

## IDAPA 13 – DEPARTMENT OF FISH AND GAME

### 13.01.08 – RULES GOVERNING THE TAKING OF BIG GAME ANIMALS IN THE STATE OF IDAHO

DOCKET NO. 13-0108-1704

#### 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 36-408, 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 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 allow Commission flexibility to limit the number of non-outfitted, non-resident tags, along with establishing an allocation for outfitted tags, for a controlled hunt that would remain unlimited for residents and would not affect draw eligibility in following years. Under current IDAPA rules, the Commission may establish unlimited controlled hunts where hunting pressure or other factors support more detailed evaluation of hunt participation or some control beyond that for a general hunt, yet still provide hunt participation each year. Limited controlled hunts have limits on the number of resident and non-resident tags, allocations for outfitted tags, and limits for tag eligibility based on prior year draw success. Current IDAPA rules allow the Commission to designate unlimited controlled hunts as “first choice only” to control participation, but do not allow the Commission to limit the number of nonresident hunters who may participate in a controlled hunt that would remain unlimited for residents. The addition of this flexibility may provide another option for managing hunter participation while providing desirable hunt opportunity; Commission season proclamations could establish nonresident tag limitations for selected unlimited controlled hunts.

**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, (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 website 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 and must be delivered on or before July 26, 2017.

DATED this 8th day of June, 2017.

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