

**Idaho Fish and Game Commission  
March 9-10, 2016  
Idaho Department of Fish and Game  
Boise, Idaho**

**March 9**

**MISCELLANEOUS**

**Tour Wildlife Health Laboratory, Eagle Genetics Laboratory and Eagle Fish Health Laboratory**

Commissioners Corkill, Blanco, Fischer, Doerr, Clezie, Attebury and Naillon participated on the tour of the facilities.

**Public Meeting**

The meeting was called to order at 7:00 p.m. Acting Chairman Will Naillon and Commissioners Corkill, Blanco, Fischer, Clezie and Attebury were present. Commissioner Mark Doerr was absent.

Acting Chairman Naillon welcomed the public and introduced the Commissioners. Director Moore introduced staff and stated that staff would be available after the meeting to answer questions.

The following individuals provided public comment:

Jerry Bullock, George McQuiston, Peter Fitzsimmons, Ian Malepeai, Jason Wright, Brad Vandendries, Jeff Morris, Josh Kuntz, Michael Gibson, Sean Carriere, Valerie Stephan-LeBoeuf, Zach Tomlinson, Jennifer Pierce, Bob Brister, Heather Meyer, Suzanne Stone, Lynda Squire, Stefanie Wolf, Katie Fite, Natalie Ertz, John Idema, Karen LaFountain, Jay Stark, Mike Gann, Pamela Williams, Shane Meredith, Brian Brooks, Pam Fargo, and Brian Ertz.

Written comment (Appendix 49, Exhibit 25) received from Jim Hagedorn, Mike Gann, Neil King, David Pulliam, Russell Backus, La Var Jolley, Richard Adams, Tim Schommer and the Idaho Black Bear Rehab.

**March 10**

**MISCELLANEOUS**

**Opening Comments**

Chairman Doerr called the meeting to order at 8:00 a.m. with Commissioners Brad Corkill, Dan Blanco, Blake Fischer, Lane Clezie, Derick Attebury and Will Naillon present.

## **Review of Public Comment**

There were 30 individuals who testified at the public meeting. Chairman Doerr and Director Moore led the discussion and review of the public comments.

Topics included:

- Black Bear rehab relative to Department permitting the program.
- Opposition to issuance of auction tags.
- Posting and providing agenda information prior to the Commission meetings.
- Wolf management in the Lolo and Middle Fork areas.
- Keep up the good work salmon seasons are great.
- Keep the waterfowl seasons with the early proposed opening dates, no need to push for later dates.
- Opposition for a bonus point system.
- There is a need to incorporate a moose plan.
- Look at reestablishing the cap for elk in the Smoky Mountain area.

## **CONSENT CALENDAR**

### **Consent Calendar**

- Minutes January 21, 2016
- Financial Report

**16-31** Commissioner Clezie moved and Commissioner Corkill seconded a motion to accept the January 21, 2016 minutes as presented in the consent calendar. All Commissioners voted in favor.

**16-32** Commissioner Corkill moved and Commissioner Attebury seconded a motion to accept the financial report as presented in the consent calendar. All Commissioners voted in favor.

## **RULES**

### **Season Setting: Spring Chinook Season**

Sam Sharr, Anadromous Fisheries Coordinator, presented the proposal for the 2016 Chinook Salmon fisheries in the Snake, mainstem Clearwater, North Fork Clearwater, south fork Clearwater, Lochsa, lower mainstem Salmon and Little Salmon rivers (Appendix 49, Exhibit 26). Mr. Sharr reported that the proposal is very similar to the proposal for 2015. The season will open on April 23, 2016 for the areas noted. Areas will be closed by Closure Order signed by the Director of the Idaho Department of Fish and Game.

Mr. Sharr noted that public meetings to seek input on 2016 spring season Chinook fisheries were held during February in Nampa, Boise, McCall, Orofino and Riggins.

**16-33** Commissioner Fischer moved and Commissioner Attebury seconded a motion to approve the 2016 fishing seasons for Chinook salmon in the Snake River, Lower Salmon River, Little

Salmon River, Mainstem Clearwater River, North Fork Clearwater River, South Fork Clearwater River and Lochasa River. All Commissioners voted in favor.

## **LANDS**

### **Nelson Land Acquisition**

Steve Elam, Title, presented the land acquisition for Commission approval.

