

**Idaho Fish and Game Commission
Special Meeting
February 17, 2011
Boise, Idaho**

Present in the Director's Office: Director Groen, Deputy Director Moore; Deputy Director Unsworth; Dallas Burkhalter, Deputy Attorney General; Kathleen Trever, Deputy Attorney General; Sharon Kiefer, Assistant Director - Policy; Lance Hebdon, Inter-Governmental Policy Coordinator; Mary Boyer, Executive Assistant; Chief Jon Heggen, Enforcement; Tom Hemker, Wildlife Habitat Program Manager; and Gregg Servheen, Wildlife Program Coordinator.

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, Budge, and Power participating. Commissioner Wheeler was excused.

LANDS

Title Adjustment on Robinson Creek (Dionne) Acquisition

Gregg Servheen, Wildlife Program Coordinator presented the title adjustment to the Commission for approval.

As per Commission direction, on November 6, 2009, the Department acquired a 49-acre parcel located in Kootenai County, adjacent to Lane Marsh in the Lower Coeur d'Alene River Valley. The property was acquired through the Albeni Falls Wildlife Mitigation Project and was funded by BPA and is currently being managed as part of the Coeur d'Alene WMA.

The First American Title Company insured the property and conducted a title search. However, upon field inspection, staff noticed that a clay pit included in the property description was being used by a neighboring landowner who was removing material. Upon further investigation, it was determined that there was overlapping ownership on a portion of the Robinson Creek property. The title company has concurred that 2.79 acres were not owned by the landowner who sold the property to the Department. The title company is electing, under the terms of the title insurance policy issued, to pay a total of \$6,259.53 back to the Department. BPA has agreed that these funds can be reinvested in the Robinson Creek parcel to complete due diligence for a proposed purchase of a flood easement from a neighboring landowner and complete a survey for a proposed fee-title donation of adjoining 6-acres from the Idaho Transportation Department.

11-13 Commissioner McDermott moved and Commissioner Power seconded a motion to accept the title claim and having the title company correct the warranty deed. The motion carried in a unanimous vote.

LEGISLATION

Sharon Kiefer, Assistant Director-Policy, updated the Commission on the following legislative matters (Appendix 44, Exhibit 25)

Fish and Game Sponsored Bill/Analysis/Discussion

House Bill 85 Mentored Hunt Program will have a hearing in the House Resources Committee on February 21.

RS19980C2 Special Auction Tag was withdrawn per Commission direction.

New Bill Analysis/Discussion

The purpose of a memorial is to present a message from the legislature, often to the federal government. It does not carry the weight of law.

House Joint Memorial 002 This memorial informs congress and the Secretary of the Interior that the Legislature will not support any type of federal wilderness designation without including the citizens of Idaho in a full public process.

11-14 Commissioner Barowsky moved and Commissioner McDermott seconded a motion to monitor HJM002. The motion carried in a unanimous vote.

House Bill 143 Amends existing law relating to fish and game to provide for disabled combination licenses for nonresident American veterans participating in hunts in association with qualified organizations to provide for nonresident disabled American veteran game tags; to provide for fees for nonresident disabled combination licenses, to provide for certain nonresident tags and to provide qualifications.

11-15 Commissioner Power moved and Commissioner McDermott seconded a motion to support HB143. The motion carried in a unanimous vote.

House Bill 155 Amends existing law relating to fish and game to remove processing fee provisions for black bear.

11-16 Commissioner Barowsky moved and Commissioner McDermott seconded a motion to support HB155. The motion carried in a unanimous vote.

Senate Concurrent Resolution 101 Stating findings of the Legislature expressing that the state of Idaho and its citizens are concerned with the threat of aquatic nuisance species and will collectively strive to educate and prevent the contamination of Idaho's public lakes, streams, rivers and creeks, and encourage industry and recreationists around the world to be aware that Idaho takes the responsibility to protect and preserve its natural resources very seriously.

