

Meeting Date: May 6, 2021

Agenda Item No. 5.F.

Agenda Item: Swan Tags

Bureau Chief Approval: TB

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Background:

The federal Migratory Bird Treaty Act regulates the hunting of migratory game birds, including swans and other waterfowl. In 2019, the U.S. Fish and Wildlife Service approved the Commission's request for a swan hunting season in the Panhandle Region, incorporating the Pacific Flyway Council's recommendation to allow a swan season in northern Idaho with up to 50 tags and a one-bird bag limit.

Idaho held its first swan hunt during fall 2020. The fifty (50) tags were offered on a first-come, first-served basis. These tags sold out very quickly, which caused frustration with some constituents.

The Commission directed the Wildlife Bureau to conduct public scoping of the option of a controlled hunt versus the 2020 general capped hunt framework to inform Commission decisions about future hunt frameworks.

Statutory Authority and/or Policy Issues:

Idaho Code 36-409 establishes a requirement for game tags for the hunting of swan. Idaho Code 36-416 establishes fees for swan tags (\$21.00 for residents and \$65.75 for nonresidents); this code section also establishes fees for controlled hunt applications (\$4.50 for residents and \$16.25 for nonresidents for species other than once-in-a-lifetime species). IDAPA 13.01.09 contains the rules governing the taking of game birds.

Public Involvement Process:

The Department sought public input on a potential controlled hunt for swan tags via the Department website. Interested stakeholders were able to comment on this topic from April 12-23.

Staff Recommendation:

Staff do not have a recommendation on the holding of a controlled hunt for swan versus a general hunt with a 50 tag limit. Should the Commission be inclined to hold a controlled hunt, the Department would request direction from the Commission to develop additional administrative process for a controlled hunt for swan.

As of April 22, 2021, the Idaho legislature is still in session, and there is uncertainty regarding the ability and schedule for administrative rulemaking related to the holding of a controlled hunt drawing for a fall swan hunt. There is a likelihood that most administrative rules will expire upon adjournment of the 2021 Legislature, in which case staff anticipate the Division of Financial Management will give direction for agency rulemaking. Staff could then advise the Commission as to a schedule for development of administrative process to support a controlled hunt.