

Dear Senators BAIR, SIDDOWNAY, Stennett, and  
Representatives GIBBS, Gestrin, Erpelding:

The Legislative Services Office, Research and Legislation, has received the enclosed rules of the  
Department of Fish and Game:

IDAPA 13.01.10 - Rules Governing the Importation, Possession, Release, Sale, or Salvage of  
Wildlife - Proposed Rule (Docket No. 13-0110-1801);

IDAPA 13.01.17 - Rules Governing the Use of Bait and Trapping for Taking Big Game Animals -  
Temporary and Proposed Rule (Docket No. 13-0117-1802);

IDAPA 13.01.18 - Rules Governing Emergency Feeding of Antelope, Elk, and Deer of the Idaho Fish  
and Game Commission - Proposed Rule (Docket No. 13-0118-1801).

Pursuant to Section 67-454, Idaho Code, a meeting on the enclosed rules may be called by the  
cochairmen or by two (2) or more members of the subcommittee giving oral or written notice to Research  
and Legislation no later than fourteen (14) days after receipt of the rules' analysis from Legislative  
Services. The final date to call a meeting on the enclosed rules is no later than 09/24/2018. If a meeting is  
called, the subcommittee must hold the meeting within forty-two (42) days of receipt of the rules' analysis  
from Legislative Services. The final date to hold a meeting on the enclosed rules is 10/23/2018.

The germane joint subcommittee may request a statement of economic impact with respect to a  
proposed rule by notifying Research and Legislation. There is no time limit on requesting this statement,  
and it may be requested whether or not a meeting on the proposed rule is called or after a meeting has  
been held.

To notify Research and Legislation, call 334-4854, or send a written request to the address on the  
memorandum attached below.



Eric Milstead  
Director

# Legislative Services Office

## Idaho State Legislature

*Serving Idaho's Citizen Legislature*

### MEMORANDUM

**TO:** Rules Review Subcommittee of the Senate Resources & Environment Committee and the House Resources & Conservation Committee

**FROM:** Deputy Division Manager - Katharine Gerrity

**DATE:** September 06, 2018

**SUBJECT:** Department of Fish and Game

IDAPA 13.01.10 - Rules Governing the Importation, Possession, Release, Sale, or Salvage of Wildlife - Proposed Rule (Docket No. 13-0110-1801)

IDAPA 13.01.17 - Rules Governing the Use of Bait and Trapping for Taking Big Game Animals - Temporary and Proposed Rule (Docket No. 13-0117-1802)

IDAPA 13.01.18 - Rules Governing Emergency Feeding of Antelope, Elk, and Deer of the Idaho Fish and Game Commission - Proposed Rule (Docket No. 13-0118-1801)

#### **1. IDAPA 13.01.10 - Rules Governing the Importation, Possession, Release, Sale, or Salvage of Wildlife**

##### **Summary and Stated Reasons for the Rule**

The Idaho Department of Fish and Game submits notice of proposed rule at IDAPA 13.01.10 - Rules Governing the Importation, Possession, Release, Sale, or Salvage of Wildlife. According to the department, the rulemaking would provide that the department will generally not approve of the possession, importation, transport, sale, barter or trade of wild elk, moose, mule deer, white-tailed deer, fallow deer or muntjac deer due to concerns about the transmission of Chronic Wasting Disease and removes those species from the Species Allowed for Importation list.

##### **Negotiated Rulemaking / Fiscal Impact**

Negotiated rulemaking was conducted. The department notes that there will be no impact on the state general fund.

##### **Statutory Authority**

The rulemaking appears to be authorized pursuant to Sections 36-103, 36-104, 36-501 and 36-504, Idaho Code.

Kristin Ford, Manager  
Research & Legislation

Paul Headlee, Manager  
Budget & Policy Analysis

April Renfro, Manager  
Legislative Audits

Glenn Harris, Manager  
Information Technology

Statehouse, P.O. Box 83720  
Boise, Idaho 83720-0054

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## **2. IDAPA 13.01.17 - Rules Governing the Use of Bait and Trapping for Taking Big Game Animals**

### **Summary and Stated Reasons for the Rule**

The Idaho Department of Fish and Game submits notice of temporary and proposed rule at IDAPA 13.01.17 - Rules Governing the Use of Bait and Trapping for Taking Big Game Animals. According to the department, the proposed change will only allow synthetic liquid scent to attract deer and elk as a measure to reduce risk of Chronic Wasting Disease entering Idaho. The department notes that the temporary rule justification is that the Governor has found that implementation of the rule to affect the 2018 hunting season confers a risk reduction benefit relative to managing the risk of Chronic Wasting Disease entering Idaho. The effective date of the temporary rule was July 26, 2018.

