

**Idaho Fish and Game Commission
Quarterly Meeting November 17-18, 2010
Idaho Department of Fish and Game
Magic Valley Region
324 S. 417 East
Jerome, Idaho 83338**

November 17

MISCELLANEOUS

Commission Field Tour Hagerman

Commissioners McDermott, Trevey, Barowsky, Wright and Power completed a field tour of the Hagerman area.

RULES

Public Meeting

Chairman Wright called the meeting to order at 7:05 p.m. He introduced Commissioners Tony McDermott, Robert Barowsky, Randy Budge, Cameron Wheeler, Gary Power and Commission Secretary Cal Groen. Staff introductions followed. Chairman Wright stated that the Commission is appointed by the Governor and confirmed by the Senate for a four year term; which at that time a Commissioner can be reappointed for another four year term. The Commission is responsible for setting policy. The statutory duty for the Commission is to preserve, protect and perpetuate wildlife for the state of Idaho and specifically for the constituents. The Commission takes the public comments seriously; the comments will be reviewed during the meeting on Thursday. Department staff are available after the meeting to answer questions.

Chairman Wright reviewed and explained a new format that the Commission will follow for the public meeting. Chairman Wright noted that the new format process includes a blue comment card that addresses Commission agenda items first in the meeting, followed by a beige card for other comments to the Commission. A light system will be used for timing, allowing everyone a time to speak. Thanks for coming out tonight.

Gary Peck states that he opposes the year round fishing proposal for American Falls due to the vulnerability of the fish and no enforcement.

Jack Oyler, representing Sportsmen for Fish and Wildlife (SFW), spoke regarding wolf issues and national and congressional efforts. SFW has hired Ryan Benson to lead an SFW effort to have legal and political solution to the wolf issue.

Chris Doyle, representing Boise Valley Fly Fishers, stated that the BVFF have concerns about not having a closed season for fishing and protecting trout.

Tim Coiner, representing self is opposed to the Henry's Lake proposal.

Amy Wynn, Mayor of American Falls and Marc Beitia, President American Falls City Council. The city of American Falls supports the extension and catch and release proposal for American Falls (Appendix 43, Exhibit 98). The City believes that it is in the best interest of the City and the fishery to support a closed to harvest date of October 15th.

Dick Freener, representing BVFF, stated they would like Henry's Lake to close October 31 with no ice fishing allowed.

Bob Forster is opposed to extending Henry's Lake season and would like to see the season moved back to October 31. Mr. Forster opposes ice fishing on Henry's Lake.

Stephen Snipper, opposes the extension at Henry's Lake.

Phil Barker, President, Henrys Lake Foundation, spoke regarding extended seasons at Henry's Lake. The Foundation is opposed to the proposal to extend the season.

Bob Maloney submitted written comment. Mr. Maloney is opposed to the extended season proposal for Henrys Lake.

Jack Oyler, SFW, commented that SFW is working with sportsmen groups and legislators for a national delisting of wolves. Mr. Oyler stated that this is the only way to keep us out of court and back to state management of wolves. He referenced a letter to the congressional delegation regarding support for bills to get wolves delisted.

Tom Schiermeier stated that he would like the Commission to look at the ages for youth hunts. Mr. Schiermeier suggested that the youth should be between the ages of 12 to 13 years of age not 17 year olds. Mr. Schiermeier would like to make sage grouse a trophy species hunt with a November 1-30 only season.

John Wiest, a Bowhunter Education instructor would like for the Commission to consider as an incentive for instructors, the opportunity to purchase leftover permits.

Brian Kelly, introduced himself and stated that he is the new State Supervisor for the USFWS in Boise. Mr. Kelly will attend the Commission meetings on a regular basis and that it is helpful for him to hear from the constituents.

Mike Murray, representing Idaho Muzzleloaders, spoke regarding an amendment to the rule that allows specified handguns in short range weapon season.

Joe Curry, Board Director, Idaho Wild Sheep Foundation submitted written comment stating that the Idaho Chapter of the Wild Sheep Foundation has reviewed the proposed Bighorn Sheep Management Plan prepared by Fish and Game Staff. The IWSF fully support the Plan and would hope the Commission approves the document.

