

IDAPA 13 – IDAHO DEPARTMENT OF FISH AND GAME

Wildlife Bureau

13.01.18 – Rules Governing Feeding of Pronghorn, Elk, and Deer

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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13.01.18 – RULES GOVERNING FEEDING OF PRONGHORN, ELK, AND DEER

000. LEGAL AUTHORITY.

Sections 36-104, 36-105 and 36-111, Idaho Code, authorize the Commission to adopt rules concerning feeding of pronghorn, elk, and deer. (3-20-20)

001. TITLE AND SCOPE.

The title of this chapter is “Rules Governing Feeding of Pronghorn, Elk, and Deer.” These rules establish criteria for determining a feeding emergency, govern feeding operations, and prohibit private feeding within a designated CWD Management Zone. (3-20-20)

002. -- 099. (RESERVED)

100. INTENT.

The Commission recognizes the importance of maintaining big game populations under natural conditions. Winter forage is the major limiting factor determining big game population size. To maintain these winter ranges, big game numbers are controlled through harvest. The Commission does not sanction widespread supplemental feeding programs. Additionally, supplemental feeding concentrates big game animals, making deer and elk susceptible to spreading or contracting Chronic Wasting Disease (CWD), as well as other diseases transmissible to livestock. The risk of disease transmission may factor into making a supplemental feeding decision. Big game harvests and weather vary from year to year throughout the state. In most years and areas, snow depths, temperatures, and animal body condition do not create adverse conditions for wintering animals. Unusual weather conditions, limited winter forage, or other circumstances may create critical periods of stress for animals or force them into areas involving public safety. The Commission is unable to manage big game populations for extreme weather. Therefore, emergency feeding of big game is appropriate under certain criteria. (3-20-20)

101. DELEGATION OF AUTHORITY TO REGIONAL SUPERVISORS.

Because the declaration of and quick response to a feeding emergency depends on local conditions, the Commission and Director delegate authority to declare a feeding emergency and to expend funds on feeding to the Department’s Regional Supervisors. (3-20-20)

102. EMERGENCY FEEDING CRITERIA.

01. Declaration of Feeding Emergency. A feeding emergency may be declared if one (1) or more of the following criteria are met: (3-20-20)

- a. Actual or imminent threat of depredation to private property. (3-20-20)
- b. Threat to public safety, including traffic hazards. (3-20-20)
- c. Excessive mortality that would affect herd recovery. (3-20-20)
- d. Limited or unavailable winter forage caused by fire or unusual weather. (3-20-20)

02. Additional Guidelines. Regional Supervisors may develop additional guidelines on emergency feeding within the listed criteria based on risk of disease transmission, local conditions, and local public input. (3-20-20)

103. FEED STOCKPILES.

The Department has identified certain locations for stockpiling emergency feed. It is impractical and cost prohibitive to purchase feed and transport it to these locations after snowfall. The Commission and Director declare that stockpile maintenance constitutes a feeding emergency and authorize the expenditure of funds for stockpile maintenance. (3-20-20)

104. -- 199. (RESERVED)

200. PRIVATE FEEDING OF DEER AND ELK WITHIN DESIGNATED CWD MANAGEMENT ZONE.

01. Prohibition. It is unlawful to purposely or knowingly provide supplemental feed to deer and elk within any CWD Management Zone designated by the Commission, except supplemental or emergency feeding activities conducted or authorized by the Department. (3-20-20)

02. Incidental Grazing. Incidental grazing by big game animals on private rangeland forage, standing agricultural crops, or agricultural crop residue left on the ground following typical harvest practices is not a violation of this section. (3-20-20)

03. Incidental Feeding. Incidental feeding of big game animals during the normal practice of providing feed to livestock in the winter is not a violation of this section. (3-20-20)

201. – 999. (RESERVED)

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