

Background: Dockets 13-011-1301 and 13-011-1302

During setting of the 2013 spring Chinook salmon seasons, bag limits and boundaries by the Fish and Game Commission, the terms “watercraft” and “single-pointed hook” were used. However, these are terms that require definition in IDAPA via Fish and Game Commission rulemaking. Because these are terms that have been and may likely be used in future season setting, the Department proposed rulemaking to adopt definitions for “watercraft” and “single-pointed” hook. The Fish and Game Commission adopted the rules at their meeting on August 19, 2013

[https://fishandgame.idaho.gov/public/about/commission/2013/08\\_August/Minutes\\_August\\_19.pdf](https://fishandgame.idaho.gov/public/about/commission/2013/08_August/Minutes_August_19.pdf).

The Department did not implement negotiated rule making because these terms had been used for at least the past decade as part of season setting with no controversy or challenges and the definitions were simple in nature.

During the summer of 2013, it was noted that the IDAPA rule making it “illegal to remove sturgeon from the water” had been inadvertently removed from IDAPA in 2011 when fishing rule formats were modified. The definition had been in place for many years and was never formally rescinded by the Fish and Game Commission. However, as an administrative matter, staff requested the Commission to re-adopt the rule without going through the negotiated rule making process

[https://fishandgame.idaho.gov/public/about/commission/2013/08\\_August/Minutes\\_August\\_19.pdf](https://fishandgame.idaho.gov/public/about/commission/2013/08_August/Minutes_August_19.pdf).