### **Negotiated Rulemaking / Fiscal Impact**

Negotiated rulemaking was conducted. The department indicates it anticipates no negative fiscal impact to the state general fund.

### **Statutory Authority**

The rulemaking appears to be authorized pursuant to Sections 36-104 and 36-1101, Idaho Code.

## **3. IDAPA 13.01.18 - Rules Governing Emergency Feeding of Antelope, Elk, and Deer of the Idaho Fish and Game Commission**

### **Summary and Stated Reasons for the Rule**

The Idaho Department of Fish and Game submits notice of proposed rule at IDAPA 13.01.18 - Rules Governing Emergency Feeding of Antelope, Elk, and Deer of the Idaho Fish and Game Commission. According to the department, the proposed change is sought to integrate risk of Chronic Wasting Disease (CWD) into the conditions and criteria considered by the department for emergency winter feeding of deer and elk, prohibit private feeding of deer and elk within any CWD Management Zone and to make a technical correction to the chapter title.

### **Negotiated Rulemaking / Fiscal Impact**

The department indicates that negotiated rulemaking was not conducted because the rule addresses conditions and criteria considered by the department regarding emergency winter feeding that the agency may conduct. There is no impact to the state general fund.

### **Statutory Authority**

The rulemaking appears to be authorized pursuant to Sections 36-103, 36-104, 36-105 and 36-111, Idaho Code.

cc: Department of Fish and Game  
Sharon Kiefer

**\*\*\* PLEASE NOTE \*\*\***

Per the Idaho Constitution, all administrative rules must be reviewed by the Legislature during the next legislative session. The Legislature has 3 options with this rulemaking docket: **1)** Approve the docket in its entirety; **2)** Reject the docket in its entirety; or **3)** Reject the docket in part.

## IDAPA 13 – IDAHO DEPARTMENT OF FISH AND GAME

### 13.01.10 – RULES GOVERNING THE IMPORTATION, POSSESSION, RELEASE, SALE, OR SALVAGE OF WILDLIFE

DOCKET NO. 13-0110-1801

#### NOTICE OF RULEMAKING – PROPOSED RULE

**AUTHORITY:** In compliance with Section 67-5221(1), Idaho Code, notice is hereby given that this agency has initiated proposed rulemaking procedures. The action is authorized pursuant to Sections 36-103, 36-104, 36-501 and 36-504, Idaho Code.

**PUBLIC HEARING SCHEDULE:** Public hearing(s) concerning this rulemaking will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than September 19, 2018.

The hearing site(s) will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the hearing, to the agency address below.

**DESCRIPTIVE SUMMARY:** The following is a nontechnical explanation of the substance and purpose of the proposed rulemaking:

It is being proposed that IDAPA 13.01.10 be changed to not approve possession, importation, transport, sale, barter, or trade of wild elk, moose, mule deer, white-tailed deer, fallow deer or muntjac deer because of concerns about transmission of Chronic Wasting Disease.

**FEE SUMMARY:** The following is a specific description of the fee or charge imposed or increased: This proposed rule change has no associated fee.

**FISCAL IMPACT:** The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year resulting from this rulemaking: There is no effect to the state general fund.

**NEGOTIATED RULEMAKING:** Pursuant to Section 67-5220(2), Idaho Code, negotiated rulemaking was conducted. The Notice of Intent to Promulgate Rules – Negotiated Rulemaking was published in the June 6, 2018 Idaho Administrative Bulletin, [Vol.18-6, Page 49](#).

**INCORPORATION BY REFERENCE:** Pursuant to Section 67-5229(2)(a), Idaho Code, the following is a brief synopsis of why the materials cited are being incorporated by reference into this rule: This proposed rule does not include an incorporation by reference.

**ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS:** For assistance on technical questions concerning the proposed rule, contact Toby Boudreau, (208) 334-2920. Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before September 26, 2018.

Dated this 7th day of August, 2018.

Toby Boudreau  
Assistant Chief, Bureau of Wildlife  
Idaho Department of Fish and Game  
600 S. Walnut Street  
P.O. Box 25  
Boise, ID 83707  
Phone: (208)334-2920  
Fax: (208)334-2114

THE FOLLOWING IS THE PROPOSED TEXT OF DOCKET NO. 13-0110-1801  
(Only Those Sections With Amendments Are Shown.)

