

IDAPA 13 – DEPARTMENT OF FISH AND GAME

13.01.04 – RULES GOVERNING LICENSING

DOCKET NO. 13-0104-1701

NOTICE OF INTENT TO PROMULGATE RULES – NEGOTIATED RULEMAKING

AUTHORITY: In compliance with Section 67-5220, Idaho Code, notice is hereby given that this agency intends to promulgate rules and desires public comment prior to initiating formal rulemaking procedures. This negotiated rulemaking action is authorized pursuant to Section 36-401 and 408, Idaho Code.

METHOD OF PARTICIPATION: Interested persons wishing to participate in the negotiated rulemaking must respond to this notice by contacting the undersigned either in writing, or by calling the phone number listed below, or by submitting comment to the agency website at the address listed below. To participate, responses must be received by July 26, 2017.

Should a reasonable number of persons respond to this notice, negotiated meetings may be scheduled and all scheduled meetings shall be posted and made accessible on the agency website at the address listed below.

Failure of interested persons to respond to this notice of intent or the lack of a sufficient number of responses to this notice of intent may result in the discontinuation of further informal proceedings. In either event, the agency shall have sole discretion in determining the feasibility of scheduling and conducting informal negotiated rulemaking and may proceed directly to formal rulemaking if proceeding with negotiated rulemaking is deemed infeasible.

Upon the conclusion of the negotiated rulemaking, any unresolved issues, all key issues considered, and conclusions reached during the negotiated rulemaking will be addressed in a written summary. The summary will be made available to interested persons who contact the agency or, if the agency chooses, the summary may be posted on the agency website.

DESCRIPTIVE SUMMARY: The following is a statement in nontechnical language of the substance and purpose of the intended negotiated rulemaking and the principal issues involved:

Existing statute and rules provide that the Department shall make up to five free big game tags available annually for children with life-threatening medical conditions. An additional five free big game tags shall be available annually for disabled veterans. Individuals who receive the tags are exempt from licensing. Eligible species for tag issuance are deer, elk, pronghorn antelope, moose, black bear, and mountain lion for each of these special big game tag programs and the tag is eligible for any open general or controlled hunt for the selected species. An applicant may only receive one tag for any species in a lifetime. Applications must be submitted by a qualified nonprofit organization as prescribed in statute and rule. Demand for these special tags has grown and currently far exceeds their availability but existing rules do not prescribe a specific application period. Further, there is no process to allocate the available tags in the event that applications for the tags exceed the number of tags available or if applications are received simultaneously. Additionally, existing rules provide that the tags are valid in any open controlled hunt for the selected species. Some controlled hunts have a very low number of tags, and this creates a concern for fairness and hunt quality among other controlled hunt tag holders. The proposed rules address these issues to provide a fairer and transparent process for tag issuance and to ensure that hunt quality for certain controlled hunts is maintained.

ASSISTANCE ON TECHNICAL QUESTIONS, MEETING ACCOMMODATIONS, SUBMISSION OF WRITTEN COMMENTS, OBTAINING DRAFT COPIES: For assistance on technical questions concerning this negotiated rulemaking, requests for special meeting accommodations or accessibility, contact Sharon W. Kiefer, (208) 334-3771. Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the Idaho Department of Fish and Game website at the following web address: <https://idfg.idaho.gov/comment>. Submission of written comments should be directed to the undersigned or the web address as shown and must be delivered on or before July 26, 2017.

DATED this 7th day of June, 2017.

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