

f. be appointed from each area ~~without regard to the recreational activity in which that anticipates and shall represent interests other than motorbike or ATV riders and snowmobilers as set forth in Section II above.~~

g. be compensated as stated in §59-509(f) Idaho Code and authorized by the Department.

**3. Waterways Improvement Fund Advisory Committee** – Each of the six (6) members shall:

a. reside in the district they represent.

b. be the registered owner of at least one vessel and be an active recreational boater in Idaho.

c. possess knowledge of boats, boating and boating facilities meeting or exceeding that of an average recreational boater.

d. be willing to enter into a Memorandum of Agreement to serve for the term of the appointment.

e. be compensated as stated in §59-509(f) Idaho Code and authorized by the Department.

**4. Recreational Trails Advisory Committee** – Each of the ten (10) members with each member representing a trail interest shall:

a. reside in the State of Idaho.

b. be an active participant in the activity represented. If representing all-terrain vehicle, off-highway motorcycle, or snowmobile interests, the member shall also own and use a properly registered vehicle.

c. be willing to enter into a Memorandum of Agreement to serve for the term of appointment.

d. be compensated as stated in §59-509(f) Idaho Code and authorized by the Department.

**5. Information Sheet** – Staff shall develop an information sheet, which shall be provided to interested applicants along with the application. The information sheet should outline the statutory basis for the advisory committee, minimum qualifications, a brief description of the duties of the committee and its individual members, information concerning the number of and location of meetings, amount of travel required, and applicable policies concerning compensation or reimbursement of expenses, and the application filing deadline. The information sheet may include such other information as might be pertinent to a prospective applicant.

**6. Applicant Deadline** – Applicants should be encouraged to submit their completed applications prior to the final application deadline for staff review. This allows staff an opportunity to review applications for completeness and obtain any additional information required prior to the final application deadline.

## C. Staff Review

1. **Initial Staff Review** – Applications shall be returned to the State and Federal Grant Manager. The manager shall review the applications to ensure that they are complete and that the applicants meet all statutory requirements. If an application is incomplete, or if it does not appear from the application form that the applicant meets the appropriate statutory criteria and the application deadline has not yet passed, the program manager shall contact the applicant to see if additional information is available. Applications, which are incomplete, or applicants who do not meet the minimum qualifications at the time of the final application deadline shall not be considered.

2. **Staff Recommendation** – Following the initial review for completeness and statutory compliance, the State and Federal Grant Manager or his designee shall make a substantive review of each application. ~~This review shall be based on the objective criteria established for the application process.~~ This review should include consideration of the applicant's minimum qualifications, additional qualifications, experience, and whether they are representative of the user group they are statutorily required to represent. The program manager may make such review based on the written applications and discussions with the applicant. No later than one (1) month preceding the Board meeting at which an appointment will be made, the State and Federal Grant Manager shall forward ~~the following information to the Board:~~

~~a. all complete applications to the Board, with notes from staff regarding the applicants' meeting the~~ minimum qualifications.

~~b. s~~ Staff's ~~written recommendation (The written recommendation notes~~ shall include a brief discussion of how each applicant meets or does not meet the reasons for the recommendation, consistent with the objective criteria established for each position, together with any additional ~~relevant~~ information about the applicant. ~~The program managers' recommendation shall be based in part on assuring that there is a balance among various users)~~

~~e. any additional information concerning any of the applicants,~~ which may be relevant to an appointment decision.

**D. Appointing Authority Review and Recommendation** – The appointing authority (respective Board member or Board Members) is responsible for reviewing the applications and conducting interviews with the applicants. The appointing authority's decision shall be based on the objective criteria established for the application process and (in part) on assuring that there is a balance among various users. The appointing authority shall, at a minimum, contact each applicant by telephone. In making a selection, the appointing authority should keep in mind that the committee must serve a large range of interests. The committee should include a balanced mix of different users and individuals and organizational representatives.

### **E. After the Appointment**

**Orientation** – Following an action of the Board or Director making an advisory committee appointment, the State and Federal Grant Manager shall meet with the appointee and provide an orientation to the Department, the program, and the responsibilities of the committee and its members. This should be accomplished within one (1) month of the initial appointment, but in any event must be completed prior to the appointee's first committee meeting. At the time of the orientation, the appointee shall be required to sign a Memorandum of Agreement which outlines the terms and conditions of their appointment.

