

**Meeting Date:** June 12, 2024

**Agenda Item No.:** 4.b.

**Agenda Item:** Rulemaking Initiation Request – Elk Zones Modification

**Bureau Chief Approval:** JF

**Prepared by:** Shane Roberts, Wildlife Bureau Chief

**Presented by:** Amber Worthington, Deputy Director

**Background:**

Staff are proposing modifications to existing rule to align with Elk Zone changes proposed in the Idaho Elk Management Plan 2024-2030. The rule change would modify the Game Management Units (GMUs) that comprise 4 Elk Zones (Owyhee [remove GMU 38], Boise River [add GMU 38], Big Desert [add GMUs 53 and 68A], and Snake River [remove GMUs 53 and 68A]), but not create or eliminate any Zones entirely.

A rules draft redline is shown below.

**13.01.07 – RULES GOVERNING TAKING OF WILDLIFE  
250. GAME MANAGEMENT ZONE DESCRIPTIONS.**

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17. Owyhee Zone. All of Units ~~38~~, 40, 41, and 42. (3-31-22)

...

19. Boise River Zone. All of Units ~~38~~ and 39. (3-31-22)

...

21. Big Desert Zone. All of Units 52A, ~~53~~, and 68, and 68A. (3-31-22)

...

28. Snake River Zone. All of Units ~~53~~, 63, and 63A, and ~~68A~~. (3-31-22)

**Statutory Authority and/or Policy issues:**

Idaho Code 36-104 grants authority to the Commission to set seasons and promulgate IDAPA rules. Idaho Code 67, Chapter 52 (Idaho Administrative Procedure Act) governs the process for considering, adopting, and implementing IDAPA rules. Idaho Code 67-5220 provides for negotiated rulemaking, and Idaho Code 67-5221 provides for adoption of proposed rules for additional public notice and comment.

**Public Involvement Process:**

The draft Elk Management Plan 2024-2030 was posted online for public input during April and early May 2024. The public will have an opportunity to comment on the proposed rule during the Commission’s public meeting in July and once the rule is published in the administrative bulletin.

**Staff Recommendation:**

Staff recommends the Commission provide the go-ahead to the Department to proceed with rulemaking.