

Meeting Date: July 27, 2023

Agenda Item No. 13

Agenda Item: Shed Antler Season Update

Bureau Chief Approval: SR

Prepared by: Toby Boudreau, Deer and Elk Coordinator and
Rick Ward, State Wildlife Manager

Background:

The popularity of shed antler gathering has been growing among western states. Some states have implemented seasons to regulate shed antler gathering and the associated disturbance to wintering ungulates. The high economic value of antlers is likely driving the increase in participation, and the increased number of participants can result in issues of deer and elk harassment on winter range, habitat damage, and trespass complaints.

Additional disturbance, particularly when deer and elk are heavily concentrated in years with deeper snowpack, results in greater energy expenditure by these animals during their greatest period of stress. In 1994, the Department restricted the pick-up of shed deer, elk, and moose antlers in Units 60, 60A, 66, 67, and 69 from May 1 through December 31. All Units in the Southeast region were also added to this regulation in 1998. This rule was discontinued after 2002 because the statutory authority for regulating “parts” of wildlife was unclear and created jurisdictional issues for enforcement of the rule. Since 2002, the topic of shed antler seasons and disturbance to wintering wildlife has been repeatedly raised by the public.

In response to concerns about potential disturbance to deer and elk caused by shed antler hunters and other recreationists during the severe winters of 2017 and 2023, the Department closed several WMAs in eastern Idaho to all public access during the winter months. Under special circumstances, such as after wildfires on winter range habitat, the federal government has used similar closures to reduce disturbance to wintering wildlife.

An increasing number of western states have established seasons to regulate shed antler gathering, including Colorado, Nevada, Utah, and Wyoming. When states implement season closures on antler pickup, there is evidence that at least some antler gatherers from those states move to adjacent states where there are no closures, compounding issues in those states.

During the 2023 legislative session, the Idaho Legislature approved SB 1143 (Idaho Code § 36-507), which allows the Idaho Fish and Game Commission to establish seasonal restrictions on the possession and transport of shed antlers or horns from deer, elk, moose, and pronghorn and antlers or horns from deer, elk, moose, bighorn sheep, and pronghorn that have died from natural causes. The commission may restrict the acts of searching for, locating, or gathering antlers or horns under this statute.

With Commission consent, staff will develop and scope options for implementation of proclamation authority to provide seasonal restrictions and present scoping results and recommendations to the Commission in November 2023.

Statutory Authority and/or Policy Issues:

Idaho Code § 36-507 establishes authority of the Commission to provide season restrictions, by rule or proclamation, on possession, transportation, and collection of antlers and horns to protect wintering big game.

Idaho Code § 36-103 declares all wildlife, including all wild animals, wild birds, and fish, within the state of Idaho, is property of the state of Idaho.

Idaho Code § 36-106 establishes authority of the Director to close seasons or public access to wildlife management areas in the event of an emergency.

IDAPA 13.01.10.300 allows the possession and sale of deer and elk antlers from animals legally killed, salvaged from road-killed animals, or animals found dead of natural causes.

Public Involvement Process:

Staff will develop and scope options for implementation of proclamation authority to provide season restrictions and present scoping results and recommendations to the Commission in November 2023.

Justification:

Information will aid the Commissioners as the Department develops potential proposals for the public and Commission consideration.

Staff Recommendation:

None. This agenda item is for Commission information.

Action Requested:

None.