**Handbook** – The program manager shall prepare a handbook for each new advisory committee member. The handbook should include the following information:

- o any Departmental rules pertaining to the program
- o any Board policies pertaining to the program
- o copies of forms used in the administration of the program
- o any Departmental policies and forms pertaining to travel,
- o reimbursements, compensation, etc. which the appointee will be required to use
- o copies of relevant statutes

IDAPA RULE                       IDAPA FEE                       BOARD ACTION REQUIRED  
 BOARD POLICY                       INFO ONLY, NO ACTION REQUIRED

**AGENDA**  
**Idaho Park and Recreation Board Meeting**  
**May 20-21, 2014**  
**Lewiston, ID**

**AGENDA ITEM:**                      **Aqua Life Aquaculture Facility**

**ACTION REQUIRED:**                      **Board Action Required**

**PRESENTERS:**                      **Steven Strack**

**PRESENTATION**

**DISCUSSION:**

Pursuant to House Bill 644, the Department is preparing to convey the Aqua Life Aquaculture Facility to the Idaho Water Resource Board for the July 2011 appraised value of \$1,635,000. In order to ensure proper execution of the Quitclaim Deed, the attached Board Resolution has been prepared, authorizing the Board Chair to execute the Quitclaim Deed on behalf of the State of Idaho, Department of Parks and Recreation, acting by and through the Idaho Park and Recreation Board.

**STAFF RECOMMENDATION:**

*Approve the attached Resolution of the Idaho Park And Recreation Board Authorizing the Conveyance of the Aqua Life Aquaculture Facility and Associated Water Rights to the Idaho Water Resource Board.*



IDAHO PARK AND RECREATION BOARD

A RESOLUTION OF THE IDAHO PARK AND RECREATION BOARD  
AUTHORIZING THE CONVEYANCE OF THE AQUA LIFE AQUACULTURE FACILITY  
AND ASSOCIATED WATER RIGHTS TO THE IDAHO WATER RESOURCE BOARD

WHEREAS, the State of Idaho, Department of Parks and Recreation, by and through the Idaho Park and Recreation Board, (the "Board"), is the owner of certain lands and aquaculture facilities in Gooding County, Idaho, known as the Aqua Life Aquaculture Facility;

WHEREAS, the Board has determined that its mission to provide park and recreation opportunities to the public is best fulfilled by sale of the Aqua Life Aquaculture Facility and use of the proceeds for development of Thousand Springs State Park;

WHEREAS, the Idaho Park and Recreation Board, (the "Board"), by action of November 13, 2012, directed the placement of the Aqua Life Aquaculture Facility into the Park Lands Trust as a prerequisite to its sale pursuant to Idaho Code § 67-4241;

WHEREAS, House Bill No. 644, enacted by the Second Session of the Sixty-Second Idaho Legislature in 2014, authorizes the Board to "sell the 17-acre parcel near the city of Hagerman and all associated water rights, known as the Aqua Life Aquaculture Facility, to the Idaho Water Resource Board for the July 2011 appraised value of \$1,635,000";

NOW, THEREFORE, Be it Resolved by the Board as follows:

That the Chair of the Idaho Park and Recreation Board be empowered to execute a Quitclaim Deed on behalf of the State of Idaho, Department of Parks and Recreation, by and through the Idaho Park and Recreation Board, conveying the Aqua Life Aquaculture Facility to the Idaho Water Resource Board.

APPROVED, PASSED AND SIGNED this \_\_\_\_\_ day of May, 2014.

\_\_\_\_\_  
Charles H. Correll, Chair

Countersigned:

\_\_\_\_\_  
Nancy Merrill, Director

IDAPA RULE                       IDAPA FEE                       BOARD ACTION REQUIRED  
 BOARD POLICY                       INFO ONLY, NO ACTION REQUIRED

**AGENDA**  
**Idaho Park and Recreation Board Meeting**  
**May 20 - 21, 2014**  
**Jack O'Connor Building**  
**Lewiston ID**

**AGENDA ITEM:**                      **Natural Resources**

**ACTION REQUIRED:**                      **Information Only**

**PRESENTER:**                      **Keith Jones**

**PRESENTATION**

**BACKGROUND INFORMATION:**

Previous Board minutes (February 2014), Randy Doman requested three items to be addressed in the Natural Resources report:

- Fire training and not “red carding” the staff.
- Federal agencies won’t have the large resources in firefighting capabilities as they do now. We are probably going to have to be more self-sufficient, at least on the initial fire sites.
- Tammany Creek blackberries – what is happening there? What are we doing with the Blackberries at Thimble berry area? Are we doing any monitoring with the weed control? Biological control has been rather minimal for many of the weeds within the parks.

