

MINUTES
SENATE RESOURCES & ENVIRONMENT COMMITTEE

DATE: Tuesday, April 20, 2021

TIME: 1:30 P.M.

PLACE: Room WW55

MEMBERS PRESENT: Chairman Vick, Vice Chairman Johnson, Senators Bair, Heider, Patrick, Guthrie, Burtenshaw, Stennett, and Rabe

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 Vick** called the meeting of the Senate Resources and Environment Committee (Committee) to order at 1:30 p.m.

MINUTES APPROVAL: **Senator Heider** moved to approve the Minutes of April 12, 2021. **Vice Chairman Johnson** seconded the motion. The motion carried by **voice vote**.

S 1211 **Relating to Wolves.** **Senator Burtenshaw** presented a time line of events leading up to the creation of **S 1211**. He stated it was not a last-minute attempt to pass a bill to eliminate wolves, as some people perceived, but was one that started in January in an effort to control them. Due to waiting on the Department of Fish and Game (IDFG) to provide the number of wolves in Idaho, the Covid-19 illness, and the Legislative recess, the legislation was stalled. In the meantime, the industry – composed of sheep men, cattlemen, IDFG, Idaho Farm Bureau Federation (Farm Bureau), Outfitters and Guides, and trappers, – worked on the legislation that culminated in **S 1211**. The industry made sure all parties were in agreement before presenting the legislation.

Senator Burtenshaw reviewed some changes made to various sections of the Idaho Code involving wolf management. They were:

- The addition of private contractors to implement the provisions of the Wolf Conservation and Management Plan.
- Changed the year from 2015 to 2022.
- The increase of money from \$110,000 to \$300,000.
- Transfer of the money from the IDFG Fund to the IDFG Fund Transfer Subaccount of the Wolf Control Fund.
- Classified wolves as game animals.
- Method of take.
- Year-round trapping season on private property.
- Collaring of wolves for assisting with population counts.
- Wolf tags to be valid for hunting, trapping, and snaring when seasons are open.
- No limit to the number of wolf tags an individual can purchase.
- IDFG education requirements must be met.
- The reporting period of taking wolves was changed from 10 days to 30 days.

- Wolves may be disposed of by any federal agency, state agency, private contractor, political subdivision of the State of Idaho, or agency of another state.
- When the wolf population has exceeded the recovery goals of the Idaho Wolf Conservation and Management Plan, they may be disposed of, and a permit must be obtained from the Director of IDFG.

DISCUSSION: **Senator Stennett** inquired as to who would be a contractor. **Senator Burtenshaw** said the Foundation for Wildlife Management would be a contractor, but it is available to anyone at the discretion of the Wolf Control Board. **Senator Stennett** then discussed the numbers of wolf disposal for the past two years. She said to maintain 15 packs (150 wolves) would mean 90 percent (1,500) of the wolf population would be killed. **Senator Burtenshaw** replied the direction from the Idaho Wolf Conservation and Management Plan is that aggressive action can be taken if there are more than 15 packs. He stated no one wants to wipe out wolves completely, just manage them.

Senator Stennett asked if there are any activities that are not allowed as far as the taking of wolves, given that ATVs, snowmobiles, and helicopters can be used. **Senator Burtenshaw** said IDFG's rules still stand, as well as the seasons, and the industry that drew up **S 1211** is not trying to tread on the territory of the IDFG Commission. They are only trying to address the problems.

Senator Stennett questioned as to why an agency of another state has the ability to operate within Idaho. She then asked if Idaho has a reciprocal agreement to do what we want in their state. **Senator Burtenshaw** responded by saying if a neighboring state has wolves coming into Idaho, they can apply for a permit to pursue those wolves.

Senator Rabe asked if the U.S. Fish and Wildlife Service and IDFG were included in the discussions of the drafting of this legislation. **Senator Burtenshaw** said to his knowledge, the U.S. Fish and Wildlife Service was not involved, but IDFG was involved. **Senator Rabe** wanted to know if the changes that were made will conflict with the Idaho Wolf Conservation and Management Plan that is in place and could it create future litigation. **Senator Burtenshaw** indicated that he did not think there would be a conflict.

