

Meeting Date: March 20, 2020

Agenda Item No. 5F

Agenda Item: Identify a Waiting Period for Capped Zone Tag Sales to Resident Hunters (Action) **Bureau Chief Approval:** TB

Prepared by: Michael Pearson, Chief, Bureau of Administration

Background:

High demand in some general season hunts with limited tags has been a significant source of tag buyer congestion at Department offices, vendor locations, and on-line sales. Capped elk zone tags go on sale for residents on July 10th (or the following business day if on a weekend), and some zones have been selling out in mere minutes due to their popularity. The Sawtooth Zone tags were moved to a different sale date to help manage the congestion, but other zones are beginning to experience similar interest and quick sale.

To address this issue, the Department initiated negotiated rulemaking at the Commission's direction in the spring/summer of 2019 to consider rules for delaying eligibility for controlled hunt applicants to buy high-demand general hunts with tag limits (capped zones).

The House and Senate committees reviewed the rule during the 2020 Legislative Session. The rule will be effective as a temporary or final rule at the end of the Legislation session. Should the Commission want to implement a wait period as per the new rule for the 2020 hunting season, staff recommends that the Commission act before the Big Game Controlled Hunt application period so that resident hunters can make an informed choice between applying for an elk tag in the draw and having delayed eligibility for elk capped zone tags versus foregoing an controlled hunt application and competing for a high demand capped zone tag.

Statutory Authority and/or Policy Issues:

Idaho Code 36-104 grants authority to the Commission to set seasons and promulgate IDAPA rules. The Legislature recently approved the new Commission rule to establish a wait period for buying limited general hunt tags:

13-0108-1903-252 "Delay in Eligibility for buying limited general hunt tag."

When the Commission limits the number of tags available for a general big game hunt, the Commission may establish a period of no more than five (5) days at the beginning of a tag sale period, during which any applicant for a controlled hunt in the same calendar year for the same species is not eligible to buy a tag for that limited hunt.

Public Involvement Process:

The Department implemented negotiated rulemaking with the public during scoping.

Staff Recommendation:

Should the Commission decide to implement a wait period for 2020 pursuant to the new rule and delay eligibility for residents who participated in the Big Game Controlled Hunt process, staff recommends the following motion:

"I move that a wait period of five (5) days be established for eligibility in 2020 to purchase capped elk zone tags for any person who applies in 2020 for a controlled elk hunt."

Justification:

Establishing a wait period for limited over the counter tags helps manage buyer congestion for these oversubscribed hunts.