

**Idaho Fish and Game Commission  
Special Meeting  
March 10, 2011  
Boise, Idaho**

Present in the Director's Office: Director Groen; Dallas Burkhalter, Deputy Attorney General; Sharon Kiefer, Assistant Director - Policy; Lance Hebdon, Inter-Governmental Policy Coordinator; Mary Boyer, Executive Assistant; Chief Jon Heggen, Enforcement; Jeff Gould, Chief, Wildlife; Rex Sallabanks, Program Manager; and Bonnie Butler, Governor's Office.

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, Wheeler and Power participating.

**LEGISLATION**

**Legislative Update**

Sharon Kiefer, Assistant Director-Policy, updated the Commission on the following legislative matters (Appendix 44, Exhibit 28)

HB 231- Restrict use of aircraft to take big game.

HB 231 replaces HB 186.

Ms. Kiefer reported that HB 231 was heard in the House Resource Committee and was sent to amending order. Since the bill is going to amending order, we do not know the final wording of the bill. Ms. Kiefer suggests that the Commission monitor until we have a chance to see the amendments.

Commissioner Wheeler addressed the Chairman and Commission and asked to be recused from conflicting Commission business during the time he is serving on both the Commission and Legislature, to avoid the appearance of any conflict of interest. Chairman Wright granted the request.

**11-20** Commissioner Power moved and Commissioner Budge seconded a motion to monitor House Bill 231. The motion carried in a unanimous vote.

SB 1144 – Animal care (replaces HB149), information only. This bill is redefining law enforcement responsibilities between Department of Agriculture and local enforcement relative to animal cruelty and animal care provisions. The bill also redefines the difference between production animals and companion animals.

Senator Pearce is the sponsor for RS 20583 that will have a print hearing on Monday and is called Limitations on Powers Relating to Enforcement of Certain Federal Laws and Regulations. The Department will follow.

RS20386C3 sponsored by Representative Moyle, the governor auction tag bill had a print hearing on Wednesday. Ms. Kiefer reviewed some of the aspects of the RS. The purpose of this legislation is to establish Governor's big game auction tags and provide authority to the Fish and Game Commission to designate limited big game tags for auction similar to existing statutorily authorized bighorn sheep and wolf auction tags. The tags would be taken from the nonresident tag pool thereby not diminishing resident hunting control hunt tag pool. The legislation authorizes the Commission to designate up to three elk, deer and antelope tags respectively and only one moose, wild sheep and one mountain goat tag per year. Funds received from auction would be directed to the fish and game department for use toward hunter access, big game management projects, habitat management projects and research and planning activities to facilitate habitat solutions.

The Department will be providing technical testimony and making it clear what consequences may be relative to the Unit 11.

**11-21** Commissioner Budge moved and Commissioner Power seconded a motion to monitor RS20386C3. The motion carried in a unanimous vote.

The Department continues to monitor the Federal Continuing Resolution regarding wolves.

### **Senate Bills 1015 and 1016**

The Department has been informed that on Monday March 14<sup>th</sup> the Senate Resources and Environment Committee will have a hearing on SB1015 and SB1016.

Commissioner Budge asked the Commission if it would be appropriate for the Commission to establish now or in the next meeting a task force that would be charged with the purpose of reviewing and making recommendations with respect to the Department's existing Motorized Vehicle Rule and also the Memorandum of Understanding with the governmental agencies that deal with the Department role in enforcement of federal travel plans. These are two separate and distinct issues for legislative purposes, but should be addressed together by the task force. Mr. Budge feels these 2 issues are being linked together for purposes of legislative hearings on rescinding our Motorized Vehicle Rule. This is the second hearing on the Rule, and apparently there is an effort to gain support for taking away the Commission's authority to use the Motorized Vehicle Rule as a management tool. Previously the Commission had discussed scheduling a workshop to discuss the motorized vehicle issues but perhaps this needs to be brought to a task force first that can act in advance of the workshop, giving the Commission a chance to work on the issue proactively and reduce the risk of the legislature's stripping the Commission of that authority. Commissioner Budge is prepared to make that motion.

Commissioner Wheeler agrees with Commissioner Budge and stated that the Commission needs to be a little more aggressive on the ATV issue and look at this issue from a strategic standpoint.

**11-22** Commissioner Budge moved and Commissioner McDermott seconded a motion that the Commission establish a broad-based task force to deal with the issue of the use of off-road vehicles that impact the wildlife of the state and habitat in which they reside, both from the perspective of state lands as well as federal lands. Further, that the charge to the task force would include: 1) to review and make recommendations concerning the Department's existing Motorized Vehicle Rule, and 2) to review and make recommendations concerning the current Memorandum of Understanding the Department has with the federal agencies that specify how the Department is involved in the enforcement of the federal agencies' travel plans on federal lands. Depending upon the results and recommendations of the task force the Commission can later determine if it is appropriate to make any changes and conduct a full and fair public hearing on the subject or make it an agenda item at a future commission meeting to enable the public process to be fully engaged. The motion carried in a unanimous vote.

Commissioner Budge stated that it is important for the Commission to direct Sharon Kiefer to convey this message to the legislators and at upcoming hearings.

Commissioner Wheeler left the meeting at 8:45 a.m.

## **REPORT**

### **Update on the Continuing Resolution HRCR1**

Rex Sallabanks, Program Manager, Conservation Sciences provided an update on HR- 1 the federal government's FY11 Continuing Resolution spending bill. There are three grant programs that will be affected should the funding be cut. The programs are: (1) State and Tribal Wildlife Grants; (2) Endangered Species Cooperative Fund (Section 6); and (3) North American Wetlands Conservation Act. Dr. Sallabanks met with Idaho's Congressional delegation and their staffs to brief them on the importance of these programs and how the grant funds are used.

### **Wildlife Diversity Program**

Dr. Sallabanks is working on a business plan for the Conservation Sciences Program and is proposing a name change to Wildlife Diversity. This will improve program efficiency, align programs more strategically and associate more closely with the Association of Fish and Wildlife Agencies functional model for the Wildlife Diversity Program. From that, the program will realize some of the benefits of having more national name recognition versus a name that is only unique to our state. The business plan has been drafted and will be presented to the Operations Team meeting at the end of the month and presented to the Commission at its May meeting.

**MISCELLANEOUS**

**Adjournment**

The meeting adjourned at 8:55 p.m.

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Wayne Wright, M.D.  
Chairman

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Virgil Moore  
Secretary