John Wolter, Anglers Flyshop, Boise, submitted written comment and is concerned with the protection of wild trout stocks in Idaho. Mr. Wolter does not approve of opening the seasons for trout fishing in Idaho 12 months a year.

Tim Mansell, Idaho Angler, Boise, submitted written comment and is opposed to the opening of Idaho streams and still waters to consumptive angling year round. Mr. Mansell is in favor of fishing in select areas during the winter and early spring months, but only with catch and release, artificial flies and lures only.

MISCELLANEOUS

The meeting adjournment 8:38 p.m.

November 18

MISCELLANEOUS

Opening Comments

Chairman Wright thanked the Regional Supervisor Jerome Hansen, Sally Rose, Administrative Assistant and staff for the superior job in hosting the Commission meeting.

Agenda Changes

Agenda item # 18 FY 2010 Wolf Related Expenditures Report additional items:
Update on Wolf Delisting Strategies (no motion needed as it met 48 hour posting)
Status of Ungulate Focus Action (Including 10(j))

10-98 Commissioner Barowsky moved and Commissioner Wheeler seconded a motion to add under agenda item # 18 a status report on ungulates and that it would be an action item. The motion carries in a unanimous vote.

10-99 Commissioner McDermott moved and Commissioner Barowsky seconded a motion to amend the agenda to add an action item to address commission change to the 2008 Wolf Management Plan. The reason this was not included in the original agenda is current developments, judicial process and the Governor's direction on wolf management. Roll Call Vote: Power: aye; Budge: aye; Barowsky: aye; Wheeler: aye; McDermott: aye; Trevey: aye; Wright: aye. Vote tally: 7 ayes.

Review of Public Comment

Director Groen said that he appreciated the new blue format cards for public comments stating that it created a more focused discussion on agenda items.

The Commission addressed comments relating to considerations for Henrys Lake, American Falls, open fishing seasons with no closures on rivers and streams. The Commission discussed the age for youth hunts and senior hunting opportunities. Director Groen noted that Craig

Wiedmeier, License Operations Supervisor, is reviewing the license structure. Other topics addressed: a suggestion to make sage grouse a trophy species hunt with a November 1-30 only season; specified handguns in short range weapon season and comments regarding legislation to get wolves delisted. Director Groen noted that many constituent questions were answered by IDFG staff who were present at the public meeting.

Ed Schriever, Chief, Fisheries led a coordinated discussion on the fishing proposals heard at the public meeting.

REPORTS

Technical Briefing on Henrys Lake

Dan Garren, Regional Fisheries Manager, provided a technical briefing (Appendix 43, Exhibit 99) to the Commission on Henrys Lake.

Director's Report

Director Groen captured the following topics in the Director's Report to the Commission:

- The Department's cash balances continue to be adequate to meet our anticipated near-end term needs
- The non-resident sales are down about \$ 1 million for this year
- Fleet auction held on October 25
- There were 35 pickups sold with a total proceeds of \$245,000
- Diversion Wrap-up
- Final analysis of all the accounting for this matter has been submitted to state Division of Financial Management and the U.S. Fish and Wildlife Service
- The Department is awaiting their final approval to bring this issue to a conclusion
- The Communications Bureau has completed their Strategic Plan
- The Enforcement Bureau is having a difficult time with the 5% personnel budget hold backs
- Recruitment and hiring of new conservation officers is on hold
- Mandatory Harvest Report has gone paperless
- Staff is looking at how we do survey methods and risk involved and the benefit
- Referenced page 79 of the draft minutes regarding a charge to the Fish and Game Advisory Committee to discuss the value of LAP tags
- Landscape Efforts additional federal funding needed AFWA letter
- Fish and Game News is going well
- Over 2,200 kids and volunteers participated in the 14th annual Salmon & Steelhead Days
- Thanks to Vicky Runnoe for her participation in this great event

Commissioner's Report

Each commissioner provided their Regional report in written format (Appendix 43, Exhibit 100)

Commissioner Gary Power commended the Salmon Region for their participation with the youth mentored hunts. Commissioner Power stated that youth hunts are one of the best outreaches involving youth, volunteers and landowners. Reports that he has concerns with the new waste law and how do we clarify. Commissioner Power appreciates each Region putting together the Commissioner reports in advance and that it helps expedite the meeting.