**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)
- ~~d.~~ Reindeer/Caribou. *Rangifer tarandus* spp. Only allowed south of the Salmon River. (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). *Melagris 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. *Dendrogapus obscurus*. (7-1-93)
- ~~p.~~ Spruce Grouse. *Canochites 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.** ~~The Idaho Department of Agriculture regulates 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 in this section as generally approved for importation 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 to approve 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. Because of concerns about transmission of Chronic Wasting Disease and other infectious diseases, the department will generally not approve possession, importation, transport, sale, barter, or trade of elk (wild), moose, mule deer, white-tailed deer, fallow deer, or muntjac deer.

(7-1-99)( )

**IDAPA 13 – IDAHO DEPARTMENT OF FISH AND GAME**

**13.01.17 – RULES GOVERNING THE USE OF BAIT AND TRAPPING  
FOR TAKING BIG GAME ANIMALS**

**DOCKET NO. 13-0117-1802**

**NOTICE OF RULEMAKING – TEMPORARY AND PROPOSED RULE**

**EFFECTIVE DATE:** The effective date of the temporary rule is July 26, 2018.

**AUTHORITY:** In compliance with Sections 67-5221(1) and 67-5226, Idaho Code, notice is hereby given that this agency has adopted a temporary rule, and proposed rulemaking procedures have been initiated. The action is authorized pursuant to Sections 36-104 and 36-1101, Idaho Code.

**PUBLIC HEARING SCHEDULE:** Public hearing(s) concerning this rulemaking will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than September 19, 2018.

The hearing site(s) will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the hearing, to the agency address below.

**DESCRIPTIVE SUMMARY:** The following is the required finding and concise statement of its supporting reasons for adopting a temporary rule and a nontechnical explanation of the substance and purpose of the proposed rulemaking:

It is being proposed that IDAPA 13.01.17.100 be changed to only allow synthetic liquid scent to attract deer and elk as a measure to reduce risk of Chronic Wasting Disease entering Idaho.

**TEMPORARY RULE JUSTIFICATION:** Pursuant to Section 67-5226(1)c, Idaho Code, the Governor has found that temporary adoption of the rule is appropriate for the following reasons: Implementation of this rule to affect the 2018 hunting season confers a risk reduction benefit relative to managing the risk of Chronic Wasting Disease entering Idaho.

**FEE SUMMARY:** The following is a specific description of the fee or charge imposed or increased: The temporary and proposed rule change has no associated fee.

**FISCAL IMPACT:** The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year: There is no negative fiscal impact to the state general fund that is estimated to be greater than ten thousand dollars (\$10,000) during the fiscal year.

**NEGOTIATED RULEMAKING:** Pursuant to Section 67-5220(1), Idaho Code, negotiated rulemaking was conducted. The Notice of Intent to Promulgate Rules – Negotiated Rulemaking was published in the June 6, 2018 Idaho Administrative Bulletin, [Vol.18-6, Page 52](#).

**INCORPORATION BY REFERENCE:** Pursuant to Section 67-5229(2)(a), Idaho Code, the following is a brief synopsis of why the materials cited are being incorporated by reference into this rule: This temporary and proposed rules does not include an incorporation by reference.

**ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS:** For assistance on technical questions concerning the temporary and proposed rule, contact Toby Boudreau, (208) 334-2920.

Anyone may submit written comments regarding the proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before September 26, 2018.

Dated this 7th day of August, 2018.

Toby Boudreau  
Assistant Chief, Bureau of Wildlife  
Idaho Department of Fish and Game  
600 S. Walnut Street  
P.O. Box 25, Boise, ID 83707  
Phone: (208) 334-2920 / Fax: (208) 334-2114



**THE FOLLOWING IS THE TEMPORARY RULE AND THE PROPOSED TEXT  
OF DOCKET NO. 13-0117-1802  
(Only Those Sections With Amendments Are Shown.)**

**100. USE OF BAIT FOR HUNTING.**

Bait for hunting is defined as any substance placed to attract big game animals, except **synthetic** liquid scent for deer and elk. Bait may be used to hunt **ONLY** black bear and **ONLY** under the following conditions, **EXCEPT** gray wolf may be taken incidentally to bear baiting. ~~(4-4-13)~~(7-26-18)T

**01. Time. (7-1-93)**

**a.** No bait or bait container may be placed for the purpose of attracting or taking black bear prior to the opening of black bear take season **EXCEPT** bait may be placed one (1) week prior to the opening of bear season in Units 10, 12, 16A, 17, 19, 20, 20A, 26 and 27. (4-4-13)

