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**IDAPA 13
TITLE 01
CHAPTER 06**

13.01.06 – RULES GOVERNING CLASSIFICATION AND PROTECTION OF WILDLIFE

000. LEGAL AUTHORITY.

Sections 36-104(b) and 36-201, Idaho Code, authorize the Commission to adopt rules concerning the classification and protection of wildlife in the state of Idaho. (6-30-19)T

001. TITLE AND SCOPE.

The title of this chapter for citation is IDAPA 13.01.06, “Rules Governing Classification and Protection of Wildlife.” These rules establish the classification and protection of wildlife. (6-30-19)T

002. WRITTEN INTERPRETATIONS.

Written interpretations of these rules and compliance documentation are available at the Department’s main office. (6-30-19)T

003. ADMINISTRATIVE APPEAL.

IDAPA 04.11.01, “Idaho Rules of Administrative Procedure of the Attorney General” govern administrative appeals under this chapter. (6-30-19)T

004. INCORPORATION BY REFERENCE.

This chapter incorporates no documents by reference. (6-30-19)T

005. OFFICE – OFFICE HOURS – MAILING ADDRESS AND STREET ADDRESS.

The main office of the Department is open from 8 a.m. to 5 p.m., except Saturdays, Sundays, and legal holidays. The mailing address is P.O. Box 25, Boise, Idaho 83707. The street address is 600 S. Walnut Street, Boise, Idaho. (6-30-19)T

006. PUBLIC RECORDS ACT COMPLIANCE.

The agency promulgates rules in accordance with the Administrative Procedure Act (Title 67, Chapter 52, Idaho Code), as provided in Section 36-105, Idaho Code, and they are public records. (6-30-19)T

007. – 099. (RESERVED)

100. CLASSIFICATION OF WILDLIFE – BIG GAME ANIMALS.

- 01. Black bear – *ursus americanus*.** (6-30-19)T
- 02. California bighorn sheep – *ovis canadensis californiana*.** (6-30-19)T
- 03. Elk – *cervus elaphus*.** (6-30-19)T
- 04. Gray wolf – *canis lupus*.** (6-30-19)T
- 05. Grizzly bear – *ursus arctos*.** (6-30-19)T
- 06. Moose – *alces alces*.** (6-30-19)T
- 07. Mountain goat – *oreamnos americanus*.** (6-30-19)T
- 08. Mountain lion – *puma concolor*.** (6-30-19)T
- 09. Mule deer – *odocoileus hemionus*.** (6-30-19)T
- 10. Pronghorn – *antilocapra americana*.** (6-30-19)T

