IDAPA 02 – DEPARTMENT OF AGRICULTURE

02.01.03 – Airborne Control of Unprotected or Predatory Animals Rules

000. Legal Authority.

Section 22-102A, Idaho Code. (3-31-22)

001. Scope.

This chapter governs the issuance of permits for the airborne control of unprotected or predatory animals and establish the duties of permittees. This chapter implements 22-102A, Idaho Code, governing the issuance of permits for the use of aircraft in controlling predatory animals. (3-31-22)

002. – 009. (Reserved)

010. Definitions.

01. Airborne Control. While airborne in any aircraft, to shoot or attempt to shoot, drive off, or kill unprotected or predatory animals. (3-31-22)

02. Predatory Animal. Predatory animals include (1) coyotes; (2) wolves; and (3) red fox. Red fox may be controlled in the areas where the Idaho Department of Fish and Game (IDFG) has established a year-round hunting season for red fox, and, in consultation with the IDFG , in specific areas, outside the areas where a year-round hunting season has been established, where red fox are causing predation problems. (3-31-22)

03. Unprotected Animal. An animal which is not designated as protected, threatened, or endangered under federal or state law. (3-31-22)

011. -- 099. (Reserved)

100. Control Permit.

01. Airborne Control Permit Required. Any person who engages in the airborne control of unprotected or predatory animals must obtain a permit from the Department. The Department will provide a permit application to applicants. For the purposes of this chapter, “permit” shall be used. (3-31-22)

02. Incomplete Application. Failure to provide any of the required application information is cause for denial of a permit. (3-31-22)

03 Possession of Permits by Permittee. Permits must be in the possession of the permittee when exercising any privileges thereunder. (3-31-22)

04. Expiration of Permits. Permits are valid from the date of issuance and expire on June 30 of each year. (3-31-22)

05. Written Consent from Private Landowner Required. The applicant must: (a) submit written permission from each owner of private land on whose property the applicant plans to conduct airborne control operations; and (b) provide the name, address, and telephone number of the owner of the property from whom such permission was obtained. (3-31-22)

06. Changes in Information. Permittees shall immediately notify the Department of changes in the application information supplied by the applicant or any changes in the conditions under which the permit was issued.

(3-31-22)

101. Issuance Of Permits.

In determining whether the permit application should be granted or denied, the Director may give reasonable consideration to the following factors: (3-31-22)

01. Threat to Resource. The threat, danger, or menace to the resource requiring protection. (3-31-22)

02. Type of Control. Whether the animals are to be driven off or killed. (3-31-22)

03. Number Issued. The number of permits issued for the same type of animal in the same area.

(3-31-22)

102. Notification To Federal Land Management Agencies.

Information concerning authorized airborne control activities will be provided to those federal land management agencies on whose land the activities are to be conducted. This section will not be interpreted to require an applicant to obtain permission from the federal land management agency to conduct airborne control activities as a condition of receiving the permit from the Department. (3-31-22)

103. -- 199. (Reserved)

200. Recordkeeping Requirements.

01. Recordkeeping by Permittee. Permittees shall maintain records of airborne control activities including: (3-31-22)

a. The resource protected; (3-31-22)

b. The common name of animal and number of animals controlled; (3-31-22)

c. The geographic location of the property where airborne control was conducted; and (3-31-22)

d. The specific dates on which the person was engaged in airborne control activity. (3-31-22)

02. Summary of Control Activities. A summary of all control activities and required recordkeeping shall be submitted to the Director within thirty (30) working days after the end of each calendar quarter. (3-31-22)

201. -- 299. (Reserved)

300. Prohibited Acts.

01. Prohibited Acts Defined. No person may: (3-31-22)

a. Use a permit to hunt for sport. (3-31-22)

b. Kill any type of animal different from the type of animal specified on the permit. (3-31-22)

c. Transfer a permit to another person. (3-31-22)

d. Engage in airborne control activities in a geographic area different from the area specified on the permit. (3-31-22)

301. – 999. (Reserved)