

MINUTES
SENATE RESOURCES & ENVIRONMENT COMMITTEE

DATE: Friday, January 23, 2015

TIME: 12:30 P.M.

PLACE: Room WW55

MEMBERS PRESENT: Chairman Bair, Vice Chairman Vick, Senators Cameron, Siddoway, Brackett, Heider, Nuxoll, Stennett, and Buckner-Webb

ABSENT/ EXCUSED: None

NOTE: The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

CONVENED: **Chairman Bair** called the Senate Resources and Environment Committee (Committee) to order at 12:35 p.m.

WELCOME: **Chairman Bair** welcomed the Idaho Fish and Game Commissioners and staff members from the Idaho Department of Fish and Game (IDFG). Fred Trevey, representing the Clearwater Region and Commission Chairman, was asked to introduce the Commissioners and also comment about the Commissions' activities. Attending were Mark Doerr, Magic Valley Region; Kenny Anderson, Upper Snake Region; Lane Clezie, Southeast Region; Will Nallion, Salmon Region; and Blake Fischer, Southwest Region. Brad Corkhill, Panhandle Region, was absent due to an illness and sent his apologies.

Chairman Trevey stated that this was his eighth time before the Committee. He said that he always looks forward to it, and it is a pleasure to serve on the Commission. **Chairman Trevey** requested that the confirmation hearings be held first, then if time permits, the Commissioners would answer any questions that the Committee may have.

GUBERNATORIAL APPOINTMENT HEARING: **Chairman Bair** welcomed Mr. Blake Fischer to the meeting and asked him to tell the Committee about himself, his goals and what he would like to see IDFG accomplish.

Mr. Fischer said that he has always been an active sportsman and has had a hunting license since he was 12 years old. He feels fortunate to be involved with IDFG at this level. When asked what he feels that he adds and brings to the Commission, **Mr. Fischer** responded by saying that he brings a business perspective to the department. He is president and owner of B. A. Fischer Sales Company, which is a wholesale agricultural irrigation equipment distributor. Mr. Fischer is also the owner of Traditional Pursuit, which manufactures specialty archery equipment. Also, as a younger Commissioner, he feels that he is bringing a fresh outlook with regards to developing new and better hunter recruitment programs for youth.

Current organizations that Mr. Fischer is a member of consists of the Backcountry Hunters and Anglers, Professional Bowhunters Society, Big Brothers Big Sisters, American Broadhead Collectors Club, Idaho Traditional Bowhunters, Compton Traditional Bowhunters, Quality Deer Management Association, and Aircraft Owners and Pilots Association.

Past organizations that Mr. Fischer has served on as an officer or board member are as follows: Idaho Irrigation Equipment Association Board member 2005-2007, vice president 2008, president 2009; Idaho Traditional Bowhunters vice president 2006-2007, president 2008-2009; Idaho State Bowhunters Region 3 Representative 2010-2011; and Backcountry Hunters and Anglers Idaho Chair 2011 to present.

Mr. Fischer's education consists of Bishop Kelly High School 1992-1996; College of Southern Idaho 1997; and Boise State University 1997-1999.

In addition to hunting in Idaho, Mr. Fischer has hunted in a dozen other states, two provinces, and other countries. He is also an avid trapper, houndsman, bird chaser, and he takes his children fishing every chance he has.

Senator Cameron asked Mr. Fischer to share his thoughts on wolf management. **Mr. Fischer** responded by saying he believes IDFG should manage the wolves the same as they do all other big game animals. As a follow-up, **Senator Cameron** inquired if Mr. Fischer supported harvesting wolves in order to keep their numbers at the desired level. **Mr. Fischer** replied "yes, through hunting it is a great management tool." **Senator Cameron** asked Mr. Fischer if he had an opinion on the use and definitions on how ATVs are used in the hunting process. **Mr. Fischer** replied that the Commissioners need to look at the habitat and how it is managed, and if necessary, limit the use of ATVs.

Senator Nuxoll asked Mr. Fischer if he had hunted or spent much time in North Idaho. **Mr. Fischer** replied that he had not.

