

Meeting Date: May 14, 2009

Agenda Item No. 16

Agenda Item: Rules: Briefing on Potential Changes for Big Game & Upland Game & Nonbiological Rules **Approved by:** _____

Prepared by: Brad Compton

Background:

Annually or biennially, the Idaho Fish and Game Commission considers proposed changes for 2 types of hunting rules, biological and nonbiological. Biological rules are published annually (i.e. Big Game, Waterfowl) or biennially (e.g. Moose, Bighorn Sheep, and Mountain Goat; Upland Game) and include seasons, limits, size, sex, and harvestable species. Nonbiological rules include all other rules adopted by the Commission. Examples of nonbiological rules include methods of take, tagging requirements, evidence-of-sex requirements, and controlled hunt eligibility requirements. Nonbiological rules are officially published in the Idaho Administrative Code (<http://adm.idaho.gov/adminrules/agyindex.htm>) and included in hunting regulation brochures.

Historically, nonbiological rule changes were adopted by the Commission throughout the year. To accommodate requirements of the Idaho Administrative Procedures Act, the Commission now considers nonbiological rule changes during late spring through summer. For the 2010 hunting seasons, the Department will be proposing a number changes to big game and upland game nonbiological rules at the July 2009 Commission meeting.

Statutory Authority and/or Policy Issues:

Idaho Code 36-104 grants authority to the Commission to promulgate biological and nonbiological rules. Idaho Code 67-52 (Idaho Administrative Procedure Act) governs the process for considering, adopting, and implementing nonbiological rules.

Public Involvement Process:

Proposed rules will be scoped with the public via regional meetings and through the Department web site during June.

Staff Recommendation:

Staff will present a preliminary list of potential big game and upland game rule changes to be scoped with the public, and considered by the Commission in July.

Justification:

Potential rule changes are provided for informational purposes, and to solicit Commission direction.