

Meeting Minutes Kootenai Valley Resource Initiative
April 18, 2022
7:00 p.m.
Hybrid Board Meeting Boundary County Annex Building

Board Members in Attendance:

Dan Dinning, Boundary County Commissioner, KVRI Co-Chair
Dick Staples, Mayor, City of Bonners Ferry, KVRI Co-Chair
Bob Blanford, Business/Industry
Chuck Roady, Landowner (Industrial)
Ed Atkins, Corp. Ag/Landowner
Erik Olson, Soil Consv/Ag Landowner
Dave Bobbitt, Idaho Fish & Game
Kennon McClintock, Conservationist/Environmentalist (Alt.)
Sandy Ashworth, Social, Cultural, Historical
Carl Petrick, U.S. Forest Service

Agency/Others in Attendance:

Amy Anderson, Selkirk Conservation Alliance
Andrea Zaccardi, Center for Biological Diversity
Benjamin Irely, National Forest Foundation
Brad Smith, Idaho Conservation League
Cayden Stone, Student
Chip Corsi, Idaho Fish & Game(Alt.)
Christy Johnson-Hughes, U.S. Fish & Wildlife
Darcy Lammers, Private Citizen
Darren Parker, Office of Senator Risch
Dave Wattenbarger, Private Citizen
Diane Probasco, U.S. Forest Service
Dirk Mendive, Office of Representative Russ Fulcher
Frank Edelmann, Idaho Forest Group
Hilary Whitcomb, U.S. Fish & Wildlife
Jace Hogg, Office of Species Conservation
Joshua Uriarte, Office of Species Conservation
Jake Garringer, Office of the Governor
Jennifer Pegg, Private Citizen
Jeremy Gaffield, Idaho Fish & Game
Karen Roetter, Office of Senator Crapo
Kathleen Trever, Idaho Deputy Attorney General
Kevin Knauth, U.S. Forest Service (Alt.)

Marc Kilmer, Office of Senator Risch
Marty Martinez, Private Citizen
Merritt Horsmon, Idaho Fish & Game
Michelle Richman, Idaho Water Rights
Mitch Silvers, Office of Senator Crapo
Norm Merz, Idaho Fish & Game
Olivia Drake, 9B Trails
Robert Akins, Idaho Fish & Game
Robert Smathers, Idaho Farm Bureau
Shannon Brinkman, U.S. Fish & Wildlife
Steve Fioravanti, Private Landowner
Scott Soult, Kootenai Tribe of Idaho
Tim Bertling, Boundary County Commissioner
Tim Doherty, Business & Industry (Alt.)
Wally Cossairt, Boundary County Commissioner (Alt.)
Wayne Kasworm, U.S. Fish & Wildlife
Rhonda Vogl, KVRI Facilitator & KTOI Admin. Assistant
Karen Schumacher, Recording Secretary, KVRI

The meeting was called at 7pm and introductions were facilitated by Rhonda Vogl. Dick Staples introduced the draft meeting minutes from March. There were no corrections or questions and they were passed by consensus. Kathleen Trever, Idaho Deputy Attorney General, was introduced to speak regarding the petition to delist the Grizzly Bear in Idaho. The presentation slides can be found at <https://www.kvricollaborative.com/kvri> and scrolling to the April 18th meeting block. Kathleen explained the structure for creating a delisting as it was done in 2007 and how it is not a fit for all species and how that pertains to the Grizzly. Kathleen stated that Idaho now finds itself with the listing paths tied up. She reviewed how the framework that applied to how grizzly bears were listed in the lower 48 states with court decisions and administrative processes no longer exists. The 1993 recovery plan clearly stated that there are areas designated as recovery areas (including greater Yellowstone, the Cabinets and the Selkirks) and that there would be criteria set up for their recovery and when those recovery criteria were obtained then each recovery area would be delisted. Then when all recovery areas were delisted, the lower 48 states would also be delisted. The issue here is that there are not bears historically in all 48 states. How the grizzly bear got listed back then with court decisions puts us in this current situation. The grizzly bear taxonomic is a species of brown bear. It was pointed out that the brown bear lived at one time, including grizzly bears, all the way down to Mexico and then ranged northward into Canada. The subspecies of grizzly bear is about 60,000 bears and extends from Yellowstone all the way up to Alaska and across Canada. Congress adopted something of a distinct population. A distinct population segment is the smallest division of a taxonomic species permitted to be protected under the U.S. Endangered

species Act. Grizzly bears are a subspecies of brown bear.