Senator Brackett asked about Mr. Fischer's thoughts regarding the Wolf Depredation Board and the funding for that Board that was created last year. **Mr. Fischer** said that he has only been on the Board since July and is not familiar with all the intricacies that are involved. **Senator Brackett** stated that the Feds made a number of commitments when the wolves were reintroduced; however, the State and IDFG have been left with inadequate funding to manage the wolves. **Senator Brackett** said that at a later date, he would like to visit with Mr. Fischer regarding his views relating to this issue.

Senator Brackett's next question was regarding LAP tags (Landowner Appreciation Program). He asked Mr. Fischer if he thought that landowners should be able to sell them. **Mr. Fischer** feels that only IDFG should be able to sell tags.

Senator Heider asked Mr. Fischer for his opinion regarding moose being harvested in the South Hills. Should they just be there for the enjoyment of people to watch and take pictures? **Mr. Fischer** said the IDFG is tasked with managing all wildlife and only the surplus should be harvested. **Senator Heider** then asked who determines what the surplus is. **Mr. Fischer** said the IDFG biologists make recommendations, but it is up to the Commission to make the final determination. **Senator Heider's** next question was how do we justify the hunting of sage grouse, when they are under the auspices of being a protected species. **Mr. Fischer** said it is not the hunting pressure causing the decline of the sage grouse, but the habitat loss as well as the predators. **Senator Heider** inquired how Mr. Fischer felt about poisoning ravens to control them. **Mr. Fischer** said they need to look at all effective ways to manage predation, through hunting, poison, and destroying nests. He said they also need to look at what is effective and also the most cost effective.

Senator Nuxoll inquired if Mr. Fischer knew of incidents where wolves had been in close proximity to school bus stops or in people's yards. **Mr. Fischer** said that he did not know of any of those situations. **Senator Nuxoll** said that in her district, wolves had been at bus stops, killed a deer near a school, and had been in residents' yards.

**GUBER-
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APPOINTMENT
HEARING:**

Senator Siddoway asked about Mr. Fischer's philosophy regarding fish and game in Idaho. **Mr. Fischer** said that when there is surplus, they can be hunted and when there is a hard winter seasons could be shut down or changed. **Senator Siddoway** indicated that his concern is that IDFG has numbers regarding game from biologists that the sportsmen don't have, so the sportsmen lack confidence in those reports. **Senator Siddoway** inquired if Mr. Fischer intends to be conservative and tighten things up regarding the sportsmen's word, stay status quo, and also, how to balance the situation. **Mr. Fischer** replied that he is a "hunter conservationist" and if hunting has to be limited to save the hunting resource, that would be his position.

Senator Siddoway next asked about wildlife-livestock problems such as disease transmission between sheep and big horn, cattle and brucellosis. **Mr. Fischer** said that as someone who makes his living in the ag world, he understands that these two worlds collide. He feels the hardest part about being a Commissioner is trying to appease everyone, so all parties need to work together and that is the task of the Commission.

Senator Brackett said IDFG is responsible for managing all wildlife (hunnable and non-hunnable) in the State, and they also manage some plant species. He asked Mr. Fischer if he would favor giving some of General Fund money to help manage the non-hunnable wildlife and plant species. **Mr. Fischer** replied "no". He stated that the department should stand alone.

Chairman Bair thanked Mr. Fischer for his participation in the hearing.

Chairman Bair then welcomed Mr. Lane Clezie, from Pocatello, and asked him to tell the Committee about himself, his goals and what he would like to see IDFG and the Commission accomplish.

Mr. Clezie said that he is a third generation Idahoan and has been involved in conservation and hunting activities all his life. According to his resume, the reason he would like to serve as a Commissioner is to have the opportunity to improve Idaho's competitive standing among other western states and to help improve the department's financial sustainability.

Mr. Clezie stated that his enjoyment of the outdoors has led him into activities that include: National Rifle Association, Safari Club International, Wild Sheep Foundation, Mule Deer Foundation, Full Curl Society, Ovis-Grand Slam Club, Gate City Sport Shooting Association, and Idaho Association of Realtors. He served on the Board of Directors for the Safari Club International, and also was the Vice President, Alternate Vice President, Director at Large, Regional Representative and Chapter President.

Mr. Clezie's involvement in conservation with the Safari Club has taken him all over the world, including Europe and Africa. Since returning to Idaho, he wants to contribute his energies to the Commission.