**NATURAL RESOURCE MANAGEMENT PROGRAM REPORT  
JANUARY – FEBRUARY – MARCH 2014**

**NATURAL RESOURCES MANAGEMENT PROGRAM, KEITH JONES, PROGRAM MANAGER**

**Mission**

Help protect and enhance the natural resources of Idaho State Parks.

**Goals**

- Assist parks with forest and/or land management activities that promote resource health and safety, while meeting the objectives of the park.
- Assist parks with weed control efforts.
- Help parks with wildfire hazard mitigation.
- Develop a working network with natural resource professionals, partner agencies, and organizations that will benefit IDPR.

**Quarterly Program Report**

**Timber/Forest Management:**

- Working with IDL fire chief to put together a basic fire response training class for classified Park staff (not red card certification).
- Working with IDL, we have prescribed a 60-acre sale at the entrance of Priest Lake to clean up wind throw and thin an overstocked stand to promote a healthy White Pine, Larch, Douglas Fir forest in a visible way for the public to experience. Work will begin fall/winter of 2014. Possibly broadcast burn the next fall.
- Working with IDL to set up one direct sale at Farragut to be harvested this winter. This sale will address roadside thinning and ditch line maintenance that will create a shaded fuel break and protect the road base along three (3) miles of Park roads. The sale will also thin approximately 15 acres of overstocked, mixed forest to a more healthy pre-fire suppression density that favors a higher percentage of shade intolerant species.
- I will be out helping parks plant the 2000 blister rust resistant white pines and western larch seedlings that I had the Forest Service nursery start for IDPR. These seedlings will be used to plant on park sites that have been thinned and have shown little to no natural regeneration to this point.
- McCroskey “Deep Creek” Timber sale setup is wrapping up. This sale will continue the goal of Ponderosa Pine habitat restoration in McCroskey. Sale date is tentatively set for winter/spring of 2014.
- Helped IDFG measure and mark “take” trees in their shoreline Ponderosa Pine restoration sale at Farragut.

- Working with a local middle school, IDFG, IDL, USFS, and the Firesmart program to look into setting up a living forest succession classroom on four (4) acres adjacent to the North Region Office. Also, will utilize a smaller area as a “Firewise” landscape example for patrons to visit and model on their wild-land urban interface properties.
- Several small direct sales have been set up at McCroskey and Heyburn to address pockets of disease and insect damage.
- I am working with a contractor to conduct hazard fuel treatment and view shed restoration work around the cabins at Farragut.
- I will be meeting with IDL reps to discuss the viability of the shared timber tech positions that we utilize with IDL to help set up IDPR timber sales.
- Planning to set up a 70-acre Ponderosa Pine restoration cut in Ponderosa State Park “Meadow Marsh II” with a winter 2015/2016 harvest target. Upon completion, this sale will tie a continuous band of Ponderosa Pine habitat across the peninsula.
- Representing the Department as a committee member on the Idaho Firewise program. This program plans, coordinates, and promotes wildfire prevention and mitigation programs and curriculum statewide, on public and private land.
- Contracting hazard tree work and plantings to be done at Lake Walcott.
- Conduct hazard tree assessments in all developed areas in the Parks throughout the year.
- In contact with a contractor to use goats to mimic fire disturbance to brush species in thinned stands. Test sites will be in Farragut or Heyburn.

#### **Noxious Weed Management / Restoration:**

- Put together a new grazing plan for the Sheridan unit at Harriman which expires 2015, in concert with the Park, the NRCS, and IDFG, hopefully securing a Habitat Improvement Project grant to offset restoration costs.
- Coordinating spray days with county, federal, and state agencies to treat over 100 acres of noxious weeds at McCroskey and Higgens Point at no cost to the Department.
- Continue with Tammany Creek restoration efforts.
- Looking at a long-term solution to manage the noxious weeds in the old settling ponds at Hells Gate. Is there a user group that could “adopt the site”?
- Recommending and planning for Parks to focus on “eradication” of weeds in small, high visibility areas versus “control” on a larger scale.

