

**Idaho Fish and Game Commission**  
**Special Meeting**  
**December 22, 2020**  
**Idaho Department of Fish and**  
**Game Southwest Regional Office**  
**15950 North Gate Boulevard**  
**Nampa, Idaho**

Present: Director Schriever, Deputy Director Reinecker, Deputy Director Kline, Deputy Attorney General Kathleen Trever, Regional Supervisor Jon Rachael, Executive Assistant Mary Boyer, and Administrative Assistant Kim Rau.

A special meeting of the Idaho Fish and Game Commission was held by telephone conference. The meeting was called to order by Chairman Corkill with Commissioners Don Ebert, Tim Murphy, Greg Cameron, Lane Clezie, Derick Attebury, and Ron Davies in attendance via Zoom meeting.

Chairman Corkill reported that staff made a revision to agenda less than 24 hours before the call to clarify action items and discussion only items (action for set-aside tags; discussion only regarding potential changes to November 20 decision for outfitter elk and deer tag allocation). Staff sent the revised agenda to the commissioners and reposted the agenda. To make this revision effective under Open Meeting Law, the Chair would entertain a motion to amend the agenda as reposted.

**20-94** Commissioner Attebury moved and Commissioner Clezie seconded a motion to amend the agenda as reposted. Motion Carries.

**SEASON SETTING AND RULES**

**Rulemaking Petition (November 19, 2020) from Idaho Outfitters and Guides Association (IOGA) regarding the statewide limit for outfitter set-aside deer and elk tags**

Presented by Southwest Regional Supervisor Jon Rachael,

The negotiated rulemaking process allows all interested persons and the Department to seek consensus on rule language for the Commission's consideration. IOGA has petitioned the Commission to conduct rulemaking to allow for the full 25% of nonresident general season deer and elk tags to be used in the outfitter set aside pool to accommodate additional allocated tags related to the limiting of nonresidents in all general elk and deer hunts.

Should outfitting and other interested parties choose to participate, negotiated rulemaking would provide an opportunity to improve and clarify information for potential future Commission decisions on elk and deer tag set-asides.

By statute (Idaho Code 36-408), when the number of tags is limited for nonresidents, the Fish and Game Commission may set-aside a maximum of 25% of the nonresident deer and elk tag limits for use by outfitted hunters. 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.

Twenty-five percent of 15,500 nonresident deer tags would increase the set-aside tags from the current 1,985 to 3,875 set-aside tags. Twenty-five percent of 12,815 nonresident elk tags would increase the number of set-aside tags from the current 2,400 to 3,203 set-aside tags.

**20-95** Commissioner Davies moved and Commissioner Ebert seconded a motion to adopt the staff recommendation that the Department conduct negotiated rulemaking regarding the number of outfitter set-aside tags for elk and deer, with recognition that this action does not obligate the Commission to any particular future rulemaking decision on this subject matter. Motion carries.

**Temporary rulemaking to increase the outfitter set-aside for elk tags from 2,400 to 2,800**

Presented by Southwest Regional Supervisor Jon Rachael.

Staff recommends temporary rulemaking to provide the Commission with flexibility in setting limits for outfitter allocated elk tags for 2021 and 2022 (concurrent with any negotiated rulemaking the Commission may conduct). The current set-aside of 2,400 limits the Commission's flexibility in setting outfitter allocated elk tags relative to reported outfitter use or any increases should capped zone quotas be increased during 2021 season setting.

**IDAPA 13.01.04**

**RULES GOVERNING LICENSING**

**500. NONRESIDENT DEER AND ELK TAG OUTFITTER SET-ASIDE.**

**01. Tags.** The following numbers of nonresident general hunt deer tags and nonresident general hunt elk tags will annually be set aside and reserved for sale to persons who have entered into an agreement to utilize the services of an outfitter licensed under Chapter 21, Title 36, Idaho Code. For each Hunting Season:

- a. One thousand nine hundred eighty-five (1,985) deer tags (the combined total of regular and White-tailed);
- b. Two thousand ~~four~~ eight hundred (~~2,400~~2,800) elk tags (the combined total of A and B tags for all zones).

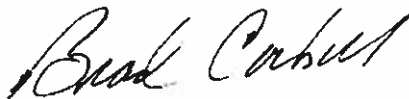
**20-96** Commissioner Attebury moved and Commissioner Clezie seconded a motion that the Commission adopt the temporary rule as presented (increasing statewide outfitter set-aside for elk tags temporarily for 2021/2022 seasons to 2,800 from current 2,400). Motion carries.

**Evaluating potential use of set-aside tags to address impacts to use of outfitting services from faster elk/deer tag sales and sell-outs in zones/units limited for non-residents (those zones/units limited on November 20)**

Presented by Director Ed Schriever.

The Commission agreed for staff to move forward with an evaluation of potential increased allocation of elk/deer tags to outfitters, for review with the Commission at the regularly scheduled meeting on January 28, 2021.

Adjourn



Brad Corkill  
Chairman



Ed Schriever  
Secretary