TESTIMONY: **Wyatt Prescott** spoke on behalf of the Idaho Cattle Association, supporting **S 1211**. He said wolf depredation has been an issue for the livestock industry for a number of years. **Mr. Prescott** stated it is a complex issue on the livestock production side and an emotional and challenging issue as a producer. **Mr. Prescott** said there is no easy solution because there are a lot of stakeholders whose interests need to be considered in this process. After collaboration with the Idaho Trappers Association, Foundation for Wildlife Management, the Farm Bureau, and the Idaho Wool Growers Association, legislation was agreed upon, with IDFG providing technical corrections.

DISCUSSION: **Senator Stennett** asked about private contractors removing wolves. **Mr. Prescott** replied that it would be at the discretion of the Wolf Depredation Control Board that has public oversight to make those negotiations and contracts with private contractors to ensure there is a significant amount of liability.

TESTIMONY: **Chyla Wilson**, representing Farm Bureau, spoke in support of **S 1211**. **Ms. Wilson** said Farm Bureau supports all methods of year-round wolf control and population management, and thanked the aforementioned groups for collaborating to write the legislation.

TESTIMONY: **Jonathan Oppenheimer**, representing the Idaho Conservation League testified in opposition to **S 1211**. **Mr. Oppenheimer** said in 2002, when the Idaho Legislature approved the Idaho Wolf Conservation and Management Plan, the numbers set were neither a target nor a ceiling. The numbers were the minimum necessary in order to maintain some semblance of a stable population. **Mr. Oppenheimer** stated that plan and the resulting approval from the U.S. Fish and Wildlife Service relied upon the notion that wolves would not be managed as predators but instead they would be managed as a big game species to be entrusted to the IDFG Commission. He said **S 1211** removes and limits the authority and the discretion of the IDFG Commission to set policy as it relates to wildlife in Idaho and sees this as potentially inviting the U.S. Fish and Wildlife Service to return in a management capacity within the State of Idaho.

DISCUSSION: **Senator Stennett** asked about the agreement with the U.S. Fish and Wildlife Service and the federal government as it pertains to wolf management in Idaho. **Mr. Oppenheimer** said the agreement was binding and approved by the Legislature, and deviations from that arrangement threatens to basically upend that agreement and invite the U.S. Fish and Wildlife Service to resume management of wolves within the State of Idaho.

Senator Stennett asked again, how an agency of another state could have any bearing on something that is an agreement between Idaho and the federal government. **Paul Kline**, Deputy Director of Programs/Policy, IDFG, said it would just be facilitating an arrangement for assistance with management where border situations existed.

Senator Stennett inquired about the transfer of money. **Mr. Kline** said the money would be from IDFG Fund account to the IDFG Fund Transfer Subaccount of the Wolf Control Fund and no additional appropriation is needed from the Legislature. As far as payments, **Mr. Kline** said that decision is made by the IDFG director, the Department of Agriculture director, and other members on that Board.

Senator Stennett wanted to know if the two programs, damage to crops and predator damage, are allowed to operate at the same time on the same property. **Mr. Kline** said they are allowed.

MOTION: **Senator Bair** moved to send **S 1211** to the floor with a **do pass** recommendation. **Senator Heider** seconded the motion.

Chairman Vick asked Senator Burtenshaw to close the debate. **Senator Burtenshaw** described situations about the devastation of sheep, cattle, and household animals. He stated no one wants to wipe out any species, but just control the wolves, which is reasonable, he said.

Senator Stennett said it disturbed her that so much money is spent on depredation and she wished 1 percent of that amount could be spent on tourism. Also, she was concerned that U.S. Fish and Wildlife Service was not consulted as they would have been able to help and assist in the criteria of what one would choose as far as a contractor. **Senator Stennett** said she will not support the motion.

VOICE VOTE: The motion carried by **voice vote**. **Senators Stennett** and **Rabe** asked to be recorded as voting nay.

ADJOURNED: There being no further business at this time, **Chairman Vick** adjourned the meeting at 2:19 p.m.

Senator Vick
Chair

Juanita Budell
Secretary