



IDAHO FISH AND GAME GOLDSHEET

January 2026 Commission Meeting

Agenda Item: Rulemaking Update

Presented by: Amber Worthington

Position/Title: Deputy Director of Programs and Policy

Agenda Item No.: 6A
Supervisor Approval: JF

Background:

Staff will provide an update on rulemaking. Adopted pending rules, in the last year of Governor Little's Zero-Based Regulation (ZBR) rulemaking process, are in front of the Legislature for review.

The Department will now begin periodic review of administrative rules as required by 67-5292, Idaho Code. Staff will brief the Commission on the process.

Each year, the Commission reviews potential rulemaking proposals, which may arise from new or amended state legislation, new federal laws or regulations, petitions from citizens to adopt or amend a rule, changes in agency processes or procedural requirements, or just a need to update an existing rule. The following potential rulemaking idea has been identified by staff for Commission consideration:

Electronic tagging for certain upland game birds: The purpose of this rulemaking idea is to explore opportunity for expanding electronic tagging (e-tagging) options. Currently, the Department offers e-tagging as an option for salmon and steelhead. Finding success in this method of recording take, staff would like permission to engage in rulemaking to expand on the salmon and steelhead success and potentially offer e-tagging for upland game birds. Initially, staff are interested in e-tagging for turkeys and the Department's wildlife management area pheasants, with additional consideration for cranes, sage-grouse, and swans. Negotiated rulemaking is recommended.

Statutory Authority and/or Policy Issues:

The Commission has rulemaking authority. The Idaho Administrative Procedure Act (Title 67, Chapter 52, Idaho Code) governs rulemaking in Idaho. Sections 36-103, 36-104, 36-1101, and 36-1102, Idaho Code, authorize the Commission to adopt rules concerning taking of game birds and upland game animals

Public Involvement Process:

Public involvement for rulemaking would occur through the negotiated rulemaking process and Commission public input opportunity.

Justification:

Continued exploration of opportunities for electronic tagging of species requiring tagging, permitting and/or notching of a tag.



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Staff Recommendation:

This agenda item is for information only – no action required. Staff recommendations will be presented later in the calendar year

Suggested Motion:

N/A – informational only.