This 27.89-acre subject property is located in Bear Lake County approximately 2 miles East of Montpelier, ID. The property borders the Montpelier Wildlife Management Area and provides important mule deer winter range. It is located on a south facing slope overlooking Hwy 89. This southern exposure of Montpelier Canyon serves as an important mule deer and elk winter range. Some mule deer fawning occurs on the nearby WMA, and this native shrub-steppe parcel likely provides breeding habitat for forest grouse and nongame species.

This property was previously presented to the Commission during Executive Session in November of 2015.

Acquisition costs are \$19,523 of license funds.  
FILT is estimated at \$11.

**16-34** Commissioner Clezie moved and Commissioner Attebury seconded a motion that the Commission adopt the staff recommendation and approve proceeding with the Nelson land acquisition. All Commissioners voted in favor.

## **REPORT**

### **Big Game Auction Tags**

Jon Rachael, State Wildlife Manager, stated that at its January 28, 2016 meeting, the Commission discussed public opinion survey results where hunters reported 55% acceptance of the concept of using wildlife auction tags to generate wildlife conservation funding. The Commission discussed limited implementation of auction tags because the hunter opinion survey also indicated lower approval for full implementation of all 12 tags. The Commission asked staff to develop a proposal for release of one tag per species, excluding bighorn sheep (i.e. deer, elk, pronghorn, moose, and mountain goat).

On February 4, 2016, the Commission reviewed public input gathered on the IDFG website and at regional offices during January 28-February 3, 2016. The Commission decided to defer any action until March 10, 2016, to allow sportsmen more time to provide input on the proposal.

Mr. Rachael gave a short review and summary of the Auction Tag Survey Results (Appendix 49, Exhibit 27). There were 591 comments received, 15% support, 5% were neutral, and 80% opposed the issuing of more auction tags.

Idaho Code 36-408(9) allows the Commission to issue up to 3 deer tags, 3 elk tags, 3 pronghorn tags, 1 moose tag, 1 mountain goat tag, and 1 bighorn sheep tag for auction as Governor Wildlife Partnership Tags. The Commission designates the species, dates, and area of the tag. These may be auctioned by an incorporated nonprofit organization dedicated to conservation. At least 95% of proceeds go to the Department, of which up to 30% may be allocated to sportsman access programs such as *Access Yes!*, and the balance to wildlife habitat projects, wildlife management projects to increase the quantity and quality of big game herds, and other research and management activities approved by the Commission. Proceeds may not be used to acquire private property or federally-managed grazing permits, nor may proceeds be used to transplant bighorn sheep in southwest Idaho, or for litigation or Environmental Impact Statements involving bighorn sheep. The Commission has approved the Administrative Rules to guide how these tags may be issued and used, but these tags have not been released for auction to this point. Tags come from the nonresident controlled hunt quota for the designated species.

Commission discussion followed. Most Commissioners are hearing from their constituents at recent public meetings that they are opposed to the issuing of any additional auction tags.

Chairman Doerr asks for a motion.

Hearing no motion, the commission will not issue any auction tags.

## **LEGISLATION**

### **Legislative Update**

Sharon Kiefer, Deputy Director, provided the update and referenced the bill tracking tables showing the status of bills (Appendix 49, Exhibit 28).

Mandatory Trapper Education Rule – rejected by House Resources and Conservation Committee and the Senate Resources and Environment Committee, the rule not move forward.

HB378 – provides Commission authority for a trapping education program is in the 3<sup>rd</sup> reading in the Senate floor.

Next steps the Department will see how HB 378 lands and the outcome – for future rulemaking.

Ms. Kiefer reported that the Department has been offering a voluntary trapper education classes for the past 14 months. A total of 200 students have participated. This is a huge increase since 2014 with only 32 attending.

Staff and curriculum, class time including field training is 6 hours.

There are a number of bills that have not had a hearing see the handout exhibit 28.

The Senate Resources and Conservation Committee meetings are at the call of the Chairman.

HCR 53 – HUNTER, ANGLER, TRAPPER ACCESS - Stating findings of the Legislature and opposing any proposals that bar Idaho hunters, anglers and trappers from accessing state endowment trust land on the basis of exclusivity and encouraging the State Board of Land Commissioners to preserve and promote reasonable and equitable access to state endowment trust land for the benefit of all Idahoans.

**16-35** Commissioner Blanco moved and Commissioner Fischer seconded a motion to support HCR 53. All Commissioners voted in favor.

Will Naillon recused himself from the vote due to a conflict because his employer leases endowment land.

