

IDAPA 13 – IDAHO DEPARTMENT OF FISH AND GAME

**13.01.03 – PUBLIC USE OF LANDS OWNED OR CONTROLLED BY
THE DEPARTMENT OF FISH AND GAME**

DOCKET NO. 13-0103-2501 (ZBR CHAPTER REWRITE)

NOTICE OF RULEMAKING – PROPOSED RULE

AUTHORITY: In compliance with [Section 67-5221\(1\)](#), Idaho Code, notice is hereby given that this agency has initiated proposed rulemaking procedures. The action is authorized pursuant to [Section 36-104\(b\)](#), Idaho Code.

PUBLIC HEARING SCHEDULE: Public hearing(s) concerning this rulemaking will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than October 15, 2025.

The hearing site(s) will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the hearing, to the agency address below.

DESCRIPTIVE SUMMARY: The following is a nontechnical explanation of the substance and purpose of the proposed rulemaking:

This rulemaking concerns the comprehensive review of current chapter IDAPA 13.01.03, “Public Use of Lands Owned or Controlled by the Department of Fish and Game,” in compliance with [Executive Order 2020.01](#). The agency has identified some technical, duplicative, and non-substantive modifications to be evaluated for integration.

The agency added clarifying language around prohibited activities, to include the use of airsoft guns and exploding targets; added a definition for ‘camping;’ modified the ‘watercraft’ definition to match a definition in another section of rule; and added language that provides the agency more flexibility in posting camping stay limits.

NEGOTIATED RULEMAKING: Pursuant to [Section 67-5220\(1\)](#), Idaho Code, negotiated rulemaking was conducted. The Notice of Intent to Promulgate Rules - Negotiated Rulemaking was published in the May 7, 2025 Idaho Administrative Bulletin, [Volume 25-5, pages 40-41](#).

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the proposed rule, contact Amber Worthington at (208) 334-3771 or amber.worthington@idfg.idaho.gov.

Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before October 22, 2025.

DATED this 4th day of August, 2025.

Amber Worthington, Deputy Director
Idaho Department of Fish and Game
600 S. Walnut Street
P.O. Box 25
Boise, ID 83707
Phone: (208) 334-3771
Email: [Comment Here](#)

**THE FOLLOWING IS THE PROPOSED TEXT OF DOCKET NO. 13-0103-2501
(ZBR Chapter Rewrite.)**

**13.01.03 – PUBLIC USE OF LANDS OWNED OR CONTROLLED BY
THE DEPARTMENT OF FISH AND GAME**

000. LEGAL AUTHORITY.

Section 36-104(b), Idaho Code, ~~authorizes the Commission to adopt rules concerning the use of lands owned or controlled by the Department.~~ (3-31-22)()

001. ~~TITLE AND SCOPE.~~

~~The title of this chapter for citation is IDAPA 13.01.03 "Public Use of Lands Owned or Controlled by the Department of Fish and Game."~~ These rules govern use of lands owned or controlled by the Department. (3-31-22)()

002. – 009. (RESERVED)

010. DEFINITIONS.

01. **Aircraft.** Any vehicle capable of use for transportation on or in the air and any unmanned aircraft system. (3-31-22)

02. **Camp(ing).** To use a location as a temporary or permanent place of dwelling, lodging or living accommodation. Indicators of camping may include, but are not limited to, storing personal belongings, erecting tents or other temporary structures, overnight sleeping, carrying on cooking activities, laying out bedding or making any fire. ()

~~03.~~ **Commercial Use.** Any use or activity related to a business venture or for which a fee is charged, or in which the primary purpose is the sale or barter of goods or services, regardless of whether the use or activity is intended to produce a profit. (3-31-22)

~~034.~~ **Lands Owned or Controlled by the Department.** Real property, owned or controlled by the Commission or Department, managed for public recreation or for the protection, maintenance, ~~and~~ or enhancement of fish and wildlife. (3-31-22)()