It is suggested that consideration be given to include part of Canada when considering the population numbers because the bear cross back and forth and the habitat in the US portion is not sufficient to support a minimum population.

The boundary for the greater Yellowstone distinct population segment is what Wyoming has petitioned for delisting. Idaho has supported this. Montana has a petition in the Northern Continental Divide Ecosystem (NCDE), an area covering approximately 16,000 square miles which, if that were delisted, would leave the edges of Montana listed.

The Selkirks, has 10 bear management units (BMUs) and is 1000 square miles and the Cabinet Yaak area is a 2500 square mile unit with 22 BMUs compared to the NCDE greater Yellowstone area that is a 9000 square mile unit with 18 BMUs. Our smaller units cannot support the required numbers on their own. Proposed is to consider our smaller areas in connection with the larger populations in Canada or to consider the units from Yellowstone to Alaska as a whole.

One other topic that Idaho will continue to bring up is the bear management units that are used to assess occupancy. It is required to show female occupancy in seven of ten units.

Question asked: What is the home range size dictated for the average grizzly bear female?

Answered is that the population metrics are assessed across the recovery area plus a 10-mile buffer and the distance between the Selkirks and the Cabinet Yaak is less than 10 miles. This results in overlap in our Bear Management Units.

Question from Andrea Zaccardi from Center for Biological Diversity:

She thinks she must have misunderstood this statement that minimum populations must be 500 bears in the 1993 recovery plan. Fish and Wildlife service requires 100 bears in the Cabinet Yaak and 90 bears in the Selkirks and asks if that could be explained again.

Answered: That is what the recovery plan says but in the later lawsuits such as those over the greater Yellowstone populations, there was a disagreement by advocacy groups who challenged even the 500-minimum population for the greater Yellowstone thinking that was insufficient for short term genetic fitness.

Kathleen concluded by explaining that Idaho is hoping to ask for consideration to start with a clean slate rather than sticking with some of the things that have been outlined in the 1993 recovery plan.

The idea is to ask for the delisting of the lower 48 states and then allow for consideration of any specific populations that should be back on the list.

Chip Corsi added information regarding the populations comparing the combined population growth rates of the Selkirks and Cabinet Yaak ecosystems with the NCDE adding that in 2013 the Fish and Game Commission took the position that the northern Rocky Mountains recovery zones should be combined into one recovery zone. The timing of the Idaho Petition is driven by Montana's petition to delist the NCDE.

Question Asked: Rhonda Vogl asked Chip if delisting means hunting?

Answered that it can mean highly regulated hunting. Recovery strategy will include a conservation strategy. Chip added that if that population reaches a status large enough to sustain it hunting could be considered but would have to be very regulated. It is a very long way off for our area, possibly decades. Yellowstone is there in numbers and possibly close behind is north central Montana.

Brad Smith recalled the issues had with wolf management in terms of agreement for what numbers were considered sustainable and how different interests create the need for finding common ground.

Chuck Roady added that there is a lot of known bears outside the recovery areas as well as bear going back and forth between the Cabinet Yaak and the NCDE. His thought was that consideration of those numbers could significantly impact the population assessment.

Commissioner Dan Dinning added that there were ten identified bears outside of the recovery zone in boundary county that lived on the North Bench. He added that it wasn't known if they were new bears or not but that if you took 10 new bears and plugged it into this population that would really skew the dynamics.

Scott Soult, Wildlife Biologist for the Kootenai Tribe, added that the Idaho Dept. Fish & Game (IDFG) information had several good points and interesting perspectives, but mentioned that some information could be easily misunderstood. As an example, for BMU's, the forested habitat ecosystems of the Selkirks and Cabinet regions are wetter and are more productive than the eastern forested habitat ecosystems of NCDE, which is dryer forest types. He added that the Grizzly Bear Recovery Plan did have a "phased delisting approach" which also emphasized a community approach. If IDFG proposes delisting and wishes to group all grizzly populations into one large Distinct Population Segment (DPS), then Scott expressed concern that a larger DPS approach could dilute our local community approach. Scott also added that the ESA is largely based on legal language and interpretations, and that it may not always agree with the biological/scientific viewpoint.

Kathleen added that the review of petitions allows for 90 days to determine whether or not a petition has ruling merit for consideration to move forward with a review of status. Montana's petition has already been in 90 days as has Wyoming's. Idaho's has not quite reached the 90-day mark. The U.S. Fish and Wildlife Service has told other public forums that they are still evaluating how to handle the three petitions and if they want to consider them individually or collectively. Even if Fish and Wildlife service determines one, two or three of the petitions have merit that doesn't push a button so something happens the next day. Instead, the next requirement is that within 12 months from the time the petition was filed they would conduct review of the status of some entity and then determine whether or not to move forward with a proposed listing. Kathleen then responded to the question about hunting and the comparison to wolves with the information that grizzly bear reproduces at a much, much slower rate and that regulation hunting takes this into consideration.

