

Meeting Date: March 22, 2018

Agenda Item No. 6H

Agenda Item: Unlimited Controlled Hunt Non-resident tag numbers, Outfitter Allocation (ACTION)

Bureau Chief Approval: _____

Prepared by: Jon Rachael, State Wildlife Game Manager

Background:

Following negotiated rulemaking during spring and summer 2017, the Commission adopted a proposed rule that would provide the Commission new authority to limit the number of tags available for nonresident hunters to no less than 10% of the average number of total tags drawn annually during the previous 5 year period in controlled hunts in which the number of resident hunters is unlimited. Further, the Commission adopted a proposed rule that would provide additional authority to expand options for allocating tags to outfitters to include the option of allocating an unlimited number of allocated tags or a number of allocated tags based on historic use as alternatives for controlled hunt areas with limited nonresident tags and unlimited resident tags.

The proposed rules were passed by the 2018 legislature and will go into effect upon their adjournment. The Commission set the 2017 and 2018 seasons and controlled hunt tag numbers for big game species at their March 2017 meeting. There are 3 Unlimited Controlled Hunts for antlered deer in the Middle Fork and 1 Unlimited Controlled Hunt for antlered deer in Southeast Idaho that could be affected if the Commission chooses to implement: CH No. 1011 in CH Area 20A; CH No. 1016 in CH Area 26; CH No. 1017 in CH Area 27; CH No. 1055 in CH Area 73.

CH Area 20A has averaged 27 nonresident hunters over the last 5 years (max = 36) and has averaged 103 total hunters (max = 120) (5 yr average of 26% nonresidents) (Fig. 1). The minimum number of nonresident tags under the new rule (no less than 10% of the previous 5yr average number of tags) = 10 nonresident tags. Outfitter historic use averaged for the previous 5 years = 17 deer hunters; the highest number of outfitted deer hunters during the previous 5 years = 28 (2015). CH Area 20A exceeds the unit's quality hunt objectives for success (58% vs. objective of 50%) and %4pts in the harvest (72% vs. objective of 40%).

CH Area 26 has averaged 94 nonresident hunters over the last 5 years (max = 127) and has averaged 125 total hunters (max = 164) (5 yr average of 75% nonresidents) (Fig. 2). The minimum number of nonresident tags under the new rule (no less than 10% of the previous 5yr average number of tags) = 13 nonresident tags. Outfitter historic use averaged for the previous 5 years = 29 deer hunters; the highest number of outfitted deer hunters during the previous 5 years = 59 (2017). CH Area 26 exceeds the unit's quality hunt objectives for success (81% vs. objective of 50%) and %4pts in the harvest (88% vs. objective of 40%).

CH Area 27 has averaged 368 nonresident hunters over the last 5 years (max = 433) and has averaged 511 total hunters (max = 598) (5 yr average of 72% nonresidents) (Fig. 3). The minimum number of nonresident tags under the new rule (no less than 10% of the previous 5yr average number of tags) = 51 nonresident tags. Outfitter historic use averaged for the previous 5 years = 85 deer hunters; the highest number of outfitted deer hunters during the previous 5 years = 99 (2014). CH Area 27 exceeds the unit's quality hunt objectives for success (73% vs. objective of 50%) and %4pts in the harvest (82% vs. objective of 40%).

CH Area 73 has averaged 487 nonresident hunters over the last 5 years (max = 569) and has averaged 1,710 total hunters (max = 1,845) (5 yr average of 29% nonresidents)

(Fig. 4). The minimum number of nonresident tags under the new rule (no less than 10% of the previous 5 yr average number of tags) = 171 nonresident tags. Outfitter historic use averaged for the previous 5 years = 0 deer hunters; the highest number of outfitted deer hunters during the previous 5 years = 1 (2015). CH Area 73 fell just short the unit's quality hunt objectives for success (49% vs. objective of 50%) in 2017 and exceeded the quality hunt objective for %4pts in the harvest (48% vs. objective of 40%).

