NOTICE OF INTENT TO PROMULGATE RULES – NEGOTIATED RULEMAKING

AUTHORITY: In compliance with Section 67-5220, Idaho Code, notice is hereby given that this agency intends to promulgate rules and desires public comment prior to initiating formal rulemaking procedures. This negotiated rulemaking action is authorized by Sections 36-104, 36-105, and 36-408, Idaho Code.

MEETING SCHEDULE: One or more meetings to conduct negotiated rulemaking will be scheduled and posted on the agency website at https://idfg.idaho.gov/about/rulemaking should a reasonable number of persons respond to this notice.

METHOD OF PARTICIPATION: Those interested in participating in the negotiated rulemaking process must identify themselves to the agency via the below phone number, email or mailing address by April 27, 2022. Upon conclusion of negotiated rulemaking, any unresolved issues, all key issues considered, and conclusions reached during the negotiated rulemaking will be addressed in a written summary. The summary will be made available on the agency website and to interested persons who contact the agency.

The agency may end informal proceedings if there is insufficient participation. The agency has sole discretion in determining the feasibility of scheduling and conducting informal negotiated rulemaking and may proceed directly to formal rulemaking if proceeding with negotiated rulemaking is deemed infeasible.

DESCRIPTIVE SUMMARY: The following is a statement in nontechnical language of the substance and purpose of the intended negotiated rulemaking and the principal issues involved:

This rulemaking balances outfitting industry and other economic and social interests in the Commission’s allocation of deer and elk tags for sale to outfitted hunters when the Commission sets tag limits for a zone, unit or hunt area with a history of outfitted hunter use.

Under consideration are rule changes related to allocation of general hunt deer or elk tags for a zone/unit with tag limits for nonresidents but unlimited for resident tags:

- Define an initial tag use number, based on verified outfitted hunter tag use history, which will remain the same for the zone/unit for subsequent consecutive years in which tag limits apply.
- Allocate, annually or for a two-year period, a number of deer or elk general hunt tags reserved for outfitted hunters in each zone/unit corresponding to the initial tag use number, before the Commission adopts annual or biennial tag nonresident tag limits for the zone/unit.
- Subtract the initial tag use number from the nonresident tag limit set for the zone/unit, after which the Commission may allocate an additional portion (not to exceed 50%) of tags remaining in the nonresident limit for outfitted hunter use based on verified tag use history in the two years preceding allocation.
- Make tags remaining after the allocation(s) for outfitted hunters available to nonresidents.

ASSISTANCE ON TECHNICAL QUESTIONS, MEETING ACCOMMODATIONS, SUBMISSION OF WRITTEN COMMENTS, OBTAINING DRAFT COPIES: For assistance on technical questions concerning this negotiated rulemaking, requests for special meeting accommodations or accessibility, or to obtain a preliminary draft copy of the rule text (if available), contact Jim Fredericks at (208) 334-3771. Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the agency web site at the following web address: https://idfg.idaho.gov/.
DATED this 28th day of March, 2022.

Jim Fredericks
Deputy Director
Idaho Department of Fish and Game
600 S. Walnut Street
P.O. Box 25
Boise, ID 83707
Phone: (208) 334-3771
Fax: (208) 334-4885
Email: rules@idfg.idaho.gov