Commissioner Budge reported that the motorized vehicle rule seems to be a good educational process and is an important tool. Commissioner Budge is not convinced that the Commission has the rule right and that there are a lot of ways for individuals to get around the rule. He would like the Commission to revisit the motorized vehicle rule. Reports of an improved deer season with bigger bucks. Bird seasons are going well. The Edson Fichter urban fishing pond project continues to move forward.

Commissioner Barowsky reported that he had the opportunity to participate at one of the regions check stations. The success ratio was about 25% to 28 % for hunters. The Department has been heavily involved with two planned communities in Elmore County. A 52,000 subdivision is being planned in the Mayfield area. The Department is working with Elmore County on applications dealing with natural resources. Enforcement is doing a great job with the youth programs.

Commissioner Wheeler reported good fishing and water supply. Commissioner Wheeler has concerns with the moose population in Island Park; disease and bear issue are some of the problem. Constituents reported to Commissioner Wheeler that they saw five wolves sitting near Swan Valley near the highway. Commissioner Wheeler received a call regarding the motorized vehicle rule and how it affects hunters with physical disabilities who need the assistance of a four wheeler to hunt and access some of the areas.

Commissioner McDermott reported that hunter participation is up about 12% in the Panhandle Region. Commissioner McDermott reported that 3 non-resident hunters took 3 bull elk in the Lolo Zone this year. The recent Lake Pend Oreille Halloween Derby was won with a 25 lb. 3 oz trout, the largest derby winner in years. Commissioner McDermott extends his appreciation to Jim Fredericks for his professional job with the task force group. Compliments to Mike Keckler on the Communications Plan and feels the Department is going in the right direction.

Commissioner Trevey reported that the region extended the x-ray study on sturgeon in the Snake River to the upper reaches of Hells Canyon. During this evaluation 35 sturgeon were captured and x-rayed. About 85% of those sturgeons over 4 feet in length had hooks in them.

Commissioner Trevey feels that the Commission needs to look at the circle hook. Reports a successful youth hunt clinic held near Genesee. There were 14 young hunters exposed to the thrill of upland game hunting. Commissioner Trevey stated that he is continually impressed with the Department folks and their can do and dedicated attitude. He commends Don Beck, Wildlife Utility Craftsman. Don is a master at recognizing what needs to be done going out and extending the limited funds he has to work with and using his ideas and convincing county and other agencies that over all we can benefit the public and get things done. In the continuing management of Craig Mountain staff did a good job creating a brochure to inform hunters of the timber sale going on that the reason is part of a design to improve habitat in the area.

Commissioner Wright reported that the region checked a total of 1,151 deer hunters with 230 mule deer (20% success) mostly from 6 management units (Units 54,43,44,48,49, & 39). Commissioner commends the staff in the Magic Valley Region and the great job that they do. The Magic Valley and Southeast personnel put together a bull elk hunt opportunity for the 13 year old son of a terminally ill father in Unit 45. Support for this was tremendous. Two employees of KMVT Channel 11 in Twin Falls, participated in a Hunter Education Field day. Magic Valley staff, in coordination with Mini-Cassia sportsmen, hosted a youth pheasant clinic south of Burley with 20 youth and their parents participating. A great time was had by all.

MISCELLANEOUS

Consent Calendar

The November consent Calendar contained the minutes of the July 7-8, August 16 and September 10, 2010 meetings. It also contained the Financial Report for the period ending September 30.

10-100 Commissioner Power moved and Commissioner McDermott seconded a motion to accept the consent calendar as published. The motion carries in a unanimous vote.

REPORT

Idaho Fish and Wildlife Foundation Report

Sharon Kiefer, Assistant Director-Policy, presented the Idaho Fish and Wildlife Foundation Report to the Commission.