Senator Vick asked Mr. Clezie to share with the Committee about the rifle he made and recently sold at an auction. **Mr. Clezie** said he had made a contribution to the Dallas Safari Club to generate funds for the youth. His contribution was a rifle; he made the stock and his company did the metal work. The rifle was presented last week in Dallas and it sold for \$41,000 at the auction. He was later told that the funding would reach 40,000 young people, and he volunteered to donate another one next year.

Chairman Bair inquired about the hunting scopes that Mr. Clezie's company makes. **Mr. Clezie** said the company is located in Cody, Wyoming and has patented certain aspects of the scope and it has been very successful.

Senator Cameron said that he would like to ask Mr. Clezie the same questions that he asked Mr. Fischer regarding his philosophy on wolf management and conservation. **Mr. Clezie** responded by saying the wolf issue has been going on for quite awhile and he feels the department has been managing it quite well; however, he feels they have to reduce numbers in some areas to protect other species.

Senator Cameron asked if he favors the initial stated goal of breeding pairs of wolves that the federal government initially proposed or does he favor the current standing level of wolves in Idaho. **Mr. Clezie** said the U.S. Fish and Wildlife Service has deemed a certain amount of animals and what he has seen is an abundance of them. Currently, there are 22 packs of breeding pairs with 1,000 offspring that are a detriment to wildlife and livestock. Mr. Clezie feels that proper management is needed to control those numbers.

Senator Stennett commented on Mr. Clezie's involvement with conservation over the years and inquired how he envisions using his expertise with the Commission. **Mr. Clezie** stated that he has had the opportunity to work with organizations and people and that has expanded his horizons. He feels that with his background, he will be able to work with conservationists and represent sportsmen. **Senator Stennett** commended him for his efforts.

Senator Brackett asked Mr. Clezie what his thoughts are regarding landowners being able to sell LAP tags that they receive. **Mr. Clezie** said the appreciation tag is just that - appreciation. He stated that he is not in favor of landowners selling tags. **Senator Brackett** inquired as to how he felt about access being sold for the use of a LAP tag. **Mr. Clezie** said that there are other ways to get around opportunities that landowners have to allow sportsmen on their property, such as a trespass fee.

Senator Heider wanted to know if there are hunting opportunities available for the common folks like there are for the more affluent hunters. **Mr. Clezie** responded by saying that one does not have to be wealthy to afford the pleasures of the state of Idaho. **Senator Heider** said that Idahoans view resources as everyone's resources.

Senator Siddoway asked Mr. Clezie if he has any ideas on the resolution of how the livestock-wildlife interface deal is going to work. He does not want to go to court or be removed from the land that has been in his family for 130 years. He feels the Sheep Foundation does not want to do that to producers. **Mr. Clezie** said that it is a difficult problem, but there is the opportunity to work together as sportsmen and livestock growers. He feels that domestic animals and wildlife can exist, and everyone needs to work together to support the objective. There needs to be a balance.

Chairman Bair thanked Mr. Clezie for his remarks and said that voting would take place at the next Committee meeting. He then announced that this meeting needs to be completed by 2 p.m. He welcomed back Chairman Trevey

REMARKS:

Chairman Trevey said that federalization of wildlife management is one of the biggest threats that they have seen over time. The states have wildlife management authority, with the Commissioners serving at the Governor's pleasure. Implementation is based on legislative action and IDFG goes about managing with direction from the Commissioners. The most obvious pressure is the Endangered Species Act which is a real challenge. He stated that there are many different perceptions, agreements have been made, and somewhere it all disappears as to what those agreements set out to do. There is a business model that is exploiting these conflicts and a notion that no management somehow magically affects this course and has an overall balance.

Chairman Trevey said that the Commissioners need to be very aware and cognizant or, from time-to-time, control one species or limit the number of one species in order to have more of these species that we desire in order to meet our mission providing us with funds for hunting, fishing, and trapping. The same philosophy is imbedded in that when we include the rights of private landowners, when we include the laws and legacy and historical aspects of livestock raising. Sometimes there needs to be fewer wildlife in order for that to flourish. He said the whole dialogue and the pressures all come back to the battle that they are having, long term, to maintain their sovereign ability to manage wildlife in the face of pressures of federalizing. Once it is federalized, many of those opportunities go away.

