

**Meeting Date:** July 26, 2018

**Agenda Item No. 5K**

**Agenda Item:** Ban Natural Urine Lures – CWD  
(Action)

**Bureau Chief Approval:** 

**Prepared by:** Toby Boudreau

**Background:**

In 2016, Department staff began revising the Chronic Wasting Disease (CWD) Strategy, which was first written in 2002 and revised in 2010 and 2012. The Strategy Revision is a comprehensive document that includes updated background information on research and management on CWD, prevention, surveillance strategies for both pre- and potentially post-detection, potential management strategies for post-detection and communication strategies.

As part of the strategy update process, staff developed several conceptual ideas for rule changes that would reduce the risk for CWD in Idaho. They included restrictions on carcass transport/importation; winter feeding of wildlife; and possession of live mule deer, white-tailed deer, and elk. The Commission also asked the Department to consider banning the use of natural urine-based lures.

The Department initiated negotiated rulemaking on a rule to ban the use of natural cervid (i.e., deer, elk) urine as a measure to reduce the probability of CWD prions from infected urine entering the environment. Synthetic substitutes may be used.

There is benefit to applying the rule for the 2018 hunting season as a component of implementing Idaho's Chronic Wasting Disease strategy to reduce risk of CWD entering the state.

Temporary and proposed rulemaking authority has been granted by the Governor because this rule confers a benefit. As such, the rule would take effect upon adoption by the Commission but must be upheld by the 2019 Legislature to become final.

The Temporary/Proposed revision to 13.01.17.100:

**100. USE OF BAIT FOR HUNTING.**

Bait for hunting is defined as any substance placed to attract big game animals, except synthetic liquid scent for deer and elk. Bait may be used to hunt ONLY black bear and ONLY under the following conditions, EXCEPT gray wolf may be taken incidentally to bear baiting. (4-4-13)(X-XX-XX)T

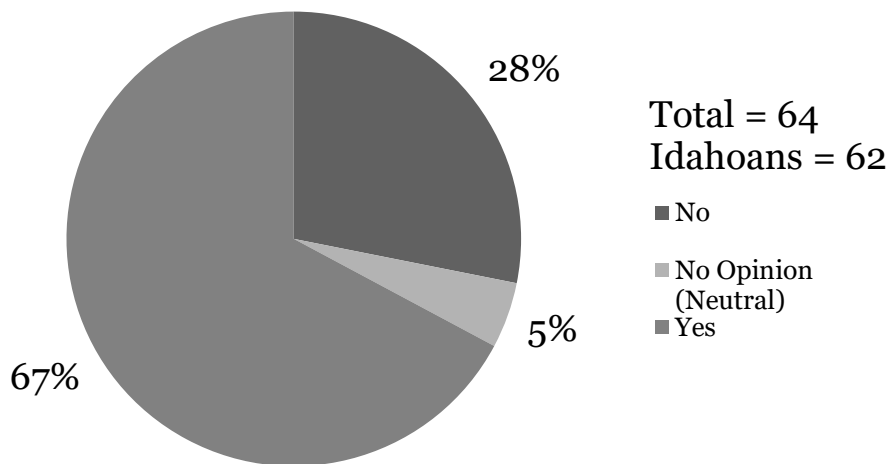
**Statutory Authority and/or Policy issues:**

Idaho Code 36-104 grants authority to the Commission to set seasons and promulgate IDAPA rules. Idaho Code 67-52 (Idaho Administrative Procedure Act) governs the process for considering, adopting, and implementing IDAPA rules.

**Public Involvement Process:**

A Notice of Intent to initiate rulemaking was published in the Administrative Bulletin and the proposed rule was published and made available for public review and comment on the Department's website during a 21-day period following publication. Public comments are summarized in charts based on Yes/No/No Opinion responses to specific questions regarding the rule.

Do you support prohibiting the use of natural urine products (deer, elk, moose) for hunting big game?



**Justification:**

Staff reviewed the comments and the majority of individuals support the ban of natural urine-based lures. Support was divided between allowing the natural lures (28%) and support for the ban (67%). The majority of the comments opposing the use of natural urine-based lures were based on the false premise that data does not exist to prove that urine can carry CWD prions.

**Staff Recommendation:**

Staff recommends that the Commission adopt the temporary/proposed rule developed by staff to ban the use of natural cervid urine for hunting big game

Suggested Motion: The Commission adopt the temporary/proposed rule to ban the use of natural cervid urine for hunting big game.