

## IDAPA 13 – IDAHO DEPARTMENT OF FISH AND GAME

### Wildlife Bureau

#### 13.01.18 – Rules Governing Feeding of Wild Cervids

##### **Who does these rules apply to?**

*These rules apply to Department personnel charged with interpreting winter feeding criteria and with declaring feeding emergencies. These rules also apply to any individual who may provide supplemental feed to deer and elk within a chronic wasting disease (CWD) management zone.*

##### **What is the purpose of these rules?**

*These rules establish criteria for determining a feeding emergency, govern feeding operations and prohibit private feeding within a designated CWD management zone. The purpose of these rules is to regulate the feeding of wildlife to promote public safety and wildlife health so that wildlife populations will support public use and enjoyment in the future.*

##### **What is the legal authority for the agency to promulgate this rule?**

*This rule implements the following statutes passed by the Idaho Legislature:*

Fish and Game -

Fish and Game Commission:

- [Section 36-104, Idaho Code](#) – General Powers and Duties of Commission
- [Section 36-105, Idaho Code](#) – Commission Orders, Rules, and Proclamations
- [Section 36-111, Idaho Code](#) – Fish and Game Set Aside Account

##### **Who do I contact for more information on this rule?**

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Boise, ID 83712

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## 13.01.18 – RULES GOVERNING FEEDING OF WILD CERVIDS

### 000. LEGAL AUTHORITY.

Sections 36-104, 36-105 and 36-111, Idaho Code. (4-6-23)

### 001. SCOPE.

These rules govern Department and private feeding of wild cervids. (4-6-23)

### 002. – 009. (RESERVED)

### 010. DEFINITIONS.

**01. CWD Management Zone.** Chronic Wasting Disease Management Zone designated by the Commission under IDAPA 13.01.10.150. (4-6-23)

**02. DSA.** Designated Surveillance Area for brucellosis designated by ISDA order or rule. (4-6-23)

**03. ISDA.** Idaho State Department of Agriculture. (4-6-23)

**04. Supplemental Feed.** Harvested hay, grain, or straw, or feed pellets. (4-6-23)

**05. Wild Cervids.** Deer, elk, or other members of the family Cervidae not owned by a person. (4-6-23)

### 011. – 099. (RESERVED)

### 100. EMERGENCY FEEDING CRITERIA.

**01. Declaration of Feeding Emergency.** The Department may declare a feeding emergency if one (1) or more of the following criteria are met: (4-6-23)

**a.** Actual or imminent threat of depredation to private property. (4-6-23)

**b.** Threat to public safety, including traffic hazards. (4-6-23)

**c.** Excessive mortality that would affect herd recovery. (4-6-23)

**d.** Limited or unavailable winter forage caused by fire or weather. (4-6-23)

**02. Additional Guidelines.** Regional Supervisors may develop additional emergency feeding guidelines within the listed criteria, based on disease transmission risk, local conditions, and local public input. (4-6-23)

### 101. FEED STOCKPILES.

The Department has identified locations for stockpiling emergency feed where it is impractical and cost-prohibitive to purchase and transport feed after snowfall. The Commission and Director declare stockpile maintenance constitutes a feeding emergency and authorize expenditure of funds for stockpile maintenance. (4-6-23)

### 102. – 199. (RESERVED)

### 200. PRIVATE FEEDING OF WILD CERVIDS.

**01. Private Feeding.** It is unlawful to purposely or knowingly provide supplemental feed to wild cervids within any CWD Management Zone, within any county partially or entirely within any DSA, or within Clark, Madison, or Jefferson county east of Interstate 15, or in violation of any Commission, Department, or ISDA order, except supplemental feeding conducted or authorized by the Department. (4-6-23)

**02. Incidental Grazing.** Incidental grazing by wild cervids on private rangeland forage, standing agricultural crops, or crop residue left on the ground following typical harvest practices does not violate this section. (4-6-23)

**03. Incidental Feeding.** Incidental feeding of wild cervids during the normal practice of providing feed to livestock does not violate this section, provided the owner or operator of the premises feeding livestock cooperates with the Department to facilitate conducting wild cervid management activities to avoid feeding wild cervids. (4-6-23)

### 201. – 999. (RESERVED)