11. Rocky Mountain bighorn sheep – *ovis canadensis canadensis*. (6-30-19)T
12. White-tailed deer – *odocoileus virginianus*. (6-30-19)T
101. CLASSIFICATION OF WILDLIFE – UPLAND GAME ANIMALS.
01. Mountain cottontail – *sylvilagus nuttallii*. (6-30-19)T
02. Pygmy rabbit – *brachylagus idahoensis*. (6-30-19)T
03. Snowshoe hare – *lepus americanus*. (6-30-19)T
04. Red squirrel – *tamiasciurus hudsonicus*. (6-30-19)T
102. CLASSIFICATION OF WILDLIFE – GAME BIRDS.
Game birds includes upland game birds, migratory game birds, and American crow. (6-30-19)T
01. Upland Game Birds. (6-30-19)T
- a. Pheasants: Any species of the *Phasianus* genus, including ring-necked pheasant. (6-30-19)T
- b. Partridge: gray (Hungarian) partridge – *perdix perdix*; chukar – *lectoris spp*. (6-30-19)T
- c. Quail: northern bobwhite – *colinus virginianus*; California quail – *callipepla californica*; mountain quail – *oreortyx pictus*; and Gambel’s quail – *callipepla gambelii*. (6-30-19)T
- d. Grouse: Dusky (blue) grouse – *dendragapus obscurus*; ruffed grouse – *bonasa umbellus*; spruce grouse – *falcipectus canadensis*; Greater sage grouse – *centrocercus urophasianus*; and sharp-tailed grouse – *tympanuchus phasianellus*. (6-30-19)T
- e. Wild turkey – *meleagris gallopavo*. (6-30-19)T
02. Migratory Game Birds. (6-30-19)T
- a. American coot – *fulica americana*. (6-30-19)T
- b. Doves: mourning dove – *zenaida macroura* and white-winged dove – *zenaida asiatica*. (6-30-19)T
- c. Ducks: members of the *Anatidae* family other than geese and swans, including bufflehead – *bucephala albeola*; canvasback – *aythya valisineria*; gadwall – *anas strepera*; Barrow’s goldeneye – *bucephala islandica*; common goldeneye – *bucephala clangula*; harlequin duck – *histrionicus histrionicus*; mallard – *anas platyrhynchos*; common merganser – *mergus merganser*; hooded merganser – *lophodytes cucullatus*; red-breasted merganser – *mergus serrator*; long-tailed duck – *clangula hyemalis*; northern pintail – *anas acuta*; redhead – *aythya americana*; ring-necked duck – *aythya collaris*; ruddy duck – *oxyura jamaicensis*; greater scaup – *aythya marila*; lesser scaup – *aythya affinis*; surf scoter – *melanitta perspicillata*; white-winged scoter – *melanitta fusca*; northern shoveler – *anas clypeata*; blue-winged teal – *anas discors*; cinnamon teal – *anas cyanoptera*; green-winged teal – *anas crecca*; American wigeon – *anas americana*; Eurasian wigeon – *anas penelope*; and wood duck – *aix sponsa*. (6-30-19)T
- d. Geese: members of the *Anatidae* family other than ducks and swans, including Canada goose – *branta canadensis*; Ross’s goose – *chen rossii*; snow goose – *chen caerulescens*; and greater white-fronted goose – *anser albifrons*. (6-30-19)T
- e. Swans: members of the *Anatidae* other than ducks and geese, including Trumpeter swan – *cygnus buccinator*; and Tundra swan – *cygnus columbianus*. (6-30-19)T
- f. Wilson's snipe – *gallinago delicata*. (6-30-19)T

- g. Sandhill Crane – *grus canadensis*. (6-30-19)T
03. American Crow – *corvus brachyrhynchos*. (6-30-19)T
- 103. CLASSIFICATION OF WILDLIFE – GAME FISH.**
Game fish includes the following fish and crayfish: (6-30-19)T
01. American shad – *alosa sapidissim*. (6-30-19)T
02. Arctic grayling – *thymallus arcticus*. (6-30-19)T
03. Atlantic salmon – *salmo salar*. (6-30-19)T
04. Bear Lake cutthroat trout – *oncorhynchus clarki sp.* (6-30-19)T
05. Bear Lake whitefish – *prosopium abyssicola*. (6-30-19)T
06. Black bullhead – *ameirus melas*. (6-30-19)T
07. Black crappie – *pomoxis nigromaculatus*. (6-30-19)T
08. Blue catfish – *ictalurus furcatus*. (6-30-19)T
09. Blueback trout – *salvelinus alpinus oquassa*. (6-30-19)T
10. Bluegill – *lepomis macrochirus*. (6-30-19)T
11. Bluegill/Pumpkinseed – *l. macrochirus x l. gibbosus* hybrid. (6-30-19)T
12. Bonneville cisco – *prosopium gemmiferum*. (6-30-19)T
13. Bonneville cutthroat trout – *oncorhynchus clarki utah*. (6-30-19)T
14. Bonneville whitefish – *prosopium spilonotus*. (6-30-19)T
15. Brook trout – *salvelinus fontinalis*. (6-30-19)T
16. Brown bullhead – *ameirus nebulosus*. (6-30-19)T
17. Brown trout – *salmo trutta*. (6-30-19)T
18. Bull trout – *salvelinus confluentus*. (6-30-19)T
19. Burbot, Ling – *lota lota*. (6-30-19)T
20. California golden trout – *oncorhynchus mykiss aguabonita*. (6-30-19)T
21. Channel catfish – *ictalurus punctatus*. (6-30-19)T
22. Chinook salmon – *oncorhynchus tshawytscha*. (6-30-19)T
23. Coho salmon – *oncorhynchus kisutch*. (6-30-19)T
24. Crayfish – *pacifastacus sp.* (3 species). (6-30-19)T
25. Cutthroat trout – *oncorhynchus clarki*. (6-30-19)T