**b.** All bait, bait containers and materials must be removed and all excavations refilled no later than seven (7) days after the close of each season (spring, fall, or black bear dog training); **EXCEPT** bait, bait containers, and materials may remain in Units 10 and 12 between the dog training season and the fall hunt. (4-4-13)

**02. Location. (7-1-93)**

**a.** No bait site may be located within two hundred (200) feet of any water (lake, pond, reservoir, year round free flowing spring and year round free flowing stream). (3-29-17)

**b.** In all regions except the Panhandle and Clearwater Regions, no bait site may be located within two hundred (200) yards from any maintained trail or any established roadway that is open to the general public for motorized traffic and capable of being traveled by full-sized automobiles; in the Panhandle and Clearwater Regions, no bait site may be located within two hundred (200) feet from any maintained trail or any established roadway that is open to the general public for motorized traffic and capable of being traveled by full-sized automobiles. (3-29-17)

**c.** No bait site may be located within one-half (1/2) mile of any designated campground or picnic area, administrative site, or dwelling. (7-1-93)

**03. Types. (7-1-93)**

**a.** No person shall use any part of a domestic or wild origin game bird, big game animal, upland game animal, game fish, or protected nongame wildlife for bait or scent. (4-7-11)

**b.** The skin must be removed from any mammal parts or carcasses used as bait. (7-1-93)

**c.** No person shall use salt in any form (liquid or solid) for bait. (3-29-10)

**04. Containers. (7-1-93)**

**a.** No bait may be contained within paper, plastic, glass, metal, wood or other nonbiodegradable materials, except that a single, metal container with a maximum size of fifty-five (55) gallons may be used if securely attached at the bait site. (7-1-93)

**b.** No bait may be contained in any excavated hole greater than four (4) feet in diameter. (7-1-93)

**05. Establishment of Bait Sites. (7-1-93)**

**a.** Any structures constructed at bait sites using nails, spikes, ropes, screws, or other materials must be

removed by the permit holder within seven (7) days after the close of each season; spring, fall, or black bear dog training. (3-29-10)

**b.** All bait sites must be visibly marked at the nearest tree or on the bait container using a tag supplied by the Department. (7-1-93)

## IDAPA 13 – IDAHO DEPARTMENT OF FISH AND GAME

### 13.01.18 – RULES GOVERNING EMERGENCY FEEDING OF ANTELOPE, ELK, AND DEER OF THE IDAHO FISH AND GAME COMMISSION

DOCKET NO. 13-0118-1801

#### NOTICE OF RULEMAKING – PROPOSED RULE

**AUTHORITY:** In compliance with Section 67-5221(1), Idaho Code, notice is hereby given that this agency has initiated proposed rulemaking procedures. The action is authorized pursuant to Sections 36-103, 36-104, 36-105 and 36-111, Idaho Code.

**PUBLIC HEARING SCHEDULE:** Public hearing(s) concerning this rulemaking will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than September 19, 2018.

The hearing site(s) will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the hearing, to the agency address below.

**DESCRIPTIVE SUMMARY:** The following is a nontechnical explanation of the substance and purpose of the proposed rulemaking:

It is being proposed that IDAPA 13.01.18 be changed to integrate risk of Chronic Wasting Disease (CWD) into the conditions and criteria considered by Idaho Department of Fish and Game for emergency winter feeding of deer and elk, prohibit private feeding of deer and elk within any CWD Management Zone and to make a technical correction to the chapter title.

**FEE SUMMARY:** The following is a specific description of the fee or charge imposed or increased: This proposed rule change has no associated fee.

**FISCAL IMPACT:** The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year resulting from this rulemaking: There is no effect to the state general fund.

**NEGOTIATED RULEMAKING:** Pursuant to Section 67-5220(2), Idaho Code, negotiated rulemaking was not conducted because the rule addresses conditions and criteria considered by Idaho Department of Fish and Game regarding emergency winter feeding that the agency may conduct.

**INCORPORATION BY REFERENCE:** Pursuant to Section 67-5229(2)(a), Idaho Code, the following is a brief synopsis of why the materials cited are being incorporated by reference into this rule: This proposed rule does not include an incorporation by reference.

**ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS:** For assistance on technical questions concerning the proposed rule, contact Toby Boudreau, (208) 334-2920. Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before September 26, 2018.

Dated this 6th day of August, 2018.