If tags are limited, it is unknown how many nonresidents may choose to hunt in the Sep 15 – Oct 31 general season hunts in Units 20A, 26, or 27 (or elsewhere in the state) if they are not drawn for the controlled hunts vs. how many may choose to discontinue hunting in Idaho. If nonresident tags are significantly reduced and a large number of hunters choose to not hunt in Idaho, fiscal impacts to the Department may be substantial (approximately \$500/hunter). If these hunters choose to hunt in other general season hunts if they fail to draw, impact to the Department's revenue would be minimal.

Under allocation rules for controlled hunts, any tags allocated to outfitters would be *in addition to* the number of tags authorized by the Commission for each hunt area. If nonresident tags are limited, it is difficult to predict how many additional nonresidents may choose to contract with outfitters to access allocated tags.

Potential levels of reductions to nonresident tag numbers from 2017 levels and the effects on the proportion of nonresidents in each hunt are presented in Table 1.

Statutory Authority and/or Policy Issues:

Idaho Code 36-104 grants authority to the Commission to promulgate rules for the taking of wildlife consistent with state policy. Species management plans developed by the Department and adopted by the Commission provide long-term direction for population and harvest management. IDAPA 13.01.08.260.02 provides the Commission authority to limit nonresident tags in controlled hunts and IDAPA 13.01.04.505 provides the Commission authority to allocate deer and elk tags to outfitters with historic use in controlled hunt areas.

Public Involvement Process:

Recommendations for the 2017 and 2018 seasons that were set in January and March 2017 resulted from year-round public involvement, and population and harvest monitoring. The proposed rule change resulted in significant additional public input during the formal rulemaking process. Resident hunters strongly supported limitations on nonresident hunters in these unlimited controlled hunts, but were opposed to allocation of tags to outfitters. Nonresidents strongly opposed restrictions on their participation in unlimited controlled hunts. In recent weeks air taxi services that provide transportation into backcountry airstrips in these hunt areas have expressed opposition to restrictions on nonresident tags based on financial impacts to their businesses as well as the businesses in local communities that serve nonresident hunters. Public involvement has not been solicited associated with specific proposals to limit nonresident tag numbers or allocation of tags to outfitters.

Justification:

The proposed rule providing the Commission authority to limit nonresident participation and establish an outfitter allocation in controlled hunts with an unlimited number of resident hunters goes into effect upon adjournment of the 2018 Legislature. Commission action is required to adopt changes to the 2018 unlimited controlled hunts to implement restrictions to nonresident tag numbers and to provide allocated tags to outfitters.

Staff Recommendation:

Staff recommendation is as follows:

- No change to Controlled Hunt No. 1011 (CH Area 20A) and Controlled Hunt No. 1055 (CH Area 73) for the 2018 season. Consider adjustments for the 2019 season.
- At commission discretion, set nonresident tag numbers for Controlled Hunt No. 1016 (CH Area 26) and Controlled Hunt No. 1017 (CH Area 27). Reference options for reduction on Table 1.
- Establish an outfitter allocation equal to the *highest annual use* in each Hunt Area during the previous 5 years (59 allocated tags for CH No. 1016 and 99 allocated tags for CH No. 1017 for) the 2018 hunting season.

Action Requested:

Establish nonresident tag limits and establish outfitter allocation of an unlimited number of tags for deer Controlled Hunt Numbers 1016 (CH Area 26) and 1017 (CH Area 27) for the 2018 big game hunting season.

Suggested Motion—To:

- Set nonresident tag numbers for at **xx** tags for Controlled Hunt No. 1016 (CH Area 26) and at **xxx** tags for Controlled Hunt No. 1017 (CH Area 27) for the 2018 big game hunting season, and to,
- Establish an outfitter allocation of 59 tags for CH No. 1016 and 99 tags for CH No. 1017 for the 2018 hunting season.