26. **Finespotted cutthroat trout (Snake River)** – *oncorhynchus clarki sp.* (6-30-19)T
27. **Flathead catfish** – *pylodictis olivaris.* (6-30-19)T
28. **Green sunfish** – *lepomis cyanellus.* (6-30-19)T
29. **Kokanee** – *oncorhynchus nerka kennerlyi.* (6-30-19)T
30. **Lahotan cutthroat trout** – *oncorhynchus clarki henshawi.* (6-30-19)T
31. **Lake trout, Mackinaw** – *salvelinus namaycush.* (6-30-19)T
32. **Lake whitefish** – *coregonus clupeaformis.* (6-30-19)T
33. **Largemouth bass** – *micropterus salmoides.* (6-30-19)T
34. **Mountain whitefish** – *prosopium williamsoni.* (6-30-19)T
35. **Northern pike** – *esox lucius.* (6-30-19)T
36. **Pumpkinseed** – *lepomis gibbosus.* (6-30-19)T
37. **Pygmy whitefish** – *prosopium coulteri.* (6-30-19)T
38. **Rainbow trout** – *oncorhynchus mykiss.* (6-30-19)T
39. **Redband trout** – *oncorhynchus mykiss gairdneri.* (6-30-19)T
40. **Rainbow/cutthroat trout** – *o. mykiss x o. clarki* hybrid. (6-30-19)T
41. **Sauger** – *stizostedion canadense.* (6-30-19)T
42. **Smallmouth bass** – *micropterus dolomieu.* (6-30-19)T
43. **Splake** – *s. namaycush x s. fontinalis* hybrid. (6-30-19)T
44. **Sockeye salmon** – *oncorhynchus nerka.* (6-30-19)T
45. **Steelhead trout** – *oncorhynchus mykiss gairdneri.* (6-30-19)T
46. **Tiger Trout** – *Salmo trutta x Salvelinus fontinalis.* (6-30-19)T
47. **Tiger muskie** – *esox lucius x esox masquinongy* hybrid. (6-30-19)T
48. **Walleye** – *sander viteus.* (6-30-19)T
49. **Warmouth** – *lepomis gulosus.* (6-30-19)T
50. **Westslope cutthroat trout** – *oncorhynchus clarki lewisi.* (6-30-19)T
51. **White crappie** – *pomoxis annularis.* (6-30-19)T
52. **White sturgeon** – *acipenser transmontanus.* (6-30-19)T
53. **Yellow bullhead** – *ameiurus natalis.* (6-30-19)T

54. Yellow perch – *perca flavescens*. (6-30-19)T
55. Yellowstone cutthroat trout – *oncorhynchus clarki bouvieri*. (6-30-19)T
104. CLASSIFICATION OF WILDLIFE – FURBEARING ANIMALS.
01. American badger – *taxidea taxus*. (6-30-19)T
02. American marten – *martes americana*. (6-30-19)T
03. American mink – *mustela vison*. (6-30-19)T
04. Beaver – *castor canadensis*. (6-30-19)T
05. Bobcat – *lynx rufus*. (6-30-19)T
06. Canada lynx – *lynx canadensis*. (6-30-19)T
07. Common muskrat – *ondatra zibethicus*. (6-30-19)T
08. Fisher – *martes pennanti*. (6-30-19)T
09. Northern river otter – *lontra canadensis*. (6-30-19)T
10. Red fox – *vulpes vulpes* (all color phases). (6-30-19)T
105. – 149. (RESERVED)
150. THREATENED OR ENDANGERED SPECIES.
01. Definitions. (6-30-19)T
- a. Endangered – Any native species in danger of extinction throughout all or a significant portion of its Idaho range. (6-30-19)T
- b. Threatened Species – Any native species likely to be classified as Endangered within the foreseeable future throughout all or a significant portion of its Idaho range. (6-30-19)T
02. Endangered Species. (6-30-19)T
- a. Burbot, Ling – *Lota lota*. (6-30-19)T
- b. Pacific lamprey – *lampetra tridentata*. (6-30-19)T
- c. Sockeye salmon – *oncorhynchus nerka*. (6-30-19)T
- d. White sturgeon (Kootenai River population) – *acipenser transmontanus*. (6-30-19)T
- e. Woodland caribou – *rangifer tarandus caribou*. (6-30-19)T
03. Threatened Species. (6-30-19)T
- a. Bull trout – *salvelinus confluentus*. (6-30-19)T
- b. Canada lynx – *lynx canadensis*. (6-30-19)T
- c. Chinook salmon, spring, summer, and fall – *oncorhynchus tshawytscha*. (6-30-19)T

