

Meeting Date: July 14, 2021

Agenda Item No. 5.G.

Agenda Item: Later Pheasant Season Start Date for Nonresidents. **(Action)**

Bureau Chief Approval: TB

Prepared by: Jeff Knetter, Upland Game and Migratory Game Bird Coordinator

Background:

As an outcome of a 2020 citizen petition and 2021 zero-based rulemaking for game birds, a new Commission rule (IDAPA 13.01.09.190) takes effect on July 1, 2021 to “set by proclamation a later season start date, of no more than five (5) days, for nonresident participation in pheasant seasons.”

The Commission sets upland game bird seasons and limits in even-numbered years for a two-year period, with current seasons through 2021. The 2021 season (set in January 2020) for pheasant has the following start dates, which are currently the same for resident and nonresidents:

Zone 1: October 9 (5-day delay in opener translates to Oct. 14)

Zones 2 & 3: October 16 (5-day delay in opener translates to Oct. 21)

The 2021 Youth Season for pheasants in all zones is Oct. 2 – Oct. 8. (5-day delay in opener translates to a season from Oct. 7-8)

Statutory Authority and/or Policy Issues:

Idaho Statute 36-104 authorizes the Commission to adopt proclamations and rules for the take of wildlife consistent with state policy.

Public Involvement Process:

Public involvement occurred during rulemaking in 2020, including an opportunity for negotiated rulemaking, input on questions posted on the website, and comment after formal publication of proposed and pending rules. There were 480 individual respondents to this proposal via the website; 461 provided an opinion. Of those with an opinion, 363 (79%) provided support, while 98 (21%) did not.

The 2021 Legislature had the opportunity to review the pending rule. This rule change was integrated into Zero-Based Rulemaking for IDAPA 13.01.09 in 2021, with additional opportunity for negotiated rulemaking. Because the 2021 Legislature has not adjourned, the rule change was integrated into the omnibus temporary rules adopted and taking effect on July 1, 2021. The public has the opportunity to comment on the season-setting aspects of this agenda item on July 13.

Justification:

The Department seeks direction from the Commission on whether a delayed opener should apply to general and youth-only pheasant seasons, as authorized by administrative rule IDAPA 13.01.09.190. Seasons are designed to manage Idaho’s upland game resources for hunting opportunity while considering biological and sociological implications.

Staff Recommendation:

Staff recommends a 5-day delayed pheasant season opener for nonresident participation in the general 2021 pheasant seasons. This would result in the following start dates for residents and nonresidents:

Zone 1: Resident Oct. 9 – Dec. 31, and Nonresident Oct. 14 – Dec. 31.

Zones 2&3: Resident Oct. 16 – Dec. 31, and Nonresident Oct. 21 – Dec. 31

Staff recommends the youth pheasant season remain unchanged, because of expected lower youth participation and desires of resident adults to hunt with nonresident youth (such as grandchildren). Staff recommend keeping the resident and nonresident youth seasons for all zones from Oct. 2 – Oct. 8.

Action Requested:

Adopt staff recommendation for nonresident participation in the 2021 pheasant seasons.

Suggested Motion: Commission adopt staff recommendations for a 5-day delayed pheasant season opener for nonresident participation in the general 2021 pheasant seasons.