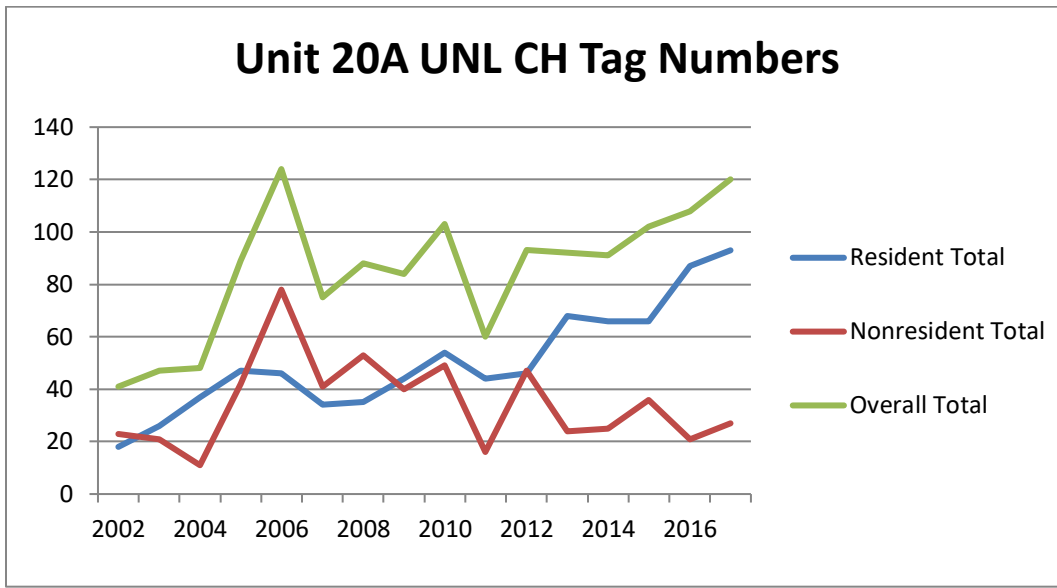


Fig. 1. Deer Unlimited Controlled Hunt Area 20A resident and nonresident tag numbers 2002 – 2017.

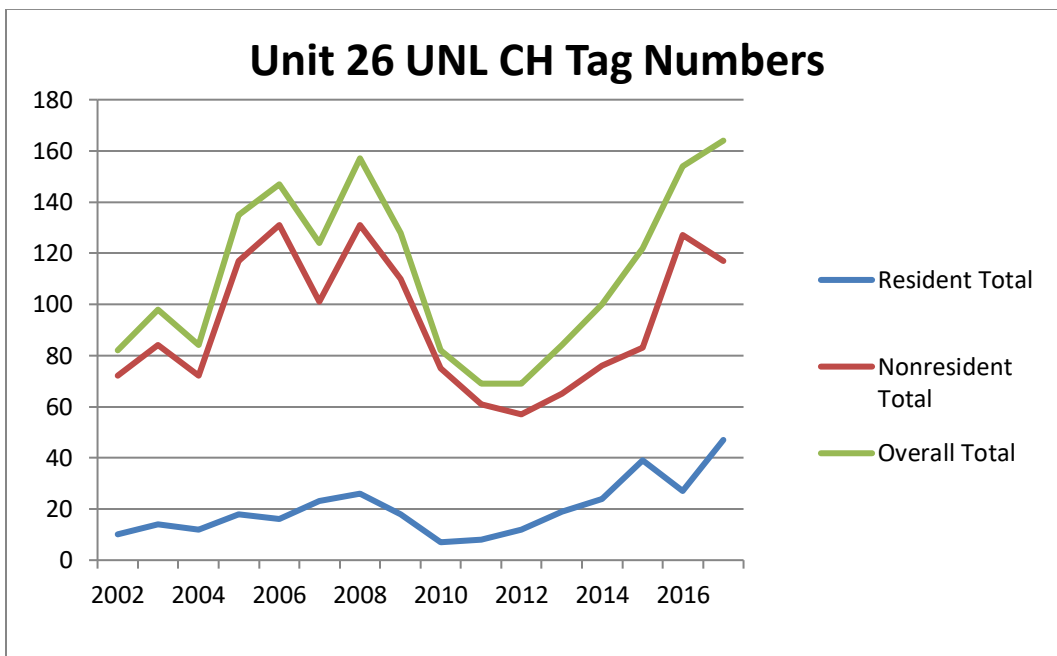


Fig. 2. Deer Unlimited Controlled Hunt Area 26 resident and nonresident tag numbers 2002 – 2017.