1. The sale of the Springfield Hatchery (Region 5) to the Commission closed on July 12, 2010 to become the new sockeye conservation hatchery.
2. The sale of the DeMeyer/Charcoal Creek (Region 3) property to the Commission closed on August 26, 2010.
3. The Foundation's audit for the 2009 fiscal year (January-December) has been completed and approved with no material findings to report.
4. The new design for the Bluebird specialty license plate was introduced through the Idaho Department of Transportation on August 1, 2010. The Bluebird plate follows the completion of new designs for the Elk and Cutthroat Trout plates over the past two years. The wildlife license plates generate revenue for the Department's nongame wildlife programs. The wildlife license plates continue to be the most popular among those in the State's specialty license plate program.
5. The Foundation is currently planning for its annual online auction, to be held February 18-27, 2011. The fundraising event will again offer unique educational and outdoor experiences, in addition to related auction items, in an online format that is growing in recognition and popularity. All trips with Department personnel have a fish or wildlife management purpose.

6. The Foundation has begun a strategic planning process to update its last strategic plan that expired in 2008. It is anticipated that the future direction for programs, projects and operations of the Foundation will be identified through this process. The Foundation wishes to engage members of the Fish and Game Commission in this process and will solicit the Commission's input as the process unfolds.

RULES

2011-2012 Fishing Regulations

Bill Horton, State Fisheries Manager, presented the proposed 2011-2012 Fishing Regulations to the Commission.

By statute, fishing rules are set through IDFG Commission action on a regular basis. Fishing rules for Idaho were last set by the Commission in November 2007 and implemented in January 2008. They were intended to be valid for a two-year period. The Commission extended the existing rules one additional year (2010) to allow the Department to develop a new format for the 2011 – 2012 fishing rules booklet.

In an attempt to simplify Idaho's fishing rules and make them easier for the public to understand, we are presenting the rules in a new format (newspaper versus tabular), opening more seasons year around (where there won't be biological impacts to fish populations), and implementing regional bag limits (rather than statewide bag limits) so we can reduce the number of rule exceptions for each region.

The public was invited to provide input through local scoping meetings, press releases, sportsman's gatherings, regional e-mail sites, and through our Department website. We've also conducted a random mail survey of 1,000 anglers in each IDFG Region and 1,000 steelhead cardholders, statewide to evaluate the Department's recommendations.

Mr. Horton reviewed each regional proposal and answered questions and concerns from the Commission.

Commissioner Wheeler stated that he has followed the Henrys Lake issue since 2006. There is no question that this is a highly studied body of water and a lot of effort has gone in to it. Regional Supervisor Steve Schmidt and staff have been considerate of everyone's concerns about this fishery. Commissioner Wheeler feels that the biology is solid. From Commissioner Wheeler's perspective it is a social issue and he supports the biology and the opportunity. Henrys Lake is a unique fishery with folks fishing off the bank using bait or someone in a float tube fly fishing. The lake is highly supported by the hatchery, so if this turns out to be a mistake, the decision could be reversed. Regional Supervisor Steve Schmidt has volunteered to work with the Henrys Lake Foundation and is open to ideas that could be accomplished.

Commissioner Power commented that he has spent a lot of time on Henrys Lake and appreciates the good work that staff has done in providing information to the Commission. Commissioner Power supports the biology on this proposal.

10-101 Commissioner Budge moved and Commissioner Wheeler seconded a motion to amend the southeast proposal to establish a winter catch-and-release season on the Snake River below American Falls Reservoir Dam that the harvest season end on October 15 and the catch and release season begin on October 16. The motion carried in a unanimous vote.

Commissioner Budge commented that this is an issue that requires some reasonable consideration for social issues as well as balance of biological issues. Commissioner Budge supports the amendment and stated that American Falls is a tremendous fishery.

10-102 Commissioner McDermott moved and Commissioner Wheeler seconded a motion to accept the 2011/2012 fish rules as amended and presented by staff. The motion carried in a unanimous vote.

REPORTS

Fishery Plan Implementation – Conservation and Management Actions for Native Fish

Bill Horton, State Fisheries Manager, stated that the Idaho Fish and Game Commission has approved a number of fishery management and conservation plans during the past several years for native sport fish including Yellowstone and Bonneville cutthroat trout, Big Lost River mountain whitefish, and Snake River white sturgeon. Each of these plans identified a number of management actions that Department staff would initiate in collaboration with other agencies, private landowners, and stakeholders.

These management and conservation plans were approved by the Idaho Fish and Game Commission. The Commission sets policy and provides direction, considers input from the public, and has the authority to adopt, amend, or reject Department-recommended plans. These plans are being implemented by the Department as per its authority in Idaho Code Section 36-103. The Department's strategic plan has goals that pertain to the management of native species of wildlife and fish.