The commission will have one more legislative call on Thursday, March 17<sup>th</sup> at 8:00 a.m. MDT.

## **REPORTS**

### **Idaho Fish and Wildlife Foundation**

Ann Dehner, Executive Director, provided the report.

As a sponsor of the *Wildlife* specialty license plates, the Foundation is actively engaged in the marketing and promotion of plate sales and renewals. Data from the Foundation's 2015 fiscal year ending in December shows an increase in the sale of new Bluebird, Elk and Cutthroat trout plates over 2014, reflecting a continuous increase over the past four years. There are mixed returns for the renewal rates of the Wildlife license plates, with a slight decrease (2.7%) for the Elk plate, an increase of renewals in the Trout plate (2.7%) and the Bluebird plate holding steady. Collectively, the *Wildlife* plates comprised about 48% of all specialty plate sales in 2015.

It is interesting to note the trend of plate sales for the year and going forward given the rise in the cost of vehicle registrations by \$21 (as of July 2015), as well sales data for the Rocky Mountain Elk specialty plate.

The Foundation's competitive grants cycle for 2016 was announced in early February. The Foundation's Board approved an increase in grant amounts to a maximum of \$10,000 per grant award to IDFG and nonprofits with similar missions. Awards are given for projects that restore and enhance wildlife habitat and conservation education projects. Deadline is May 1 with awards announced in August.

At its January 30 meeting, the Foundation's Board of Directors approved the election of Tony McDermott to its volunteer Board. Mr. McDermott previously served as Chair of the Idaho Fish and Game Commission and joins the Foundation representing the Panhandle Region. The next meeting of the Foundation's Board will be held in Lewiston on Saturday, April 30, 2016.

## **Migratory Bird Briefing**

Jeff Knetter, Upland Game & Migratory Bird Coordinator, presented the briefing and 2016-2017 Season Frameworks (Appendix 49, Exhibit 29).

Idaho's migratory game bird seasons are set within frameworks established by the U. S. Fish and Wildlife Service, after they consult with all state fish and wildlife agencies.

- Historically, included early and late season regulatory decisions.

Beginning with the 2016-17 hunting seasons, a new process and schedule will be used for setting annual migratory game bird hunting regulations.

- The traditional process for setting regulations became untenable.
- Service addressed this situation with implementation of the 2013 Supplemental Environmental Impact Statement for issuance of annual regulations permitting the hunting of migratory birds (SEIS13).
- Currently, combined early and late season regulatory decisions.
- Regulatory decisions will now be made using biological data observed the previous year.

The single process and new schedule mean the season frameworks (e.g. outside dates, season lengths, bag limits) will be finalized earlier, and will enable state agencies to select and publish their season dates well in advance of fall season.

- This process will allow the Commission to set seasons for all migratory game at the same time; consequently, all migratory game bird regulations will be published in the same brochure.

The AHM process determines the general duck season framework.

- Process adopted by Service in 1996; used to evaluate duck habitat and populations annually to select the optimal season framework for U.S. duck seasons.
- Special harvest strategies are used for some of the less common ducks.
- Goose seasons are determined by flyway management plans for each goose population.

A Commission conference call is scheduled for April 21, 2016 to set the seasons.

## **Grizzly Bear Update**

Jeff Gould, Chief, Wildlife provided the update.

The Interagency Grizzly Bear Committee (IGBC), consisting of various federal and state wildlife and land management agencies, along with other experts, agree that the grizzly bear population is recovered in the Greater Yellowstone Area (GYA).

Grizzly bears in the GYA were delisted in 2007, but a federal judge ordered re-listing due to a procedural flaw. Concerns over the role of the whitebark pine in the Yellowstone ecosystem have been adequately addressed by the 2013 Interagency Grizzly Bear Study Team food synthesis report. The Yellowstone grizzly bear population has met and exceeds all goals listed in the recovery plan last updated in 2007.

In December 2015, Directors of Idaho, Montana, and Wyoming fish and game agencies sent a letter to the U.S. Fish and Wildlife Service Director to press forward with delisting. The state directors also drafted a tri-state Memorandum of Agreement (MOA) to submit to their respective commissions for approval in support of delisting and coordinated management.

The draft MOA defines a process for coordinating management and allocation of discretionary mortality of GYA grizzly bears once delisted. The draft management framework applies lower mortality limits at lower population levels and increased flexibility with higher grizzly populations. Department Directors will wait for final approval by their respective Commissions until after a draft delisting rule is published and has been thoroughly reviewed by staff.

