



IDAHO FISH AND GAME GOLDSHEET

November 2025 Commission Meeting

Agenda Item: Administrative Rules: Adoption of Pending Rules – Zero Based Regulation **(Action)**

Presented by: Amber Worthington

Position/Title: Deputy Director of Programs and Policy

Agenda Item No.: 6A

Bureau Chief Approval: JF

Background:

The Commission previously approved six Zero-Based Regulation (ZBR) chapters of Idaho Administrative Procedures Act (IDAPA) rules this year to move to proposed. Those rules shown below are now up for review to adopt as pending.

- 13.01.03 – Public Use of Lands Owned or Controlled by the Department of Fish and Game
- 13.01.04 – Rules Governing Licensing
- 13.01.08 – Rules Governing the Taking of Big Game Animals
- 13.01.16 – Trapping of Wildlife and Taking of Furbearing Animals
- 13.01.17 – Rules Governing Use of Bait for Hunting Big Game Animals
- 13.01.19 – Rules for Selecting, Operating, Discontinuing, and Suspending Vendors

In addition to ZBR rulemaking and Advisory Committee and Working Group recommendations (draft and consensus), staff took into consideration all comments taken from the public during the public comment period and from Department staff.

Statutory Authority and/or Policy Issues:

Idaho Code 36-104 grants authority to the Commission to promulgate IDAPA rules. Idaho Code 67, Chapter 52 (Idaho Administrative Procedure Act) governs the process for considering, adopting, and implementing IDAPA rules. Specifically, Idaho Code 67-5220 provides for negotiated rulemaking and Idaho Code 67-5221 provides for adoption of proposed rules for additional public notice and comment.

Public Involvement Process:

Notices of Intent to Promulgate Rules via Negotiated Rulemaking for ZBR chapters 13.01.04, 13.01.08, 13.01.16, and 13.01.17 review were published in the May 2024 Idaho Administrative Bulletin and 13.01.03 and 13.01.19 in the May 2025 bulletin. Publication of those bulletins opened written comment periods for public input and published opportunities for public commenting in person.

Additional public engagement opportunities were available during the public meeting portion of Commission meetings through July 2025.

Notices of Rulemaking – Proposed Rule were published for each chapter in the October 2025 Administrative Bulletin which opened a final 21-day public comment period.



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The table below shows all the dates of the various opportunities the public had available to weigh in on the chapters being voted on today.

| Public Engagement Opportunities | | | | | |
|---|-----------|-----------|-----------|-----------|-----------|
| 13.01.03 | 13.01.04 | 13.01.08 | 13.01.16 | 13.01.17 | 13.01.19 |
| 5/7/2025 | 5/1/2024 | 5/1/2024 | 5/1/2024 | 5/1/2024 | 5/7/2025 |
| 5/21/2025 | 5/29/2024 | 5/29/2024 | 5/29/2024 | 5/29/2024 | 5/21/2025 |
| 7/16/2025 | 7/22/2024 | 7/22/2024 | 7/22/2024 | 7/22/2024 | 7/16/2025 |
| 10/1/2025 | 11/6/2024 | 11/6/2024 | 11/6/2024 | 11/6/2024 | 10/1/2025 |
| | 1/28/2025 | 1/28/2025 | 1/28/2025 | 1/28/2025 | |
| | 3/25/2025 | 3/25/2025 | 3/25/2025 | 3/25/2025 | |
| | 5/7/2025 | 5/7/2025 | 5/7/2025 | 5/7/2025 | |
| | 5/21/2025 | 5/21/2025 | 5/21/2025 | 5/21/2025 | |
| | 6/9/2025 | 6/9/2025 | 6/9/2025 | 6/9/2025 | |
| | 7/16/2025 | 7/16/2025 | 7/16/2025 | 7/16/2025 | |
| | 10/1/2025 | 10/1/2025 | 10/1/2025 | 10/1/2025 | |
| Commission Public Meeting | | | | | |
| Written Comment Period Begins (21 days) | | | | | |
| Rulemaking Public Meeting | | | | | |

Justification:

The Commission has the authority to promulgate IDAPA rules and Idaho Code (Idaho Administrative Procedure Act) governs the process for considering, adopting, and implementing IDAPA.

Staff Recommendation:

The Staff recommendation for pending rule language is presented by chapter. These include proposed rules for:

- 13.01.03 – Public Use of Lands Owned or Controlled by the Department of Fish and Game
- 13.01.04 – Rules Governing Licensing
- 13.01.08 – Rules Governing the Taking of Big Game Animals
- 13.01.16 – Trapping of Wildlife and Taking of Furbearing Animals
- 13.01.17 – Rules Governing Use of Bait for Hunting Big Game Animals
- 13.01.19 – Rules for Selecting, Operating, Discontinuing, and Suspending Vendors

Staff recommendation includes the repeal of chapter 13.01.17 and consolidation of the language into chapter 13.01.08.



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Suggested Motion #1 – For chapters 13.01.03, 13.01.04, 13.01.16, 13.01.17 & 13.01.19: I move the Commission adopt the pending rules as presented, with authority for the Department to make non-substantive edits in the proofreading process that do not alter the sense, meaning or effect of the rules.

Suggested Motion #2 – For chapter 13.01.08: I move the Commission adopt the pending rules as presented, with authority for the Department to make non-substantive edits in the proofreading process that do not alter the sense, meaning or effect of the rules.