Sub-Committee Updates:

Forestry- Kevin Knauth- U.S. Forest Service

- There is logging activity in the Idamont timber sale but no log hauling due to the spring break up.
- The Snowload timber sale is a 13 million board foot sale and is going to be out for advertisement this week.
 - It is the first of four timber sales out of the Westside restoration project
 - There are four sales total and they are expected to be around 35 million board feet
 - The next one is due out in a couple of years
 - Due to the ages of some of the canopy and the stands within that project area some will be as many as ten years out
- Temporary summer help for fire started to come on last week
 - Three burns done so far this spring of approximately 50 acres
 - More to be done with improved weather

Grizzly Subcommittee- Rhonda Vogl shared that the grizzly bear subcommittee meeting is hybrid and will be held Wednesday, April 20th at 10:00 AM at the Annex. Wayne Kasworm will be giving his presentation on the status of Grizzly Bear.

Congressional Updates:

Marc Kilmer of Senator Risch's office updated the group on the MAPLand Act which would require that federal maps be digitized. Marc shared that it has now passed the House and the Senate. He also shared that Representative Fulcher had a lot to do with this passage in the House and that it is now waiting signature by the president.

Mitch Silvers from Senator Crapo's office had nothing to add thanking Marc for mentioning the involvement of Senator Crapo in the federal maps' legislation.

Dirk Mendive of Congressman's Fulcher's office mentioned that Congressman Fulcher was a big supporter of the MAPLand Act in the house and added that Congressman Fulcher did just join in on a letter to the secretary of interior regarding the potential for wolves to be re-listed in the northern Rocky Mountain population. The Congressman believes that management should stay with the state.

Jake Garringer of the Governor's office shared that legislature adjourned on the 31st of March and the governor is pleased with the investments in the trifecta of tax relief, education and transportation.

He also shared that there are also investments in the department of lands as well as money into Parks and Recreation.

Rhonda noted that it was good to have Karen Roetter back in attendance and Karen shared how happy she was to be back.

Agency Updates:

U.S. Forest Service – Carl Petrick

Carl shared that word from the regional office was received regarding money beginning to trickle down including a significant amount of funding increases to the region. Although they

haven't distributed to the forest yet, it is expected that a pretty good amount of funding will support the mass hiring events of forestry technicians and foresters. This hiring is to get the agency back where it needs to be.

Idaho Fish & Game - Norm Merz

Norm stated that they had put in for a grant to extend the wildlife fencing area by the Copeland underpasses and that they did get notification that they had received that grant. They will be doing some additional fencing and fence repair along the highway associated with those underpasses.

Rhonda added that KVRI did write a letter of support for them for that project so they are glad to see the grant was awarded.

Idaho Fish & Game - Jeremy Gaffield shared an update on the grizzly bear problem with Llama and Sheep in Naples that was investigated. They had set foot snares with no results and had set a trap. The bear came back the next day and only went half way into the trap before backing out. It is unknown if it is a male or female but they are hoping to get some information from DNA. The department is assisting the landowners with hog panels and a temporary electric fence.

Dan Dinning asked who the public should call if/when they have a bear problem and Jeremy answered the Sheriff or Fish & Game.

U.S. Fish & Wildlife – Christy Johnson-Hughes shared that funding will be coming through and that the National Fish and Wildlife Foundation (NFWF) will manage those funds. She stated that this is positive because her office can do one application for funds and apply those funds to various pots. They expect the requests for proposals in May then will see what the funds will be best applied for. There are several opportunities for funding such as wildlife management, corridors, passage and fish as well and also for Grizzly Bear. Once the information has been received, Christy will share with KVRI. She underscored the importance to support the efforts with Grizzly Bear and clarified that funding was via the America the Beautiful funding – not just Infrastructure. They will be sharing more at the Grizzly Bear Subcommittee meeting on April 20th.

Rhonda Vogl asked about the Bog Creek project and if the funding promised from Customs and Border Patrol to Fish & Game for the conservation officer working with Border Patrol was still forthcoming. Christy confirmed that they are closely following that and it is in the works.

There were no further comments or questions and the meeting was called at 8:42 p.m.

Karen Schumacher – recording secretary - KVRI