- Prioritizing spring spray projects for 2014.
- In coordination with the USFS and the Nez Perce tribe, we are planning for releases of biological controls (bugs) for Canadian thistle at Heyburn, Farragut, and Winchester, as well as for purple loosestrife and rush skeleton weed at Three Island, Thousand Springs, Lucky Peak, and Eagle Island.
- Represent IDPR as a committee member on the Idaho Weed Coordinating Committee (IWCC). The IWCC plans and coordinates noxious weed awareness and management strategies for Idaho, and helps steer the state's cooperative weed management areas.
- Working on a feasibility plan to address shoreline erosion control in the worst areas on Park lands on Pend Oreille, Payette, and Cascade lakes.
- Looking into using goats to potentially treat noxious weed plots (rush skeleton weed, knapweed) in Eagle island.

IDAPA RULE

IDAPA FEE

BOARD ACTION REQUIRED

BOARD POLICY

INFO ONLY, NO ACTION REQUIRED

#### **AGENDA**

**Idaho Park and Recreation Board Meeting**

**May 20 - 21, 2014**

**Jack O'Connor Building**

**Lewiston ID**

**AGENDA ITEM:** The 2015 to 2018 Strategic Plan for IDPR

**ACTION REQUIRED:** Discussion and motion to amend the draft Strategic Plan

**PRESENTER:** Anna Canning

#### **PRESENTATION**

**BACKGROUND INFORMATION:** IDPR must adopt a new strategic plan by July 1, 2014. Executive Staff finalized a draft plan for your review on Tuesday, May 6<sup>th</sup>. That document is included in your packet for your review.

**STAFF RECOMMENDATIONS:** Because of the tight timeframes, staff will present the plan to you in detail at the Board Meeting. Staff will accept any comments and changes the Board desires at that time. Staff will then develop a final draft for Board review and approval at your June teleconference meeting in order to meet the July 1 deadline.

# FUTURE FOCUS



July  
2014

THE 2015 TO 2018 STRATEGIC PLAN FOR THE IDAHO  
DEPARTMENT OF PARKS AND RECREATION

**IDAHO PARK AND RECREATION BOARD**

District 1—Tom Crimmins **Hayden Lake, Idaho**

District 2—Randy Doman, Vice Chair **Cottonwood, Idaho**

District 3—Susan Buxton **Boise, Idaho**

District 4—Charles H. Correll, Chair **Jerome, Idaho**

District 5—Jean S. McDevitt **Pocatello, Idaho**

District 6—Robert Hansen **Menan, Idaho**

Ex Officio—Nancy Merrill, Director **Boise, Idaho**

DRAFT

# Future Focus

## THE 2015 TO 2018 STRATEGIC PLAN FOR THE IDAHO DEPARTMENT OF PARKS AND RECREATION

### IDAHO DEPARTMENT OF PARKS AND RECREATION (IDPR)

#### What We Do

IDPR manages thirty state parks throughout Idaho. IDPR also administers the recreation sticker programs for boats, snowmobiles and other off-highway vehicles. Money from these sticker programs goes back to users to develop and maintain trails, facilities, and education programs for snowmobilers, boaters and off-highway vehicle operators. IDPR administers non-motorized trail programs like *Park N' Ski*. IDPR also assists in the Department of Agriculture *Invasive Species* program. Furthermore, IDPR manages several outdoor recreation grant programs that provide facilities and services to a wide variety of recreationists and the local governmental and nongovernmental organizations that serve them. We are a diverse agency with diverse constituents, but when one combines it all together, we are Idaho.

#### Mission and Vision

The mission of the Idaho Department of Parks and Recreation is to improve the quality of life in Idaho through outdoor recreation and resource stewardship. We are innovators in outdoor recreation, committed to excellent service and resource stewardship. We foster experiences that renew the human spirit and promote community vitality.

#### Core Values

Core values are the essential and enduring tenets of an organization. They are its guiding principles. For the Idaho Department of Parks and Recreation, our core values are integrity, compassion, service, stewardship and commitment. We protect the resources entrusted to us, we strive to help visitors experience those resources in a positive way, and we endeavor to be vital members of our communities in which we operate.