Toby Boudreau  
Assistant Chief, Bureau of Wildlife  
Idaho Department of Fish and Game  
600 S. Walnut Street  
P.O. Box 25  
Boise, ID 83707  
Phone: (208) 334-2920  
Fax: (208) 334-2114

THE FOLLOWING IS THE PROPOSED TEXT OF DOCKET NO. 13-0118-1101  
(Only Those Sections With Amendments Are Shown.)

13.01.18 – RULES GOVERNING EMERGENCY FEEDING OF **PRONGHORN** ANTELOPE, ELK,  
AND DEER ~~OF THE IDAHO FISH AND GAME COMMISSION~~

**000. LEGAL AUTHORITY.**

The Idaho Fish and Game Commission is authorized to adopt rules concerning the administration of the wildlife policy of the state of Idaho in accordance with the Idaho fish and game code under Sections 36-103(b), 36-104(b), and 36-105(1), Idaho Code, and specifically concerning emergency feeding of **pronghorn** antelope, elk, and deer under Section 36-111(1), Idaho Code. (4-3-95)( )

**001. TITLE AND SCOPE.**

The title of this chapter is “Rules Governing Emergency Feeding of **Pronghorn** Antelope, Elk, and Deer ~~of the Idaho Fish and Game Commission~~.” These rules govern winter emergency feeding operations, ~~and~~ establish the criteria for determining a feeding emergency, ~~and prohibit private feeding within a designated CWD Management Zone~~. (4-3-95)( )

(BREAK IN CONTINUITY OF SECTIONS)

**100. INTENT.**

The Idaho Fish and Game Commission recognizes ~~that~~ the **importance of maintaining** big game populations ~~should be maintained~~ under natural conditions and by naturally available forage. Winter forage is the major limiting factor which determines the basic size of the big game populations, and it must be maintained if the animals are to prosper and propagate. ~~In order to~~ To maintain these winter ranges, big game numbers must be controlled through adequate harvest. The Commission does not sanction ~~any~~ widespread supplemental winter feeding programs. Additionally, ~~big game animals, especially elk, when concentrated by~~ supplemental feeding ~~are~~ **concentrates big game animals, making deer and elk** very susceptible to **spreading or contracting Chronic Wasting Disease (CWD) as well as other infectious diseases which that** can be transmitted to livestock. ~~The risk of disease transmission may factor into making a supplemental feeding decision. However, b~~ Big game harvests and weather vary from year to year throughout the state. In most years and areas, snow depths, temperatures, and animal body condition do not create adverse conditions for wintering animals. Unusual weather conditions, limited winter forage, or other circumstances may create critical periods of stress for animals or force them into areas involving public safety. The Commission is unable to manage the big game populations for extreme weather. Therefore, emergency feeding of big game is appropriate under certain criteria. (4-3-95)( )

(BREAK IN CONTINUITY OF SECTIONS)

**102. EMERGENCY FEEDING CRITERIA.**

**01. Declaration of Feeding Emergency.** A feeding emergency may be declared if one (1) or more of the following criteria are met: (4-3-95)

- a. Actual or imminent threat of depredation to private property. (4-3-95)
- b. Threat to public safety, including traffic hazards. (4-3-95)

- c. Excessive mortality which would affect the recovery of the herd. (4-3-95)
- d. Limited or unavailable winter forage caused by fire or unusual weather. (4-3-95)
- 02. **Additional Guidelines.** The Regional Supervisors may develop additional guidelines on emergency feeding within the listed criteria based on risk of disease transmission local conditions and local public input. (4-3-95)( )

**(BREAK IN CONTINUITY OF SECTIONS)**

**104. -- ~~91~~99. (RESERVED)**

**200. PROHIBITION ON PRIVATE FEEDING OF DEER AND ELK WITHIN DESIGNATED CWD MANAGEMENT ZONE.**

- 01. **Prohibition.** It is unlawful to purposely or knowingly provide supplemental feed to deer and elk within any CWD Management Zone designated by the Idaho Fish and Game Commission, except supplemental or emergency feeding activities conducted or authorized by the Idaho Department of Fish and Game. ( )
- 02. **Incidental Grazing.** Incidental grazing by big game animals on private rangeland forage, standing agricultural crops, or agricultural crop residue left on the ground following typical harvest practices is not a violation of this section. ( )
- 03. **Incidental Feeding.** Incidental feeding of big game animals during the normal practice of providing feed to livestock in the winter is not a violation of this section. ( )

**201. – 999. (RESERVED)**