Background:
Based on an inquiry from the public regarding ability to shoot Red Squirrels, *Tamiasciurus hudsonicus*, the Commission is considering the reclassification of this Idaho native tree squirrel. Currently, the Red Squirrel is classified in IDAPA 13.01.06 as a “Protected Nongame Species.” It has been a protected species in Idaho since 1942 when the Commission first declared that “It shall be unlawful to kill or destroy any species of Western chipmunk or any species of tree squirrel at any time of the year.” The protection of “tree squirrels” was reaffirmed on at least four additional occasions (1943, 1956, 1962, and 1965). In 1977, the Commission passed Regulation No. 13, pertaining to the classification of wildlife, including an update in the nomenclature from “tree squirrels” to the more specific and accurate Red Squirrel (Appendix X, Exhibit VII).

There are four species of “tree squirrel” presently occurring in Idaho—two are native (Red Squirrel, Northern Flying Squirrel) and two are introduced (Fox Squirrel, Eastern Gray Squirrel). The Red Squirrel is a year-round resident, occurs throughout the State where there is suitable habitat (i.e., at higher elevations with cone-bearing trees), and has a population status that is described to be “demonstrably widespread, abundant, and secure” (i.e., State Conservation Rank = S5).

Statutory Authority and/or Policy Issues:
The classification of the Red Squirrel as a “Protected Nongame Species” is defined in IDAPA 13.01.06 Rules Governing the Classification and Protection of Wildlife. The Commission has two options for reclassification: (1) to an Upland Game Animal, which would require setting a season and daily bag/possession limits by Commission proclamation to allow take (IDAPA 13.01.07 Rules Governing the Take of Upland Game Animals); or (2) to Unprotected Wildlife, which would require only the possession of a valid hunting license to shoot squirrels (IDAPA 13.01.16 The Trapping of Predatory and Unprotected Wildlife and the Taking of Furbearing Animals).

Current rules state, “No person shall wound or kill any Upland Game Animal without making a reasonable effort to retrieve it and reduce it to possession.” This would also apply to Red Squirrels if they are reclassified to an Upland Game Animal. The waste statute, Idaho Code 36-1202, defines waste and wasteful destruction for upland game animals specific only to the edible portions of hares and rabbits. Enforcement of waste provisions for Red Squirrels would entail future legislative action to add them to the edible portions definition.

Public Involvement Process:
The request to legalize shooting of red squirrels originated from a member of the public and the Fish and Game Commission added discussion of the topic to its July and August meeting agendas. No formal public involvement process has been conducted.

Staff Recommendation:
Should the Commission wish to proceed to reclassify Red Squirrels from their current status staff recommends reclassification as an Upland Game Animal.

Justification:
Commission action is required to reclassify Red Squirrel from its current status as a Protected Nongame Species to allow season setting and legal take.