The fisheries bureau provided an update regarding implementation of management actions identified in native species management and conservation plans using a power point presentation (Appendix 43, Exhibit 101).

The following Regional Managers presented each plan:

Management Plan for the Conservation of Snake River White Sturgeon in Idaho
Jeff Dillion, Southwest Region, Nampa

Management Plan for the Conservation of Snake River White Sturgeon in Idaho
Joe DuPont, Clearwater Region

Management Plan for the Conservation of Bonneville Cutthroat Trout in Idaho

David Teuscher, Southeast Region

Reconnecting Habitats for Native Fish

Tom Curet, Salmon Region

Mountain Whitefish Conservation and Management Plan for the Big Lost River Drainage, Idaho

Dan Garren, Upper Snake Region

Management Plan for Conservation of Yellowstone Cutthroat Trout in Idaho

Doug Megargle, Magic Valley Region

High Mountain Lakes Database Development

Dale Allen, Southwest Region, McCall

Lake Trout Management Activities in the Panhandle Region

Jim Fredericks, Panhandle Region

Update on the Mitchell Act (salmon and steelhead hatcheries) DEIS

Peter Hassemer, Anadromous Fish Manager provided a briefing (Appendix 43, Exhibit 102) to inform the Commission on IDFG staffs' review of the draft EIS, the potential impact of the EIS on Idaho hatchery programs, and the review and comment process for the draft EIS.

MISCELLANEOUS**Agenda Change**

Commission consensus is to move agenda item # 11 Trophy Species Update in conjunction with agenda item #17.

REPORT**“Be Outside Update”**

Vicky Runnoe, Conservation Education Supervisor, updated the Commission on the Department's involvement in the “Be Outside” Initiative and gave a presentation on her project for the Certified Public Managers program titled “A Camp Counselor's Guide to Wild Campers.” The guide is intended to give counselors ideas to help spark interest in outdoor-related activities among young campers. The project earned a top grade in the CPM program.

LEGISLATION

Legislative Update

Sharon Kiefer, Assistant Director – Policy reviewed the Commission legislative process used during the 2010 session including Commission conference calls and the legislative analysis process to gain Commission guidance for the upcoming 2011 session. Commission consensus is to continue the legislative process that was used last year. The Commission selected Thursday for the weekly legislative conference calls and to start at 8:00 a.m. beginning on January 20.

Ms. Kiefer reported that the Department has 2 sponsored legislative proposals (Appendix 43, Exhibit 103) for the 2011 legislative session. The first is to create additional big game auction tags and to create Commission authority for a mentored hunting program. Ms. Kiefer noted that both proposals are still in RS format and have been approved by the Governor and forwarded to the Legislature.

Ms. Kiefer reported that Department is working on a legislative request to consider Hunter Education live fire exercise exemption for military personnel and peace officers that could result in a rule change in IDAPA 13.01.02. (Appendix 43, Exhibit 104).

REPORT

Western Governors Association Decision Support Pilot Project Report

Sharon Kiefer, Assistant Director – Policy briefed the Commission using a Power Point presentation (Appendix 43, Exhibit 105) on the Western Governors' Association Decision Support Pilot Projects. Ms. Kiefer noted that in 2007, largely in response to burgeoning renewable energy and electrical transmission project proposals in the West, the Western Governors' Association (WGA) adopted policy to identify key wildlife migration corridors, crucial habits, and options for preserving landscapes recognizing that landscape scale wildlife information was critical to respond to new energy proposals. As part of implementing policy, the governors directed their states to come together and coordinate their data to produce compatible transboundary wildlife and habitat information in Decision Support Systems (DSS) to enhance landscape-scale wildlife conservation.

To support this initiative, WGA received a \$3 million grant in spring, 2010, from the U.S. Department of Energy for 17 states to launch eight wildlife DSS pilot projects. State fish and wildlife agencies building the two-year pilots across the western region are coordinating their efforts to build compatible DSS. Each participating state is coordinating its wildlife data with neighboring states, applying common definitions for crucial habitat and wildlife corridors. The Department is involved in two pilots focusing on the Columbia Plateau (arid lands) with Oregon and Washington and focusing on the high divide border with Montana. Other funding, including from the USFWS Landscape Conservation Cooperative (LCC) has also been leveraged to support development of the DSS.