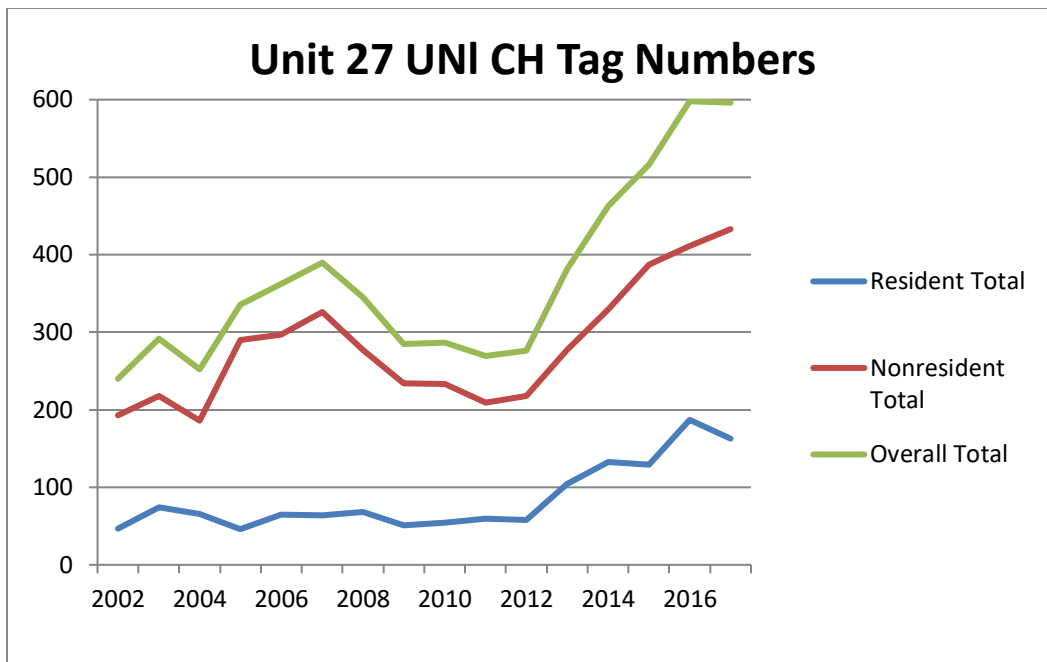


Fig. 3. Deer Unlimited Controlled Hunt Area 27 resident and nonresident tag numbers 2002 – 2017.