- d. Northern Idaho ground squirrel – *spermophilus brunneus brunneus*. (6-30-19)T
- e. Steelhead trout (Snake River) – *oncorhynchus mykiss gairdneri*. (6-30-19)T
- 151. – 199. (RESERVED)
- 200. PROTECTED NONGAME SPECIES.
- 01. Mammals. (6-30-19)T
 - a. American pika – *ochotona princeps*. (6-30-19)T
 - b. Bats – all species. (6-30-19)T
 - c. Chipmunks – *neotamias spp.* (6-30-19)T
 - d. Columbia Plateau (Merriam's) ground squirrel – *urocitellus canus*. (6-30-19)T
 - e. Golden-mantled ground squirrel – *callospermophilus lateralis*. (6-30-19)T
 - f. Great Basin (piute) ground squirrel – *spermophilus canusartemisiae*. (6-30-19)T
 - g. Kit fox – *vulpes macrotis*. (6-30-19)T
 - h. North American wolverine – *gulo gulo luscus*. (6-30-19)T
 - i. Northern Idaho ground squirrel – *urocitellus brunneus*. (6-30-19)T
 - j. Northern flying squirrel – *glaucomys sabrinus*. (6-30-19)T
 - k. Rock squirrel – *otospermophilus variegatus*. (6-30-19)T
 - l. Southern Idaho ground squirrel – *spermophilus endemicus*. (6-30-19)T
 - m. Woodland caribou – *rangifer tarandus caribou*. (6-30-19)T
 - n. Wyoming ground squirrel – *urocitellus elegans nevadensis*. (6-30-19)T
- 02. Birds. All native species, except game birds. (6-30-19)T
- 03. Amphibians. All native species. (6-30-19)T
- 04. Reptiles. All native species. (6-30-19)T
- 05. Fish. (6-30-19)T
 - a. Bear Lake sculpin – *cottus extensus*. (6-30-19)T
 - b. Northern leatherside chub – *lepidomeda copei*. (6-30-19)T
 - c. Pacific Lamprey – *Lampetra tridentate*. (6-30-19)T
 - d. Sand roller – *percopsis transmontana*. (6-30-19)T
 - e. Shoshone sculpin – *cottus greenei*. (6-30-19)T

- f. Wood River sculpin – *cottus leiopomus*. (6-30-19)T
- g. Bluehead sucker – *catostomus discobolus*. (6-30-19)T
- 201. PREDATORY WILDLIFE.**
Predatory wildlife are defined in Section 36-201, Idaho Code. (6-30-19)T
- 202. – 249. (RESERVED)**
- 250. UNPROTECTED WILDLIFE.**
Unprotected Wildlife includes all wildlife not classified in the preceding categories. (6-30-19)T
- 251. – 299. (RESERVED)**
- 300. PROTECTION OF WILDLIFE.**
- 01. Game Species.** Those species of wildlife classified as Big Game Animals, Upland Game Animals, Game Birds, Migratory Birds, Game Fish, Crustacea, or Furbearing Animals may be taken only in accordance with Idaho law and Commission rules. (6-30-19)T
- 02. Protected Nongame and Threatened or Endangered Species.** No person may take or possess those species of wildlife classified as Protected Nongame, or Threatened or Endangered at any time or in any manner, except as provided in Idaho Code (including Sections 36-106(e), and 36-1107), and Commission rules. Protected Nongame status is not intended to prevent unintentional take of these species, protection of personal health or safety, limit property and building management, or prevent management of animals to address public health concerns or agricultural damage. (6-30-19)T
- 03. Unprotected and Predatory Wildlife.** Those species of wildlife classified as Unprotected Wildlife and Predatory Wildlife may be taken in any amount, at any time, and in any manner not prohibited by state or federal law, by holders of the appropriate valid Idaho hunting, trapping, fishing, or combination license, provided such taking is not in violation of state, county, or city laws, rules, ordinances, or regulations. (6-30-19)T
- 301. – 999. (RESERVED)**

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