Providing such landscape-scale maps will allow states and the public to better understand potential effects to crucial wildlife habitat and important corridors, and to identify opportunities to minimize impacts to wildlife while still pursuing necessary development. These are tools for decision making, not regulatory mechanisms. Consistent regional wildlife information will provide certainty to industry and allow state wildlife agencies to prioritize limited conservation funding.

LEGISLATION

Wildlife Salvage Options

Sharon Kiefer, Assistant Director – Policy presented a briefing on wildlife salvage options. Ms. Kiefer stated that during the 2010 session, there was legislative interest in mechanisms 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.

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. Idaho Code (I.C.) 36-501 provides for sale and purchase of certain parts of wildlife, including legally taken unprotected wildlife, legally taken parts of game animals and pelts/parts of furbearers.

Similarly, I.C. 36-502 gives guidance for possession of wildlife. IDAPA 13.01.10 addresses recovery, possession and sale of wildlife parts. Key to I.C. and IDAPA is that wildlife must have been “legally taken”. A key issue to consider for the salvage issue is that unintentional vehicular collision is not defined as a legal method of take. Also, there are restrictions on the purchase, barter or sale of edible flesh of certain wildlife but there are existing Department mechanisms to allow possession for personal consumption.

I.C. 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.

A key question for Commission guidance is whether the Commission desires enhanced salvage opportunity to include only possession or also sale of salvaged wildlife, particularly from vehicle collision (i.e. man-caused, non-natural death). Staff evaluation suggests that providing for sale of salvaged wildlife would require rule modification whereas providing for salvage only (no sale) likely requires only policy enhancement.

Commission guidance is for staff to bring back in rule format the commercial sale aspect for Commission review.

REPORT

Final Implementation of Temporary Conversion/Consolidation Plan

Director Groen provided an update to the Commission on the employee consolidation (Appendix 43, Exhibit 106). Director Groen reported that last year the Department prepared an Employee Consolidation business plan requesting 39 new FTE's and eliminating 53 temporary employees. This plan was approved by the Governor and the Legislature and resulted in the Department receiving approval to hire 39 new positions. To date, the Department has filled 38 of these positions and is in the process of evaluating a new employee classification for the remaining FTE. The Department now has a total of 568 classified employees. The saving from this efficiency move was \$200,000. There are presently internal discussions regarding other consolidation efficiency opportunities.

RULES

Trophy Species Update

Dale Toweill, Wildlife Program Coordinator, briefed the Commission using a power point presentation on moose, sheep and goat (Appendix 43, Exhibit 107). Mr. Toweill stated that a biennial report on trophy species status in Idaho and issues to be scoped during public hearings is presented in November of each even-numbered year, preceding adoption of harvest regulations in January of each odd-numbered year. This item is to inform Commissioners of issues and concerns relative to statewide management of moose, bighorn sheep and mountain goats for the 2011 and 2012 seasons.

MANAGEMENT PLAN

Bighorn Sheep Management Plan

Dale Toweill, Wildlife Program Coordinator (Appendix 43, Exhibit 108) presented the Bighorn Sheep Species Plan to the Commission for adoption. A Statewide Bighorn Sheep Species Plan was prepared by staff with public input during 2010. The draft of this plan was reviewed by Commissioners and released for public review in September 2010.

Statewide species management plans were initiated in 1976 and have been revised periodically since that time. Legislative action in 2009 (SB 1232) mandated that IDFG prepare a statewide bighorn sheep species plan "*... to maintain a viable, self-sustaining population of bighorn sheep in Idaho which shall consider as part of the plan the current federal or state domestic sheep grazing allotment(s), that currently have any bighorn sheep upon or in proximity to the allotment(s) ...*" incorporated in **Idaho Code** at 36-106(e)5(E).

10-103 Commissioner Barowsky moved and Commissioner Power seconded a motion to adopt the Statewide Bighorn Sheep Management Plan as presented. The motion carried in a unanimous vote.

Commissioner Wheeler was out of the room when the vote was taken.