11-17 Commissioner Power moved and Commissioner McDermott seconded a motion to monitor SCR101. The motion carried in a unanimous vote.

Senate Bill 1085 Adds to and amends existing law relating to domestic cervidae; to provide for certified domestic cervidae herds; to provide for the submission of obex samples to approved laboratories; to provide for the establishment of certain requirements and assessment of risk; to provide for periodic verification of domestic cervidae farm and ranch inventories or animals held and individual identification by state or federal animal health officials; to provide that chronic wasting disease sampling requirements shall be based on submission of an obex sample; to provide for waiver requests; to provide for reduction in status; to clarify governance and testing provisions for those herds that are not certified; to provide that the fee imposed on domestic cervidae shall include all domestic cervidae present at the farm or ranch as of December 31 and all domestic cervidae imported from outside of the state that die during the same calendar year; to clarify that fees shall be used only by the Idaho State Department of Agriculture for specified purposes; to provide for the creation of a fund; to revise provisions relating to the use of moneys collected; and to provide for annual accounting reports.

11-18 Commissioner McDermott moved and Commissioner Power seconded a motion to monitor SB1085. The motion carried in a unanimous vote.

SB1092 and SB1095 are informational only should you get questions from constituents.

Senate Bill 1092 Adds to existing law relating to safe boating to require certain persons to complete a boating safety education course or pass an equivalency examination and receive a certificate prior to operating any vessel on the waters of the state of Idaho.

Senate Bill 1095 Amends existing law relating to safe boating to provide for readily accessible personal flotation devices.

Ms. Kiefer reported that the Department has seen the latest draft legislative concept regarding the alternative special auction tag. Ms. Kiefer stated the Department has reviewed and would like to discuss differences relative to the original Department auction tag proposal and some of the policy issues the Commission has raised - they are down to about six points.

Ms. Kiefer reviewed the six points:

Allows hunting of species for which the designated tags between September 1- November 30th.
Includes a Mountain goat,

The Commission would have to evaluate the existing controlled hunt program and remove a nonresident tag from the general controlled hunt poll for mountain goat,

Includes a bighorn sheep tag which is available for both residents and nonresidents,

A consequence of the bighorn sheep tag is the Commission would have to determine if they would need to remove a tag from the resident controlled hunt pool and more specifically because

the bighorn sheep tag is not Hunt Unit prescribed so it does mean potentially this tag could be marketed and utilized in Unit 11.

A reference for special control hunt for bighorn sheep, bighorn sheep tags are a function of the regular controlled hunt program not the super hunt program.

The bill retains the 5% proceeds for the auctioning group.

Allowance for revenue proceeds to the department to be used for research and planning activities specifically approved by the Commission.

Commission discussion followed, the Commission has concerns with Unit 11. Unit 11 consistently produces record book rams. There are not many bighorn sheep tags available and adding another tag is significant. The Commission is hearing from constituents that they do not want to see Idaho selling wildlife to the highest bidder. The Commission consensus is to wait to see the bill in final format before taking a position.

RS200426 is on the House Resources Conservation Committee agenda today. This is part of the process to formalize the rule rejection, the shooting of upland birds from watercraft. The House Committee formally rejected that rule and now they are obligated to draft a resolution stating that to the legislature. The Department will track.

Reviewed Bill Tracking Tables (status of bills)

Ms. Kiefer reviewed the bill tracking tables (see exhibit). No dates yet for a bill hearing with the Senate Resources and Environment Committee on SB 1015 and SB1016 which deal with the authority of the Commission to regulate motorized vehicles as an aid to hunting.

Other Legislative Activity

Kathleen Trever, Deputy Attorney General briefed the Commission on the current status of federal legislation HB 509, cosponsored by Congressmen Simpson and Labrador of Idaho and Congressman Rehberg of Montana regarding wolves.

MISCELLANEOUS

Adjournment

The meeting adjourned at 9:20 a.m.

Wayne Wright, M.D.
Chairman

Virgil Moore
Secretary