

**Meeting Date:** July 26, 2018

**Agenda Item No. 5.O.**

**Agenda Item:** Remove trophy species from child/grandchild tag designation (Rulemaking)

**Bureau Chief Approval:** \_\_\_\_\_

**Prepared by:** Sharon W. Kiefer

**Background:** Currently, Idaho law and Fish and Game Commission rules allow a resident parent or grandparent who draws any controlled hunt tag to designate that tag to their resident minor (younger than 18) child or grandchild. Similarly, any nonresident parent or grandparent who draws any controlled hunt tag may designate to their nonresident minor child or grandchild.

The Commission has heard concerns from sportsmen that view this allowance as impacting draw odds, particularly for moose, bighorn sheep, and mountain goats. Example: both parents, both sets of grandparents, and the designated child could all submit an application with intent to designate to the child if drawn (i.e. 7 applications to benefit one person). The Commission requested the Department to take public input to revise the rule. A Notice of Intent for negotiated rulemaking was published and public input was collected through the department's website.

The proposed rule would exclude moose, bighorn sheep, mountain goat, and grizzly bear controlled hunt tags from designation by any parent or grandparent to their minor child or grandchild to address concerns raised by hunters that draw odds for these once-in-a-lifetime species may be negatively affected by multiple parents and grandparents applying for these species with intent to designate the tag to their child or grandchild.

The proposed rule is attached as part of this agenda item.

**Statutory Authority and/or Policy issues:** The Commission has statutory authority for rulemaking regarding this subject. The proposed rule must be upheld by the 2019 Legislature to become effective.

**Public Involvement Process:** A Notice of Intent for negotiated rulemaking was published in the *Idaho Administrative Bulletin* and public input was collected through the department's website. There were no comments received via letter or direct email.

Of eleven rule proposals open for public comment during June, this proposal garnered 270 comments, of which 95% were from Idahoans. This was the highest number of comments for a single rule during the June rulemaking comment period.

Of commenters with an opinion (does not include the 3 "neutral"), 197 (74%) supported the rule proposal, 70 (26%) did not.

Comments within the scope of rulemaking were fairly diametrically opposed as follows, which did not suggest further negotiation of the rule would lead to consensus, and thus any further negotiated rulemaking is infeasible:

In support of the proposed rule: *Definitely should not continue this. There are plenty of opportunities on regular big game. Once in a lifetime species odds are hard enough and to have people applying that are never considering going on the hunt over hunters wanting the opportunity once.*

Not in support of the proposed rule: *Allowing transfer of controlled hunt tags from parent/grandparent to minor for all species is a great way to enhance and keep our youth interested in hunting.*

**Staff Recommendation:** Motion to declare negotiated rulemaking infeasible and adopt the proposed rule to exclude moose, bighorn sheep, mountain goat, and grizzly bear controlled hunt tags from designation by any parent or grandparent to their minor child or grandchild.

**Justification:** Rulemaking requested by the Commission and supported by public comments.