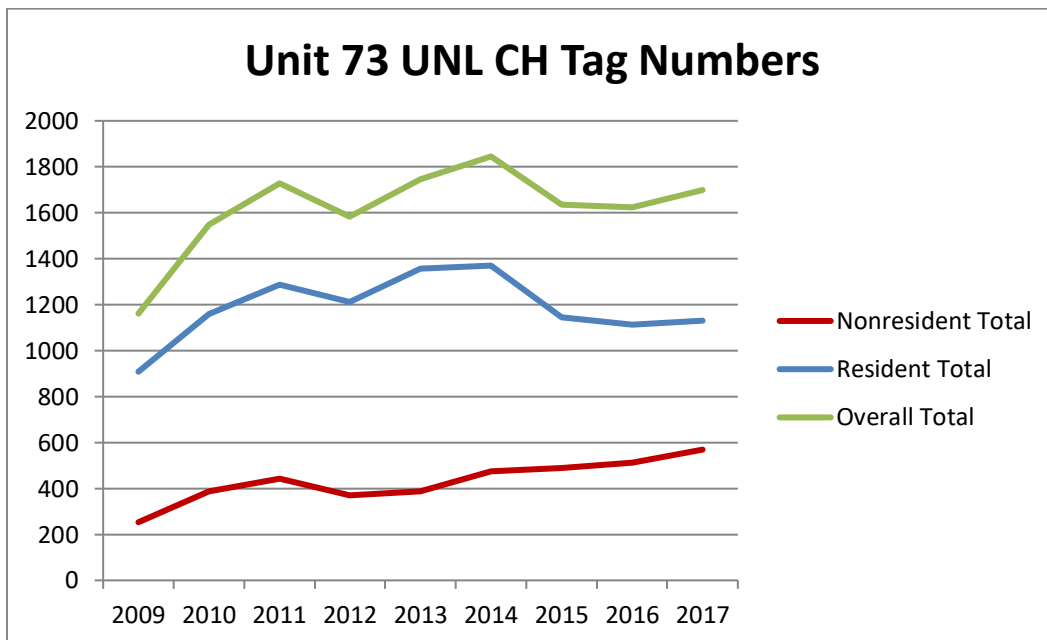


Fig. 4. Deer Unlimited Controlled Hunt Area 73 resident and nonresident tag numbers 2009 – 2017.

Table 1. Resident, nonresident, and total deer tags numbers based on percentages of 2017 tag numbers in deer controlled hunts in CH Areas 20A, 26, 27, and 73. Resident tag numbers were fixed at 2017 levels for calculation purposes.

Unit 20A	2017	10%	20%	30%	40%	50%	60%	70%	80%	90%	5yr Ave
Nonresidents	27	3	5	8	11	14	16	19	22	24	27
Residents	93	93	93	93	93	93	93	93	93	93	76
Total Hunters	120	96	98	101	104	107	109	112	115	117	103
NR as % of Total Hunters	23%	3%	5%	8%	10%	13%	15%	17%	19%	21%	26%

Unit 26	2017	10%	20%	30%	40%	50%	60%	70%	80%	90%	5yr Ave
Nonresidents	117	12	23	35	47	59	70	82	94	105	94
Residents	47	47	47	47	47	47	47	47	47	47	31
Total Hunters	164	59	70	82	94	106	117	129	141	152	125
NR as % of Total Hunters	71%	20%	33%	43%	50%	55%	60%	64%	67%	69%	75%

Unit 27	2017	10%	20%	30%	40%	50%	60%	70%	80%	90%	5yr Ave
Nonresidents	433	43	87	130	173	217	260	303	346	390	368
Residents	163	163	163	163	163	163	163	163	163	163	143
Total Hunters	596	206	250	293	336	380	423	466	509	553	511
NR as % of Total Hunters	73%	21%	35%	44%	52%	57%	61%	65%	68%	71%	72%

Unit 73	2017	10%	20%	30%	40%	50%	60%	70%	80%	90%	5yr Ave
Nonresidents	569	57	114	171	228	285	341	398	455	512	487
Residents	1131	1131	1131	1131	1131	1131	1131	1131	1131	1131	1223
Total Hunters	1700	1191	1245	1305	1359	1419	1472	1529	1586	1643	1710
NR as % of Total Hunters	33%	5%	9%	13%	17%	20%	23%	26%	29%	31%	28%

*Highest # of Res participating in Unit 20A in last 15 years is 93 (2017); Average # of Res in Unit 20A for 15 years is 53.

*Highest # of Res participating in Unit 26 in last 15 years is 47 (2017); Average # of Res in Unit 26 for 15 years is 21.

*Highest # of Res participating in Unit 27 in last 15 years is 187 (2016); Average # of Res in Unit 27 for 15 years is 88.

*Highest # of Res participating in Unit 73 in sine 2009 is 1,370 (2014); Average # of Res in Unit 73 since 2009 is 1,186.

Red numbers indicate nonresident tag numbers below 10% of the average tags sales during the previous 5 years.