REPORT

FY 2010 Wolf Related Expenditures Information Report

Jeff Gould, Chief, Wildlife, provided a report to the Commission (Appendix 43, Exhibit 109). Chief Gould reported that Department expenditures exceeded \$1.7 million for wolf related activities during FY10. This was during a period when wolves were delisted and managed by the state which included a general wolf hunting season. Primary activities based on cost included research (46%), monitoring (26%), coordination/administration (13%), and all other management related services combined (15%).

Fund source Overview: Expenditures were charged primarily to 3 funding sources which included Federal Appropriations (\$868,100 or 50%), License (\$558,400 or 32%), and PR-Federal funding (\$310,100 or 18%).

Idaho has received nearly \$3.6 million in federal financial awards for wolf related work since FY06. Annual appropriations have been allocated among IDFG, IADCB, Lemhi County, NTT, and OSC for specific purposes. The total amount provided to IDFG for wolf management has been \$2.5 million.

License funds are generated through the sale of hunting or fishing licenses, permits, and tags. Revenue from the sale of nearly 32,000 general wolf tags in FY10 was \$451,200. Additionally, 10 wolf auction tags generated \$20,000 in revenue.

PR funds are used exclusively for wildlife restoration projects and require a 25% nonfederal match. The Idaho apportionment of PR funds for wildlife restoration projects was approximately \$8 million in FY10. Law enforcement is the only activity accounted for in this report that is not eligible for PR funding.

Status of Ungulate Focus Action Including 10 (j)

Mr. Gould provided an update (Appendix 43, Exhibit 110) to the Commission on how the Department is focusing on Ungulates (Elk, Deer, Moose) through habitat efforts, reducing mortality on highways, and improving survey and modeling efforts for population monitoring. Mr. Gould noted that the Department has several habitat initiatives: MDI, Watershed Initiative and the Clearwater Elk collaborative. The Department is working to improve aerial survey programs for safety and efficiency.

Requirements for 10(j) Proposals Ungulate Management

While wolves remain on the Endangered Species List, federal 10(j) rules allow Idaho to submit proposals to the U.S. Fish and Wildlife Service for wolf control actions because of unacceptable impact to ungulates (elk, moose, and deer). However, this allowance only applies to areas south of I-90, where wolf population is considered “nonessential experimental” under the Endangered Species Act. Wolves north of I-90 are designated as endangered, and the 10(j) rules do not apply.

In order for this provision to apply, the State must provide a “science-based document” that describes:

- The basis of ungulate management objectives
- Data indicating that ungulate population is below management objectives
- Data indicating that wolves are a major cause of the unacceptable impact to the ungulate population
- Why wolf removal is warranted
- The level and duration of proposed wolf removal
- How ungulate population response to wolf removal will be measured and how control actions will be adjusted for effectiveness

Demonstrates that attempts were and are being made to address other identified major causes of ungulate declines or commitments are in place to implement possible remedies or conservation measures in addition to wolf removal.

Provides an opportunity for

- Peer review in accordance with federal Office of Management and Budget guidelines, involving at least five independent peer reviewers
- Public comment of the proposal prior to submitting to the Service

Before the Service can authorize lethal removal, they must determine that unacceptable impacts to wild ungulate populations or herds has occurred, proposed lethal removal is science based, will not contribute to reducing the wolf population in the State below 20 breeding pairs and 200 wolves, and will not impede wolf recovery.

Current 10(j) Status

To evaluate the Department proposal for wolf control in the Lolo Zone, U.S. Fish and Wildlife Service has determined it must prepare at least an environmental assessment under the National Environmental Policy Act.

To provide required documentation to support Lolo and other 10(j) proposals, IDFG would need to obtain research/monitoring data on wolves and ungulates in the affected geographic areas. To comply with the direction to take actions to protect ungulates, there is a need to continue to conduct some monitoring and research activities although Idaho is not longer USFWS designated agent for wolf management in the state.