After delisting, state agencies will be fully responsible for Yellowstone grizzly bear management, including the potential for limited hunting.

All population recovery goals listed in the recovery plan have been met and states are committed to maintaining a healthy grizzly bear population post-delisting.

### **Big Game Status Update**

Jon Rachael, State Wildlife Manager, provided a statewide overview of the status of deer and elk populations in relation to deer population management unite objectives and elk management zone objectives (Appendix 49, Exhibit 30). A briefing on mule deer survival monitoring, the new elk survival monitoring program, winter conditions and feeding operations and completed aerial surveys (Appendix 49, Exhibit 31) was provided.

Aerial sightability survey results in the Mountain Valley PMU estimated 20,700 mule deer in the zone. This is the first complete survey of PMU.

Mr. Rachael reported that general deer season sales were up and excellent hunting conditions being reported. The whitetail deer harvest sets an all-time record for 2015.

### **Depredation Program Review**

Jeff Gould, Chief, Wildlife, provided a statewide review of the Big Game Depredation and Compensation program and current challenges and priorities.

Prevention of depredation of wildlife on agricultural crops, livestock, and forage is a Department priority. The existing big game depredation prevention and compensation program was developed by recommendations from the Fish and Game Advisory Committee in 1989, and enacted by passage of legislation in 1990 and 1991. The program provides advice, assistance, supplies, compensation, and other services to private landowners suffering damage caused by deer, elk, pronghorn, moose, black bear, mountain lion, and grizzly bears not protected by the Endangered Species Act. Although, the Department has limited statutory responsibility for livestock depredations caused by wolves, up to \$110,000 in general license and tag revenues are transferred annually to the Wolf Depredation Control Board to proactively address wolf depredations.

A Regional landowner/sportsmen coordinator is located in each of the 7 administrative regions. During periods of heavy workload (e.g., emergency winter feeding, widespread depredations), seasonal and other permanent staff, including Conservation Officers, are redirected to assist. Program direction is provided through Commission-approved species management plans, annual Director's Office focal priorities, and regional work planning efforts. Supervision for program staff is through Regional Supervisors and Regional Wildlife Managers.

Regional staff use a variety of tools to efficiently and effectively implement depredation prevention solutions, including: 1) technical assistance on practices to reduce depredation; 2) hazing devices such as zon guns; 3) exclusionary devices such as stack yards and tensar fencing; 4) kill permits issued to landowners and/or their designees; 5) emergency depredation hunts involving landowners and general sportsmen; 6) landowner permission hunts; 7) aggressive and liberal hunting seasons, including multiple bag limits, in areas of private land conflict; and 8) continued use agreements allowing wildlife to continue using private property. The Department responds to approximately 700 depredation or nuisance complaints annually; most of which are addressed without need for compensation.

Dedicated funding for depredation prevention consists of: 1) \$.75 from each deer, elk, and pronghorn tag, 2) \$1.50 from each resident deer and elk tag, and 3) \$5.00 from each nonresident deer and elk tag. Dedicated funding amounts were established by statute in 1990 and have remained unchanged. Receipts from dedicated sources provide approximately \$665,000 annually. In addition to dedicated funding, \$235,000 in general license/tag revenues subsidize the program.

Dedicated funding for depredation compensation consists of: 1) \$200,000 annual transfer from general license/tag revenues, and 2) approximately \$55,000 from interest earned on the nonexpendable big game depredation fund.

The ***Nonexpendable Big Game Depredation Fund*** was originally established in 1990 using a combination of license/tag revenues (\$1.25 million) and general state funds (\$1.0 million). The \$2,250,000 principle in this fund may not be expended. Interest generated is transferred to the expendable big game depredation fund.

The ***Expendable Big Game Depredation Fund*** is used to pay for depredation claims and expenses of the Fish and Game Advisory Committee (§36-122). Advisory Committee expenses rarely exceed \$7,500 annually. At the end of the fiscal year, any funding balance in excess of \$750,000 is distributed as follows: 1) first \$100,000 directed toward private land access programs, and 2) the balance transferred to the animal damage control board.