Commissioner Anderson stated that they have put in for a fee increase and there seems to be conflict between that and the Governor's Wildlife Partnership tag. **Chairman Bair** inquired about not selling the Governor's tags when other auction tags are sold. **Commissioner Anderson** replied that those other tags are raffle tags, but only one sheep tag is auctioned off.

Senator Cameron asked for clarification regarding the tags. **Commissioner Anderson** said the point he was trying to make was that there are alternate ways to raise income other than to auction tags, and one way is to increase fees. Most hunters that he comes in contact with are in favor of a small increase. **Senator Cameron** indicated that the fishermen and hunters in his area are not in favor of a fee increase. He feels that sportsmen would be willing to pay more if there were improved opportunities for harvesting and improved access. **Senator Cameron** then inquired as to what the Commission was doing on that end of the scale.

Commissioner Anderson said the sportsmen's return is the management that the Commission provides, such as controlling predators and having more deer and elk in the hills.

Chairman Bair thanked the Commissioners for their attendance and participation in the meeting and said he would like to invite them back at a future date to talk about fee increases.

Chairman Bair welcomed Jeff Gould, Chief of Wildlife, IDFG, who reported on the purchase of the Rock Creek Ranch.

SPEAKER:

Mr. Gould prefaced his talk by discussing why IDFG acquires land. Idaho Code § 36-104 authorizes the Fish and Game Commission to acquire lands for specific purposes that are consistent with its overarching mission. The purposes described in code are for the restoration, propagation and protection of game, bird, fish or fur-bearing animals, to provide public hunting, fishing and trapping areas, and for other specific uses such as fish hatcheries. So how does Rock Creek meet these policy standards?

Rock Creek is a 10,400 acre parcel located in the foothills south of the Soldier Mountains in Blaine County. The surrounding properties include lands managed by the BLM and the State of Idaho. These lands are primarily used for livestock grazing, outdoor recreation, and providing extensive wildlife habitat for important game species such as sage grouse, mule deer, and elk. There are six active sage grouse leks within and adjacent to this property, and at least half of the property is considered "Core" sage grouse habitat.

Rock Creek is used by elk all year but primarily as winter range. Mule deer use the Rock Creek property as a key migratory route between summer and winter range. The riparian and upland habitat supports a diverse community of fish and wildlife species as well. Maintaining an intact habitat benefits all these species.

Hunting access to this property had been managed under an Access Yes contract for several years and by the owners before that. Due to the proximity to Bellevue and Hailey, this area is popular for a variety of day use activities. Wildlife and open space will continue to attract people seeking outdoor recreation.

The Rinker family was the previous owner and worked with NRCS to preserve the ranch with a Grassland Reserve Program easement before selling it to the Wood River Land Trust and the Nature Conservancy. The easement protects wildlife habitat and maintains the property as a working ranch. It was their intent to leave a legacy of a working landscape with its conservation values preserved and public access maintained. IDFG was viewed as the entity with the most appropriate resources and expertise to own and manage the property while meeting these objectives. In this case, fee title acquisition is the necessary mechanism for the department.

The source of funding to acquire Rock Creek for \$2.2 M plus due diligence costs came from Pittman Robertson federal aid. These federal aid funds are derived from a federal excise tax placed on firearms and ammunition and are intended for wildlife restoration purposes including acquisitions. These funds have been increasing during recent years but have tapered off and are expected to decrease next year. Short term increases in federal aid are used for one time projects and Rock Creek was a high priority.

Over the past 5 years, the average parcel size for an acquisition has been 375 acres in size. Most of those purchases have been additions to existing WMAs so operational efficiencies were in place. Acquiring a stand-alone 10,400 acre parcel is a rare and significant commitment we are prepared to make. The Rinker's vision of Rock Creek as a wildlife management area open to the public and managed with grazing, as opposed to a residential development, is a showcase opportunity. Under ownership and management of IDFG, Rock Creek WMA will be enjoyed and available to all Idahoans and will provide managed and restored habitats for big game, sage grouse, and many other important Idaho wildlife.

TESTIMONY: **Ms. Toni Hardesty**, State Director, Nature Conservancy, spoke in favor of the Rock Creek project. She also provided a letter from the Rinker family. (See attachment 1).

ADJOURNED: Due to time constraints, **Chairman Bair** adjourned the meeting at 2:15 p.m.

Senator Bair
Chair

Juanita Budell
Secretary