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**IDAPA 13  
TITLE 01  
CHAPTER 18**

**13.01.18 – RULES GOVERNING EMERGENCY FEEDING OF  
PRONGHORN ANTELOPE, ELK, AND DEER**

**000. LEGAL AUTHORITY.**

The Idaho Fish and Game Commission is authorized to adopt rules concerning the administration of the wildlife policy of the state of Idaho in accordance with the Idaho fish and game code under Sections 36-103(b), 36-104(b), and 36-105(1), Idaho Code, and specifically concerning emergency feeding of pronghorn antelope, elk, and deer under Section 36-111(1), Idaho Code. (4-11-19)

**001. TITLE AND SCOPE.**

The title of this chapter is “Rules Governing Emergency Feeding of Pronghorn Antelope, Elk, and Deer.” These rules govern winter emergency feeding operations, establish the criteria for determining a feeding emergency, and prohibit private feeding within a designated CWD Management Zone. (4-11-19)

**002. WRITTEN INTERPRETATIONS.**

Written interpretations of these rules and documentation of Compliance are available at the Department of Fish and Game’s headquarters office. (4-3-95)

**003. ADMINISTRATIVE APPEALS.**

There is no right of appeal provided under this chapter. (4-3-95)

**004. -- 099. (RESERVED)**

**100. INTENT.**

The Idaho Fish and Game Commission recognizes the importance of maintaining big game populations under natural conditions and by naturally available forage. Winter forage is the major limiting factor which determines the basic size of the big game populations, and it must be maintained if the animals are to prosper and propagate. To maintain these winter ranges, big game numbers must be controlled through adequate harvest. The Commission does not sanction widespread supplemental winter feeding programs. Additionally, supplemental feeding concentrates big game animals, making deer and elk very susceptible to spreading or contracting Chronic Wasting Disease (CWD) as well as other infectious diseases that can be transmitted 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 the big game populations for extreme weather. Therefore, emergency feeding of big game is appropriate under certain criteria. (4-11-19)

**101. DELEGATION OF AUTHORITY TO REGIONAL SUPERVISORS.**

Because the declaration of and quick response to a feeding emergency will depend on local conditions, the Commission and Director delegate the authority to declare a feeding emergency and to expend funds on feeding to the Regional Supervisors of the Department of Fish and Game. (4-3-95)

**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: (4-3-95)

- a. Actual or imminent threat of depredation to private property. (4-3-95)
- b. Threat to public safety, including traffic hazards. (4-3-95)
- c. Excessive mortality which would affect the recovery of the herd. (4-3-95)

d. Limited or unavailable winter forage caused by fire or unusual weather. (4-3-95)

**02. Additional Guidelines.** The 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. (4-11-19)

**103. FEED STOCKPILES.**

Over the years, the Department has identified a number of locations where emergency feed should be stockpiled for probable winter use. It is impractical and cost prohibitive to purchase feed and transport it to these locations after snowfall. The Commission and Director declare that the maintenance of this stockpile constitutes a feeding emergency and authorize the expenditure of funds to maintain the stockpiles. (4-3-95)

**104. -- 199. (RESERVED)**

**200. PROHIBITION ON 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 Idaho Fish and Game Commission, except supplemental or emergency feeding activities conducted or authorized by the Idaho Department of Fish and Game. (4-11-19)

**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. (4-11-19)

**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. (4-11-19)

**201. – 999. (RESERVED)**

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