

Dear Senators BAIR, Siddoway, Stennett, and  
Representatives GIBBS, Gestrin, Erpelding:

The Legislative Services Office, Research and Legislation, has received the enclosed rules of the  
Department of Fish and Game:

IDAPA 13.01.11 - Rules Governing Fish - Notice of [Amended] Amended Proclamation (Docket  
No. 13-0111-1802);

IDAPA 13.01.11 - Rules Governing Fish - Notice of Amended Proclamation (Docket No.  
13-0111-1803);

IDAPA 13.01.11 - Rules Governing Fish - Notice of Proposed Proclamation (Docket No.  
13-0111-1804).

Pursuant to Section 67-454, Idaho Code, a meeting on the enclosed rules may be called by the  
cochairmen or by two (2) or more members of the subcommittee giving oral or written notice to Research  
and Legislation no later than fourteen (14) days after receipt of the rules' analysis from Legislative  
Services. The final date to call a meeting on the enclosed rules is no later than 08/24/2018. If a meeting is  
called, the subcommittee must hold the meeting within forty-two (42) days of receipt of the rules' analysis  
from Legislative Services. The final date to hold a meeting on the enclosed rules is 09/24/2018.

The germane joint subcommittee may request a statement of economic impact with respect to a  
proposed rule by notifying Research and Legislation. There is no time limit on requesting this statement,  
and it may be requested whether or not a meeting on the proposed rule is called or after a meeting has  
been held.

To notify Research and Legislation, call 334-4834, or send a written request to the address on the  
memorandum attached below.



Eric Milstead  
Director

# Legislative Services Office

## Idaho State Legislature

*Serving Idaho's Citizen Legislature*

### MEMORANDUM

**TO:** Rules Review Subcommittee of the Senate Resources & Environment Committee and the House Resources & Conservation Committee  
**FROM:** Deputy Division Manager - Katharine Gerrity  
**DATE:** August 08, 2018  
**SUBJECT:** Department of Fish and Game

IDAPA 13.01.11 - Rules Governing Fish - Notice of [Amended] Amended Proclamation (Docket No. 13-0111-1802)

IDAPA 13.01.11 - Rules Governing Fish - Notice of Amended Proclamation (Docket No. 13-0111-1803)

IDAPA 13.01.11 - Rules Governing Fish - Notice of Proposed Proclamation (Docket No. 13-0111-1804)

#### **1. IDAPA 13.01.11 - Rules Governing Fish - Notice of [Amended] Amended Proclamation**

##### **Summary and Stated Reasons for the Rule**

The department's proclamation relates to the amendment of the 2018 Chinook Salmon Spring Fishing Season, establishing seasons and limits.

##### **Negotiated Rulemaking / Fiscal Impact**

Not applicable.

##### **Statutory Authority**

Section 36-105(3), Idaho Code, provides that the Department of Fish and Game shall be excepted from the requirements of rulemaking when adopting, repealing or amending any proclamations relating to the setting of various seasons and limits, provided it publishes notice of such proposed proclamations in the Idaho Administrative Bulletin and provides notice to Legislative Services for review by the germane joint subcommittees as soon as possible after adoption by the commission.

#### **2. IDAPA 13.01.11 - Rules Governing Fish - Notice of Amended Proclamation**

Kristin Ford, Manager  
Research & Legislation

Paul Headlee, Manager  
Budget & Policy Analysis

April Renfro, Manager  
Legislative Audits

Glenn Harris, Manager  
Information Technology

### **Summary and Stated Reasons for the Rule**

The department's proclamation relates to the amendment of the 2018 Chinook Salmon Summer Fishing Season, establishing seasons and limits.

### **Negotiated Rulemaking / Fiscal Impact**

Not applicable.

### **Statutory Authority**

Section 36-105(3), Idaho Code, provides that the Department of Fish and Game shall be excepted from the requirements of rulemaking when adopting, repealing or amending any proclamations relating to the setting of various seasons and limits, provided it publishes notice of such proposed proclamations in the Idaho Administrative Bulletin and provides notice to Legislative Services for review by the germane joint subcommittees as soon as possible after adoption by the commission.

## **3. IDAPA 13.01.11 - Rules Governing Fish - Notice of Proposed Proclamation**

### **Summary and Stated Reasons for the Rule**

The department's proclamation relates to the amendment of the 2018 Chinook Salmon Fishing Season for the Boise River, establishing seasons and limits.

### **Negotiated Rulemaking / Fiscal Impact**

Not applicable.

