

NATURAL RESOURCES INTERIM COMMITTEE

October 15, 2020

DEPARTMENT OF FISH AND GAME LEGISLATION FOR 2021 LEGISLATIVE SESSION

One Commission-sponsored legislative idea is awaiting approval from the Governor's Office for submittal for the 2021 legislative session. The legislation facilitates the transition of the hunting framework for sage-grouse from a sport permit-based model to a game tag-based model to better support sustainable hunting opportunity. The legislation would require game tags for sage-grouse and set game tag prices in (36-409, 36-416, Idaho Code). The legislation would also delete the reference to possession of a Sage-Grouse game permit as an infraction (36-1401, Idaho Code).

DEPARTMENT OF FISH AND GAME RULEMAKING FOR 2021 LEGISLATIVE SESSION

Docket 13-0104-2002 RULES GOVERNING LICENSING

1. Establish earlier date for LAP Tag applications (Department initiated proposal, based on recurring feedback).

This rulemaking would move the application period for Landowner Appreciation Program (LAP) tags to earlier in the year to provide landowners with adequate notification of draw results for hunts beginning in August. Landowner applications for LAP controlled hunt tags are currently accepted from June 15 through July 15. Moving the application period to May 15 through June 15 provides additional processing time to ensure timely draw results.

2. Establish quotas on Nonresident Disabled Veteran Tag numbers for deer and elk.

The Commission is actively addressing issues related to deer and elk hunter crowding and congestion. The first step in that process is the passing of a rule during the 2020 Legislative Session that allows the Commission the ability to more evenly distribute and limit participation rates of non-residents in over-the-counter (general) hunts. The Commission will implement this rule effective for the 2021 hunting season. During the 2020 Legislative Session, the Legislature also approved a nonresident fee increase. New fees are set to take effect for the sale of 2021 licenses, tags and permits on December 1, 2020 – concurrent with the implementation of the rule to manage the distribution and limit participation of nonresident deer and elk hunters in general hunts on a game unit or zone basis.

Nonresident DAV deer and elk tags were not included in the fee increase and remain at \$22 and \$38, respectively. Additionally, general season deer and elk tags available to Nonresident DAVs at a reduced price are not included under the statewide limits for the total number of nonresident general season deer and elk tags (14,000 regular and white-tailed deer tags, 1,500 white-tailed deer tags, and 12,815 elk tags). Nonresident DAV deer tags cost \$22.00 (compared to \$300.00 for a regular adult nonresident deer tag) and nonresident DAV elk tags cost \$38.00 (compared to \$415.00 for an adult nonresident elk tag). Note: regular adult nonresident deer and elk tags will increase to \$350.00 and \$650.00, respectively, December 1, 2020.

Since 2016, the number of nonresident DAV deer tags sold annually has increased by 60% (from 1,149 tags in 2016 to 1,839 tags in 2019) and the number of nonresident DAV elk tags sold annually has increased by 85% (from 910 tags in 2016 to 1,682 tags in 2019). It is reasonable to expect continued growth in sales of nonresident DAV tags if tags are not limited.

There are two main reasons for these trends: 1) The disability threshold is 40% - resulting in a relatively large pool of qualifying veterans on a national sale and 2) at \$30 for a nonresident DAV license, \$22 for a deer tag and \$38 for an elk tag, the opportunity is the least expensive in any western state and routinely less than it costs in their home state paying resident prices. In addition, it is important to know that most other surrounding states only discount hunting licenses to DAVs and don't offer discounted tags.

Unless capped, the increasing popularity of nonresident DAV deer and elk tags will impact the ability to manage nonresident hunter numbers to address hunter congestion.

This rulemaking would provide the Commission the authority to limit the number of nonresident, discounted Disabled American Veterans (DAV) deer and elk tags to 500 and 300, respectively. This rulemaking would not restrict nonresident DAVs from purchasing available nonresident general deer and elk tags at nonresident prices (once discounted tags sold out). This rulemaking does not restrict nonresident DAVs from purchasing discounted hunting licenses as well as archery/muzzleloader permits.

Docket 13-0108-2001 RULES GOVERNING THE TAKING OF BIG GAME

1. Establish one-year wait period for successful antelope controlled hunts applicants (Department-initiated proposal), based on recurring constituent input and consistency with one-year wait period for antlered deer and elk; proposed language consolidated into single section for simplicity consistent with Executive Order 20-01.

Docket 13-0109-2002 RULES GOVERNING THE TAKING OF GAME BIRDS

1. Establish consistent requirements for use of game bird tags authorized by statute (I.C. 36-409(c)) and establish mandatory check requirements for swan (prompted by legislation adopted to support federal approval of swan seasons, combined with Department-initiated changes to meet executive order requirements for simplification; game tags currently authorized for turkey, crane, swan, could encompass grouse or other species if game tags authorized in future)
2. Designate two special waterfowl hunting days for veterans and active military (prompted by 2019 federal legislation allowing states to make such designations)
3. Delay opening date for pheasant season for all nonresident license holders (citizen-petitioned change by residents of Franklin/Oneida Counties; would expand by rule the statutory (I.C. 36-407(e)) 5-day delayed opener for nonresident small game license holders)
4. Simplify turkey tags (Department-initiated proposed for simplification, consistent with Executive Order 2020-01)

Docket 13-116-2002 RULES GOVERNING TRAPPING OF PREDATORY AND UNPROTECTED WILDLIFE AND THE TAKING OF FURBEARING ANIMALS

1. Establish additional restrictions on use of body-gripping traps (citizen petition by Idaho Trappers Association and others).
2. Simplify rules associated with use of bait for trapping furbearing, predatory and unprotected animals (citizen petition by Idaho Trappers Association and others, based on consistency with allowances for wolf trapping; proposed language acknowledges statutory restrictions related to use of game parts for trapping furbearing animals.