

**Meeting Date: July 23, 2020**

**Agenda Item No. 9**

**Agenda Item: Nonresident Deer & Elk Tag Outfitter  
Set-Aside quota**

**Bureau Chief Approval TB**

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**Background:**

The number of general season nonresident deer and elk tags set aside for use by hunters using the services of a licensed Idaho outfitter is set annually by administrative rule. The following number of nonresident deer tags and nonresident elk are set aside annually and reserved for sale to persons who have entered into an agreement to use the services of a licensed outfitter:

- 1,985 deer tags (regular or white-tailed)
- 2,400 elk tags (A or B tags for all zones)

Outfitter set-aside quotas are a subset of the total nonresident deer and elk tag quotas (15,500 total deer tags and 12,815 elk tags), not an addition to the total nonresident deer and elk tag quotas. The statute and administrative rule relevant to the Outfitter Set-aside tags was amended during the 2019 legislative session. Additional modifications were made during the 2020 legislative to improve clarity.

Tags allocated to outfitters in capped elk zones are a subset of the outfitter set-aside quotas above. Outfitter set-aside tags not claimed by outfitted clients by July 15 revert back to the total statewide nonresident quotas for the Department to sell to as regular nonresident tags, except, set-aside tags allocated to outfitters in capped elk zones revert back to the statewide nonresident elk tag quota if unsold by July 31.

**Statutory Authority and/or Policy Issues:**

Idaho Code 36-408. COMMISSION'S AUTHORITY -- TAGS -- PERMITS --  
NONRESIDENTS LIMITED -- OUTFITTERS SET-ASIDE.

(3) Outfitted Hunter Tags Set-Aside. When the commission establishes a limit as to the number of nonresident deer tags and nonresident elk tags, it shall set aside, when setting big game seasons, in a statewide pool, a maximum of twenty-five percent (25%) of the nonresident deer tag and nonresident elk tag limit. These tags may be allocated to the outfitted hunters in capped hunts and controlled hunts and set aside for outfitted hunter use in general hunts.

Such outfitted allocated set-aside tags shall be separate from the tag numbers set for residents and nonresidents in each capped or controlled hunt, unit, or game management area. The set-aside tags shall be sold pursuant to commission rule, only to persons that have entered into a signed agreement for that year to utilize the services of an outfitter licensed pursuant to chapter 21, title 36, Idaho Code.

In order for a person to purchase any set-aside nonresident deer tag or nonresident elk tag, that person's outfitter must submit an application with the proper fees as required by the director. If any nonresident deer tags or nonresident elk tags set aside for use in general hunts pursuant to this subsection are unsold by July 15 of the year in which they were set aside, they may be sold by the department to the general public pursuant to commission rule. If any nonresident deer tags or nonresident elk tags set aside as general capped allocated tags pursuant to this subsection are unsold by July 31 of the year in which they were set aside, they may be sold by the department to the general public pursuant to commission rule.

IDAPA 13.01.04.500. NONRESIDENT DEER AND ELK TAG OUTFITTER SET-ASIDE.

**01. Tags.** The following number of nonresident deer tags and nonresident elk tags shall annually be set aside and reserved for sale to persons who have entered into an agreement to utilize the services of an outfitter who is licensed under Chapter 21, Title 36, and Idaho Code. For each hunting season:

- a. One thousand nine hundred eighty five (1,985) deer tags (regular or white-tailed);
- b. Two thousand four hundred (2,400) elk tags (A or B tags for all zones);

**02. Restrictions.** Tags for use in general hunts shall be sold on a first-come, first-serve basis through July 14 of each year. Application for purchase of these tags shall be made by the outfitter for the nonresident on a form prescribed by the Department. The application shall be accompanied by the appropriate license fees and a certification by the outfitter that the nonresident hunter has a contract to hunt with the outfitter making application.

**03. Unsold Tags.** Any tags not sold by July 15 of each year shall be sold by the Department to nonresidents on a first-come, first serve basis. If there is a waiting list of individuals desiring a tag for the species available, those individuals will be first served. Application shall be made only to the Department main office.

The current outfitter set-aside represents 13% of the tags in the nonresident deer tag quota and 19% of the tags in the nonresident elk tag quota. In 2019, 1,658 set-aside deer tags and 1,270 set-aside elk tags (including 948 allocated tags from capped zones) were unsold and returned to the nonresident quotas.

**Public Involvement Process:**

The Idaho Outfitters & Guides Licensing Board and the Idaho Outfitters & Guides Association have been involved in the set-aside process and worked with the Department while drafting the changes in statute and administrative rule.

**Justification:**

This agenda item is for Commission information. The number of nonresident deer and elk tags set-aside annually from the total general season nonresident deer and elk tag quotas is set by Administrative Rule.

**Staff Recommendation:**

N/A. This agenda item is for Commission information. No action is required.