Update on Wolf Delisting Strategies

Sharon Kiefer, Assistant Director – Policy provided a short briefing on legal paths for wolf delisting strategies. Ms. Kiefer referenced the August 16, 2010 Resolution regarding wolf management where the Commission resolved, to pursue all legal options to restore full state authority and control over the management of wolves in the state of Idaho. The three paths are Judicial, Congressional and Executive previously discussed by the Commission. The resolution also states that the commission will support and will cooperate with the Office of the Governor

and Idaho's Congressional Delegation in pursuing federal legislation to correct the August 5th federal court decision re-listing wolves. Ms. Kiefer referenced a meeting with state legislators from Wyoming, Montana and Idaho discussing how they could get wolves removed from the federal endangered species list and put under state control (Appendix 43, Exhibit 111).

Commissioner Trevey stated that events, many beyond the Commission's control, have enabled wolves to expand by some estimates, to over 10 times recovery goals. The documented affect on Idaho's wild ungulate herds far exceed original estimates and commitments.

Commissioner Trevey stated that it is time for this Commission to look at their interim direction and bring it up to date. Because of the uncertainty in the federal legislation and the court case in Wyoming, the Commission needs to understand that before the Commission takes any action today. Commissioner Trevey suggests a Commission conference call in the form of a motion.

10-104 Commissioner Trevey moved and Commissioner Wheeler seconded a motion that on December 8 that the commission convenes via conference call. For the purpose of confirming our intent to manage for recovered wolf population using the established goals in the recovery plan and structuring of our future based on and being consistent with the 2002 Wolf Management Plan. Having given the department time to research the unfolding information and at that time have a discussion on the path forward. The motion carried in a unanimous vote.

The Commission will review plan goals and wolf management numbers.

Turkey – Waterfowl Collaborative Update

Virgil Moore, Deputy Director, provided a short update on the status of the Turkey Waterfowl Collaborative. At the November 2009 joint meeting between the Commission and the Idaho Outfitters and Guides Licensing Board (IOGLB) staff from both agencies gave information relative to the temporary moratorium on outfitting for Waterfowl and Turkey Hunting (IOGLB Policy 2027). It was recognized that due to the increased interest in these activities and due to Idaho's administrative decision making requirement in state law, a more comprehensive approach was needed so IOGLB can appropriately address these matters.

In March the Department and IOGLB established an advisory group with representatives from sportsman's groups, landowners and outfitters to evaluate the issue of how can Idaho allow, or not allow, additional guiding and outfitting for waterfowl and/or turkey on private and/or public lands, while protecting and maintaining private property rights?

The Advisory Group has met four times and will meet again if necessary.

MISCELLANEOUS

Set Commission 2011 Calendar

The Commission set the following dates for the 2011 meetings: January 26, 27, 28 in Boise; March 28, 29 in Boise; May 18, 19, 20 in Lewiston; July 27, 28, 29 in Salmon; August and October Conference Calls (dates to be determined); and November 9, 10, 11 in Coeur d'Alene.

Representative to Western Association of Fish and Wildlife Agencies (WAFWA)

10-105 Commissioner Trevey moved and Commissioner Barowsky seconded a motion to appoint Tony McDermott as the commission representative to WAFWA. The motion carried in a unanimous vote.

Commission Position Statement on Grizzly Bears in the Yellowstone Eco System

Deputy Director Jim Unsworth stated that in March 2007, grizzlies in the Yellowstone ecosystem were removed from the endangered species list. On September 21, 2009, the Yellowstone grizzly bear population was relisted as a threatened population under the Endangered Species Act. All grizzly bears are currently under federal protection in Idaho. The Commission has developed a Position Statement on Yellowstone Grizzly Bears. A final position statement (Appendix 43, Exhibit 112) was presented to the Commission for approval. Commission discussion followed on the verbiage with minor changes made.

10- 106 Commissioner Wheeler moved and Commissioner Trevey seconded a motion to approve the amended position statement on grizzly bears. The motion carried in a unanimous vote.

MISCELLANEOUS

Executive Session

10- 107 Commissioner Barowsky moved and Commissioner Budge seconded a motion to hold an executive session pursuant to subsections (b) (c) and (f) to discuss personnel, pending litigation and, property acquisition. Roll Call Vote: **McDermott: aye; Trevey: aye; Barowsky: aye; Budge: aye; Wheeler: aye; Wright aye; Power: aye. Vote tally: 7 ayes.**

Adjournment

The meeting ended at 6:00 p.m. with no official action taken.



Wayne Wright
Chairman



Cal Groen
Secretary