

# IDAPA 13 – DEPARTMENT OF FISH AND GAME

## 13.01.04 – RULES GOVERNING LICENSING

### DOCKET NO. 13-0104-1702

#### 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 36-104, 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 will 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:

The purpose of this rulemaking is to consider revising the use restriction for the bighorn sheep Auction and Lottery Tags in any given year in parallel with adjustments to Controlled Hunt Area 11 in Hells Canyon. Prior to 2017, "Controlled Hunt Area 11" was the same area as Game Management Unit 11. However, in 2017, the Commission included Units 13 and 18, as well as Unit 11, in designating Controlled Hunt Area 11. Currently IDAPA rules restrict use of the bighorn sheep auction tag and lottery tag issued each year, so that no more than 2 hunters (the regular controlled hunt tag holder and either the auction or lottery tag winner in alternating years) could hunt in Unit 11 in any one year. With the addition of areas outside of Unit 11 to Controlled Hunt Area 11, increased hunting pressure and harvest in this area of Hells Canyon could occur if the current lottery/auction tag use restriction is not revised to incorporate all of Controlled Hunt Area 11 (Units 11, 13, and 18).

**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 Jon Rachael at (208) 334-2920. Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the Department of Fish and Game web site at the following web address: <https://idfg.idaho.gov/comment>. Submission of written comments regarding this negotiated rulemaking should be directed to the undersigned or to the Department of Fish and Game website at the website address as noted and must be delivered on or before July 26, 2017.

DATED this 8th day of June, 2017.

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