The Department pays an average of \$245,000 for 30 claims annually. Big game depredation losses eligible for compensation include: 1) livestock (domestic cattle, sheep, and goats); 2) berries or honey; and 3) crops grown or stored for profit, excluding ornamental plants. Additionally, claims must exceed \$1,000 in value, and the landowner must have provided reasonable access for hunting, to be eligible for compensation. A \$1,000 deductible is applied to all claims, except for crop losses that occur in subsequent years in the same location where the Department was unable to prevent damage following the first occurrence. The \$1,000 deductible

represents a net loss to the producer. During the past 10 years, \$2.45 million has been paid for 304 claims. Crop losses account for 91% of payments, while livestock and rangeland forage payments account for 6% and 3%, respectively.

Statute provides for the situation if claim amounts exceed available funding; requiring the Department to prorate claims. Only once in the history of the program (2008) has the Department been required to prorate claims.

Dedicated funding for depredation prevention has not kept up with inflation and only provides 45% of the purchasing power originally available in 1990. Meanwhile, wildlife use of private land has become more challenging with varying land use practices.

Changes in hunter access to private land create substantial challenges to achieving adequate harvest of depredating big game. Especially challenging are parcels of private land where no, or very little, hunting occurs; creating a refuge for animals that cause damage to neighboring private property.

The Commission directed staff to develop a strategy to proactively attack the issue of private land conflict caused by elk and present at the May Commission meeting.

## **MISCELLANEOUS**

### **Idaho Hunter Education Continuing Our Heritage Awards**

Chairman Doerr, Director Moore and Evin Oneale presented the awards to the following Hunter Education instructors.

Gordon Dougal – Caldwell. Gordon has been a certified instructor since 2008. In that time, he has taught 45 courses, graduating a total of 498 students. Gordon has volunteered 647 hours of his time, which equals \$22,496.19 in matching Pitman-Robertson funds.

Trevor Chadwick – Star. Trevor has been a certified instructor since 2010. In that time, he has taught 47 courses, graduating a total of 738 students. Trevor has volunteered 614 hours of his time, which equals \$21,348.78 in matching Pitman-Robertson funds.

Frank McCorry – Emmett. Frank has been a certified instructor since 2009. In that time, he has taught 48 courses, graduating a total of 398 students. Frank has volunteered 546 hours of his time, which equals \$18,984.42 in matching Pitman-Robertson funds.

Larry Velvick – Emmett. Larry has been a certified instructor since 1989. In that time, he has taught 45 courses, graduating a total of 553 students. Larry has volunteered 536 hours of his time, which equals \$18,636.72 in matching Pitman-Robertson funds.

Chris Collins – Boise. Chris has been a certified instructor since 2013. In that time, he has taught 36 courses, graduating a total of 529 students. Chris has volunteered 340 hours of his time, which equals \$11,821.80 in matching Pitman-Robertson funds.

## **REPORTS**

### **Director's Report**

Director Moore reported that he traveled to D.C. to attend AFWA's Teaming With Wildlife Fly-In; giving him an opportunity to visit with members of Idaho's Congressional delegation regarding funding for the states. Director Moore attended the Blue Ribbon Panel on Sustaining America's Diverse Fish and Wildlife Resources while in D.C. The Blue Ribbon Panel is recommending that "Congress dedicate up to \$1.3 billion annually in existing revenue from the development of energy and mineral resources on federal lands and waters to the Wildlife Conservation Restoration Program". There will be more information to follow, on the progress of this new Blue Ribbon Panel.

For other items see the written Director's Report.

### **Commission Reports**

Each Commissioner provided a brief report and referenced the written Commissioner Reports for a full report of each region (Appendix 49, Exhibit 32).

## **MISCELLANEOUS**

### **Executive Session IC. 74-206 (1) (b) (c) (f)**

**16-36** Commissioner Naillon moved and Commissioner Clezie seconded a motion to hold an executive session pursuant to Idaho Code 74-206(1) (c)(f) to discuss land and litigation.

Roll Call Vote: Ayes: Brad Corkill, Dan Blanco, Blake Fischer, Mark Doerr, Lane Clezie, Derick Attebury and Will Naillon

**16-37** Commissioner Corkill moved and Commissioner Clezie seconded a motion to come out of executive session with no action taken. All Commissioners voted in favor.

Open Session -Commissioners had a brief discussion on what a future business plan would look like, long and short term goals, management plans and overall direction for the Commission and the Department. A workshop will be scheduled for a future meeting to address these items.

### **Adjournment**

**16-38** Commissioner Corkill moved and Commissioner Clezie seconded a motion to adjourn. All Commissioners voted in favor.

The meeting adjourned at 3:30 p.m.

Will Naillon  
Chairman

Virgil Moore  
Secretary