with an easement on the property that he would hold, allowing the construction of a bridge and access road, as well as stipulating access to and from the Salmon River. The easement on the 8.3 acres restricts the width of the access road and bridge to 50 feet, and the landowner is solely responsible for maintenance of the road and bridge. The landowner will be allowed temporary storage of materials or equipment for the building of the roadway and bridge, but these activities are not to interfere with public access. Also, the landowner must ensure that the use or any interference from the construction of the roadway and bridge be minimized to avoid interference with the Department's improvements and their public use. The easement also restricts use of the roadway and bridge for any commercial use. The landowner also wants first right of refusal to purchase the property back should the Department want to sell.

No buildings are part of the exchange.

The property was previously presented to the Commission during Executive Session on November 7, 2008.

Statutory Authority and/or Policy issues:

Land acquisition in accordance with Commission and Department land acquisition policy.

Public Involvement Process:

County commissioners have been notified and support the acquisition.

Staff Recommendation:

The Lands Committee recommends proceeding with the exchange.