~~045.~~ **Designated Roads and Trails.** All roads and trails posted as open or designated as open on Department public use maps. (3-31-22)

~~056.~~ **Safety Zone.** A posted area established for the safety and protection of persons, equipment, structures, or livestock, and where shooting within, across, or into the area is not permitted. (3-31-22)()

~~067.~~ **Unattended.** As it pertains to decoys, the absence of any person within one hundred (100) yards from any decoy for a period of more than one-half (1/2) hour. (3-31-22)

~~078.~~ **Watercraft.** ~~Any vessel capable of use for~~ Device as a means of transportation on or in the water. (3-31-22)()

011. – 099. (RESERVED)

100. PUBLIC USE RESTRICTIONS.

01. **Activities Not Allowed Without Authorization.** Unless specifically authorized by the Commission, Director, Regional Supervisor, or designee, no person may: (3-31-22)

a. Enter, use, or occupy lands or water when said lands are posted against such entry, use, or occupancy. (3-31-22)

b. ~~Camp or park a vehicle or trailer in any area posted against such use, or to~~ or, in locations where camping is specifically authorized, fail to comply with posted stay limits or leave unattended a camp, vehicle, or trailer for more than forty-eight (48) hours, ~~or to camp or park a vehicle or trailer for more than ten (10) days during any thirty (30) day period on any one (1) Wildlife Management Area (WMA) or one (1) access site separate from a WMA.~~ (3-31-22)()

- c. Operate any motorized vehicle, including over-snow use, except on designated roads and trails. (3-31-22)
- d. Use watercraft on any waters posted against such use. (3-31-22)
- e. Use any form of fireworks ~~or~~ explosives, or exploding targets. (~~3-31-22~~)()
- f. Permit any dog or other domestic animal to run at large when not present to control or care for it, or to permit any dog to be off leash when posted against such use. (3-31-22)
- g. Conduct a dog field trial of any type, except a dog field trial or dog training using artificially propagated game birds between August 1 and September 30 with ~~Department~~ authorization ~~under~~ pursuant to IDAPA 13.01.15.300, "Rules Governing the Use of Dogs." (~~3-31-22~~)()
- h. Construct any blind, pit, platform, or tree stand, where soil is disturbed or trees are cut or altered, and fasteners, such as wire, rope, or nails are used; or to leave any portable manufactured blind or tree stand overnight. (3-31-22)
- i. Adjust, open, close, tamper with, or manipulate in any manner, any diversion structure, headgate, flume, recorded or flow dock or any device for water control. This provision does not limit the powers of agencies or irrigation districts as provided by statute or rule. (3-31-22)
- j. Shoot within, across, or into posted safety zones. (3-31-22)
- k. Leave any decoy unattended, or to place any decoy any earlier than two (2) hours before official shooting hours for waterfowl, or to leave any decoy at a hunting site later than two (2) hours after official shooting hours for waterfowl. (3-31-22)
- l. Discharge any paintball, or airsoft guns. (~~3-31-22~~)()
- m. Disturb or remove any soils, gravel, or minerals. (3-31-22)
- n. Turn domestic livestock into, or allow ~~said animals~~ them to graze or trail on or across Department lands, except riding and pack animals may be used in association with recreational uses or as posted. (~~3-31-22~~)()
- o. Cut, dig, or remove any crops, trees, shrubs, grasses, forbs, logs, or fuel wood. (3-31-22)
- p. Place, maintain, or store any beehives or bee boards. (3-31-22)
- q. Use lands for any commercial purpose. (3-31-22)
- r. Place a geocache. (3-31-22)
- s. Use for group events of over fifteen (15) people. (3-31-22)
- t. Land or launch aircraft except on public airstrips. (3-31-22)
- u. Use or transport any hay, straw, or mulch that is not weed-free certified. (3-31-22)

101. – 999. (RESERVED)