### **Statutory Authority**

Section 36-105(3), Idaho Code, provides that the Department of Fish and Game shall be excepted from the requirements of rulemaking when adopting, repealing or amending any proclamations relating to the setting of various seasons and limits, provided it publishes notice of such proposed proclamations in the Idaho Administrative Bulletin and provides notice to Legislative Services for review by the germane joint subcommittees as soon as possible after adoption by the commission.

cc: Department of Fish and Game  
Sharon Kiefer

### **\*\*\* PLEASE NOTE \*\*\***

Per the Idaho Constitution, all administrative rules must be reviewed by the Legislature during the next legislative session. The Legislature has 3 options with this rulemaking docket: **1)** Approve the docket in its entirety; **2)** Reject the docket in its entirety; or **3)** Reject the docket in part.

## IDAPA 13 – IDAHO FISH AND GAME COMMISSION

### 13.01.11 – RULES GOVERNING FISH

#### DOCKET NO. 13-0111-1802AAP

#### NOTICE OF AMENDED PROCLAMATION

**AUTHORITY:** In compliance with Section 36-105(3), Idaho Code, notice is hereby given that this agency has adopted by amended proclamation the 2018 Chinook Salmon Spring Fishing Season, establishing seasons and limits for fishing in Idaho, as follows:

I. Seasons – Chinook Salmon. Previously approved Chinook Salmon Seasons are unaffected by the current proclamation unless noted below.

A. Fishing Areas. The following area, closed to fishing by Order of the Director on June 15, 2018, will reopen to Chinook Salmon fishing on July 7, 2018:

- Mainstem Clearwater River Section 2- from the Cherrylane Bridge upstream to the Orofino Bridge.

The following areas close by Order of the Director to Chinook Salmon fishing at the end of fishing as follows:

- N. Fork Clearwater on July 1, 2018; and
- Lower Salmon River from Twin Bridges to Shorts Creek on June 24, 2018.

B. Fishing Days. Fishing for Chinook Salmon in Mainstem Clearwater River Section 2 is allowed four (4) days per week, Thursday, Friday, Saturday and Sunday.

C. Fishing Hours. Fishing for Chinook Salmon in Mainstem Clearwater River Section 2 is permitted from 4:30 AM to 9:00 PM Pacific Daylight Time.

II. Limits. Previously approved limits and rules are unaffected by the current proclamation.

**ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS:** For assistance on technical questions concerning the amended proclamation, contact Kathleen Trever at (208) 334-3715.

## IDAPA 13 – IDAHO FISH AND GAME COMMISSION

### 13.01.11 – RULES GOVERNING FISH

#### DOCKET NO. 13-0111-1803AP

#### NOTICE OF AMENDED PROCLAMATION

**AUTHORITY:** In compliance with Section 36-105(3), Idaho Code, notice is hereby given that this agency has adopted by amended proclamation the 2018 Chinook Salmon Summer Fishing Season, establishing seasons and limits for fishing in Idaho, as follows:

I. Seasons – Chinook Salmon. Previously approved Chinook Salmon Summer Fishing Seasons are unaffected by the current proclamation unless noted below.

A. Fishing Areas. The following area opens to Chinook Salmon fishing on July 7, 2018:

- Upper Salmon River from the posted boundary at the Colston Corner boat ramp (~6.5 miles downstream of Ellis, ID), upstream to the posted boundary approximately fifty (50) yards above the mouth of the Pahsimeroi River in Ellis.

The following areas close by Order of the Director to Chinook Salmon fishing at the end of fishing as follows:

- Lochsa River on July 1, 2018;
- South Fork Salmon River on July 5, 2018; and
- Upper Salmon River from the Highway 93 bridge located 0.3 miles south of the junction of Highway 93 and Highway 75 (near Challis), and the posted boundary approximately one hundred (100) yards downstream of the weir at Sawtooth Fish Hatchery on July 7, 2018.

B. Fishing Days. Fishing for Chinook Salmon in the open portion of the Upper Salmon River is seven (7) days per week.

C. Fishing Hours. Fishing for Chinook Salmon in the open portion of the Upper Salmon River is permitted from 5:30 AM to 10:00 PM Mountain Daylight Time.

D. Closing Dates. Areas will be closed by Closure Order signed by the Director of the Idaho Department of Fish and Game.

II. Limits and Rules. Previously approved limits and rules are unaffected by the current proclamation.

**ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS:** For assistance on technical questions concerning the amended proclamation, contact Kathleen Trever at (208) 334-3715.

**IDAPA 13 – IDAHO FISH AND GAME COMMISSION**

**13.01.11 – RULES GOVERNING FISH**

**DOCKET NO. 13-0111-1804P**

**NOTICE OF PROPOSED PROCLAMATION**

**AUTHORITY:** In compliance with Section 36-105(3), Idaho Code, notice is hereby given that the agency has adopted by proclamation the 2018 Chinook Salmon Fishing Season for the Boise River, establishing seasons and limits for fishing in Idaho.

**ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS:** For assistance on technical questions concerning the proposed proclamation, contact Kathleen Trever at (208) 334-3715.