Meeting Date: July 26, 2018

Agenda Item No. 5M

Agenda Item: Discontinue cervid import/possession permits – CWD (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 ban the importation and possession of live mule deer, white-tailed deer, and moose in Idaho. This rule would ban importation and possession of ungulates that could be infected with CWD by denying necessary permits to import or possess live mule deer, white-tailed deer, or moose. The rule would not affect captive Cervidae under the authority of the Idaho Department of Agriculture.

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.
Justification:
Staff reviewed the comments and the majority of the public supports a ban on the importation and possession of mule deer, white-tailed deer, and moose. Of those individuals with an opinion, 87% supported the rule and 10% did not support the rule; 3% of the public had no opinion.

The proposed rule would restrict the public from importing animals from out of state and possessing those mule deer, white-tailed deer, and moose from other states.

Staff Recommendation:
Staff recommends that the Commission adopt the proposed rule to ban importation and possession of live mule deer, white-tailed deer, and moose in Idaho, with the exception of allowing existing rehab facilities with approved permits to possess live mule deer, white-tailed deer, and moose in Idaho.

Suggested Motion: The Commission adopt the rule to ban importation and possession of live mule deer, white-tailed deer, and moose in Idaho, with the exception as recommended by staff.
13.01.10 – RULES GOVERNING THE IMPORTATION, POSSESSION, RELEASE, SALE, OR SALVAGE OF WILDLIFE

700. LIST OF SPECIES APPROVED FOR IMPORTATION INTO IDAHO.
The following species are generally approved to be possessed, imported into or transported, sold, bartered or traded within Idaho. (7-1-99)

01. Approved License Required. No person shall import any species of live wildlife without a license approved by the director or his designee. (7-1-99)

02. Species Allowed for Importation. The following species have been approved for importation into Idaho (a license is still required): (7-1-99)

   a. Rocky Mountain Elk. *Cervus elaphus canadensis.* (7-1-93)
   b. Roosevelt Elk. *Cervus elaphus roosevelti.* (7-1-93)
   c. Manitoba Elk. *Cervus elaphus manitobensis.* (7-1-93)
   e. Rocky Mountain Mule Deer. *Odocoileus hemionus hemionus.* (7-1-93)
   f. Pronghorn/Antelope. *Antilocapra americana americana.* (7-1-93)
   g. Bison/Buffalo. *Bison bison.* (7-1-93)
   h. Fallow Deer. *Dama dama* spp. (7-1-93)
   i. Muntjac Deer. *Muntiacus muntjak* spp. (7-1-93)
   j. Wild Turkey (Merriams, Rio Grande And Eastern). *Meleagris gallapavo* spp. (7-1-93)
   k. Pheasants. All species. (7-1-93)
   l. Columbian Sharp-Tailed Grouse. *Pedioecetes phasianellus.* (7-1-93)
   m. Gray/Hungarian Partridge. *Perdix perdix.* (7-1-93)
   n. Chukar Partridge. *Alectoris graeca.* (7-1-93)
   o. Blue Grouse. *Dendragapus obscurus.* (7-1-93)
   p. Spruce Grouse. *Canachites canadensis.* (7-1-93)
   q. Ruffed Grouse. *Bonasa umbellus.* (7-1-93)
   r. Wild Quail (Northern Bobwhite, California, Mountain And Gambel’s). *Colinus virginianus, Callipepla californica, Oreortyx pictus* and *Callipepla gambelii.* (7-1-93)
03. Fur Farms, Fish Farms, Domestic Cervidae, and Bona Fide Pet Stores. Fur farms, fish farms, domestic cervidae, and bona fide pet stores are regulated by the Idaho Department of Agriculture. However, a license to import those animals into the state shall be obtained from the Idaho Department of Fish and Game prior to importation. (7-1-99)

04. All Other Species. All species of live wildlife not listed above for importation in IDAPA 13.01.10.700.02 or listed as not approved for importation in IDAPA 13.01.10.710 will be considered on a case-by-case basis. Application shall be made on a department-prepared form and comply with the procedures of Section 101 of these rules. The decision on whether import and possession will be allowed shall be in the director’s discretion, based on the protection of Idaho’s wildlife from habitat degradation, genetic contamination, competition, or disease. (x-xx-xx) (7-1-99)

710. LIST OF SPECIES NOT APPROVED FOR IMPORTATION INTO IDAHO. The following species are NOT approved to be possessed, imported into, or transported, sold, bartered or traded within Idaho. (x-xx-xx)

a. Wild Elk, *Cervus elaphus* (x-xx-xx)

b. Mule deer, *Odocoileus hemionus* (x-xx-xx)

c. White-tailed deer, *Odocoileus virginianus* (x-xx-xx)

d. Moose, *Alces alces* (x-xx-xx)

704. 711. -- 999. (RESERVED)