**Meeting Date:** July 26, 2018

**Agenda Item No. 5L**

**Agenda Item:** Integrate CWD into Winter Feeding Considerations (Action)

**Bureau Chief Approval: \[Signature\]**

**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 integrate CWD risk into consideration of emergency winter feeding decisions. This rule would revise a previous rule in order to integrate CWD risks into the conditions and criteria considered by the Department and recommendations from Winter Feeding Advisory Committees for emergency feeding of deer, elk, and pronghorn.

Proposed rulemaking authority has been granted by the governor. As such, if the rule is adopted by the Commission, the rule would not take effect until it is upheld by the 2019 Legislature to become final.

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


**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 the proposed rule change that would include the evaluation of the potential risk of spreading Chronic Wasting Disease when considering whether to initiate emergency winter feeding operations for deer, elk, or pronghorn?

<table>
<thead>
<tr>
<th>Opinion</th>
<th>Percentage</th>
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<tbody>
<tr>
<td>No</td>
<td>14%</td>
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<tr>
<td>No Opinion (Neutral)</td>
<td>7%</td>
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<tr>
<td>Yes</td>
<td>79%</td>
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Total = 58 Idahoans = 58

**Justification:**
Staff reviewed the comments and the majority of the public supports the draft proposed rule to integrate CWD risk as a consideration and criteria to winter feeding. Of those individuals with an opinion, 79% supported the rule and 28% did not support the rule; 5% of the public had no opinion.

**Staff Recommendation:**
Staff recommends that the Commission adopt the proposed rule to integrate CWD risk as a consideration and criteria to winter feeding.

**Suggested Motion:** The Commission adopt the proposed rule to integrate CWD risk into consideration of emergency winter feeding decisions.
100. INTENT.
The Idaho Fish and Game Commission recognizes that the big game population should be maintained under natural conditions and by naturally available forage. Winter forage is the major limiting factor which determines the basic size of the big game populations, and it must be maintained if the animals are to prosper and propagate. In order to maintain these winter ranges, big game numbers must be controlled through adequate harvest. The Commission does not sanction any widespread supplemental winter feeding programs. Additionally, big game animals, especially elk, when concentrated by supplemental feeding are very susceptible to infectious disease which can be transmitted to livestock. Deer and elk may also be especially susceptible to spreading or contracting Chronic Wasting Disease when concentrated by supplemental emergency feeding and this risk should be evaluated prior to making the decision to provide supplemental feed. However, big game harvests and weather vary from year to year throughout the state. In most years and areas, snow depths, temperatures, and animal body condition do not create adverse conditions for wintering animals. Unusual weather conditions, limited winter forage, or other circumstances may create critical periods of stress for animals or force them into areas involving public safety. The Commission is unable to manage the big game populations for extreme weather. Therefore, emergency feeding of big game is appropriate under certain criteria.

101. DELEGATION OF AUTHORITY TO REGIONAL SUPERVISORS.
Because the declaration of and quick response to a feeding emergency will depend on local conditions, the Commission and Director delegate the authority to declare a feeding emergency and to expend funds on feeding to the Regional Supervisors of the Department of Fish and Game.

102. EMERGENCY FEEDING CRITERIA.

01. Declaration of Feeding Emergency. A feeding emergency may be declared if one (1) or more of the following criteria are met:
   a. Actual or imminent threat of depredation to private property.
   b. Threat to public safety, including traffic hazards.
   c. Excessive mortality which would affect the recovery of the herd.
   d. Limited or unavailable winter forage caused by fire or unusual weather.

02. Additional Guidelines. The Regional Supervisors may develop additional guidelines on emergency feeding within the listed criteria and potential risk of disease transmission based on local conditions and local public input.