

The Idaho Department of Fish and Game considers the following document to be an agency guidance document for purposes of Idaho Executive Order 2020-002. The guidance document is not new law; it is the Department's interpretation or implementation of existing law.

Department Point of Contact (to obtain additional information or provide input):

Deputy Director, Programs and Policy
Idaho Department of Fish and Game
P.O. Box 25
Boise, ID 83707
Phone: (208) 334-3771
Email: rules@idfg.idaho.gov



IDAHO DEPARTMENT OF FISH AND GAME

Technical Assistance PROCEDURE NO.: DIR-3.0

Revision Date 18 June 2020

General Guidance

The Department is routinely requested to provide technical assistance on a wide variety of project ideas, planning documents, and other proposals that potentially affect fish and wildlife, their habitats, and fish and wildlife based recreational activities. These requests come from a diverse set of parties ranging from governmental regulatory entities to public and private land managers, development interests, transportation interests, energy providers, businesses, and property owners. Technical assistance may be provided in many forms, to include formal written correspondence, participation in project review meetings, participation in natural resource collaborative processes, site visits, e-mails, phone calls, and more.

The Department provides technical assistance to further the mission of preserving, protecting, perpetuating, and managing Idaho's wildlife for the benefit of the people of Idaho, ensuring continued supplies of wildlife to provide fishing, hunting, and trapping opportunities. As an executive agency, the Department also has responsibilities to ensure that effective stewardship of the state's wildlife resources occurs in a manner that is compatible with other business of the state to promote the safety, health and welfare of Idaho citizens through both private and public enterprises. Doing so requires a solution-oriented approach to providing technical assistance. It also requires that in the process of providing technical assistance, Department efforts do not overstep policymaking roles of the Fish and Game Commission, other executive branch agencies, or Legislative and Judicial branches of state government.

Staff should provide technical assistance in a fact-based manner that effectively informs decision-makers of expected fish and wildlife and associated recreation outcomes from the action and alternatives being considered, including for example potential positive effects, negative effects, and recommendations to mitigate (e.g., avoid and minimize negative effects). In general, technical assistance comments and recommendations should be grounded in management plans and not express support or opposition to proposals or make broad value judgments. For example, it is appropriate to quantify/qualify how a project would achieve elk management objectives, reduce nesting cover for sage grouse, increase/decrease angler access, etc. Without Commission approval, it is generally not appropriate for technical comments to say the Department supports, is in favor of, opposes, or is against a proposed project.

Exceptions to this guidance are infrequent, but could include the following cases:

- Commission-approved Policy Statement – Department comments will reflect positions that the Commission has formally adopted.
- Administrative Proceedings (e.g., Water-right protests and FERC applications) – The Regional Supervisor may approve filings to participate in administrative proceedings in which



IDAHO DEPARTMENT OF FISH AND GAME

Technical Assistance PROCEDURE NO.: DIR-3.0

the initial filing is taking no position for/against the application. The Director's Office must approve filings which take an advocacy position (support/oppose).

- Director-approved participation in Natural Resource Collaborative Teams and Processes – With approval from the Director, staff may provide technical assistance within the arena of a natural resource collaborative where it is important that the Department express and advance the State's interests to achieve effective collaboration with other stakeholders. In most cases, the State will have entered into a formal agreement outlining roles and responsibilities with the other parties of a collaborative.

Supervision, Oversight, and Review

Single-region Issues – The Technical Assistance Program's Staff Biologist (TAP-SB) is the primary point-of-contact for each region. Regional Supervisors, coordinating with TAP-SBs, may assign other staff as appropriate to address technical assistance work load responsibilities. Regional Supervisors are responsible for oversight and supervision of the technical assistance program within the regions, working in concert with the Director's Office. Regional Supervisors are responsible for review of technical assistance comments and recommendations developed at the regional level and for identifying the appropriate signatory for communications, comment letters, and other documents.

Multiple-region Issues – Where requests for technical assistance span multiple regions, require coordination with other state agencies, or are of a nature more appropriately handled at the Bureau or Director's Office level, the Director's Office will identify the lead region/bureau or staff responsible for coordinating comments or conducting research.