#### Why this is Important

The Idaho Park and Recreation Board and the IDPR employees identify with and support the mission, vision, and core values of the organization. IDPR employees are proud to call ourselves public servants. The Board and employees value the public we serve and continually aim to improve our service to them. We enjoy our

jobs, and as the work day ends, we feel good about what we accomplished that day. That is our organizational culture, and that is the culture we aim to preserve.

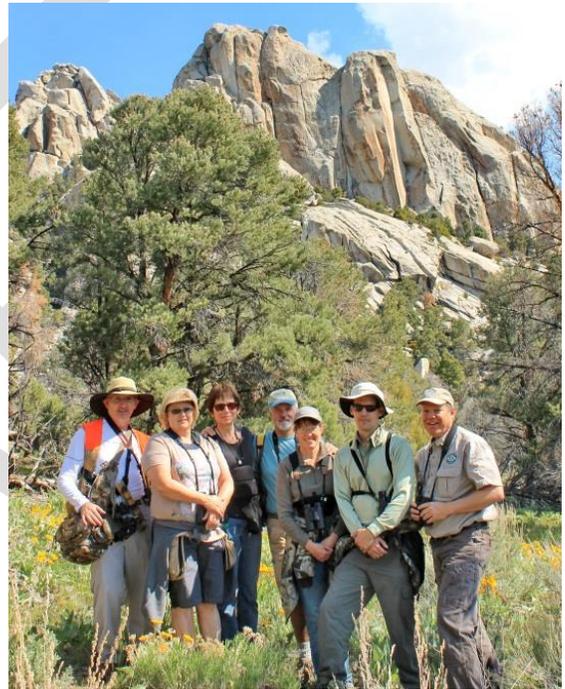
The previous strategic plan reflected the lean economic reality of the last five years (2010 to 2014). The goals were to “focus on core responsibilities”, “while protecting park resources, maximize revenue throughout the system”, and “develop a dedicated funding source to support state park operations”. IDPR adjusted its organizational strategy to meet those needs and defined a new reality. Through this plan, IDPR seeks to strategically position itself for the future in a coordinated, fiscally responsible manner that will increase services to our current customers, foster new customers, and preserve the organizational culture.

## THE STRATEGIC PLAN

IDPR develops a strategic plan every four years, as required by state statute. A strategic plan sets an organization’s direction and guides its allocation of resources.

### The Content of the Strategic Plan

The intent of the strategic plan is to provide direction for the Department and set measurable goals regarding performance over a four-year period. The plan must also “*identify those key factors external to the agency and beyond its control that could significantly affect the achievement of the strategic plan goals and objectives.*” The word “measurable” in the previous section is critical to the intent of the strategic plan. State Code gives several requirements regarding how to create measurable standards. First, the strategic plan must address all major divisions and core functions of the agency. Second, the plan must include objectives and/or tasks that indicate how the Department will achieve its goals. Third, the strategic plan must include performance measures that assess the Department’s progress in meeting those goals. Finally, the plan must be updated annually.<sup>1</sup>



### Using the Strategic Plan

It is important that the strategic plan be structured in a manner that makes it useful to IDPR throughout the year—not just at budget time or when updated. State code mandates that the plan include performance measures that are also included in IDPR’s annual budget request.<sup>2</sup> Additionally, the plan should guide IDPR in addressing policy and other issues that arise throughout the year, not only before the Board, the Director, and the Executive Staff but also field staff. For example, if IDPR receives a large endowment without spending restrictions, how should those monies be used to best meet agency goals?

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<sup>1</sup> Idaho Code § 67-1903.

<sup>2</sup> Idaho Code § 67-1904.

## The Planning Process

The process of preparing a plan is as important as the final document itself. Only with the support of the individuals that make decisions daily regarding the operation and administration of IDPR, can the document truly become a useful tool. IDPR Executive Staff were asked to participate in all aspects of this plan. The Executive Staff consists of the Director, Operations Administrator, Management Services Administrator, Recreation Bureau Chief, North Region Manager, South/East Region Manager, Communications Officer, Finance Officer, Reservation Program Manager, Management Information Systems Manager, Development Bureau Chief, and the Human Resources Director. As you can see, this group includes the key decision makers within IDPR staff.

The first task in preparation of the strategic plan update was to review numerous current plans and documents—assessing the associated visions, goals, objectives, and general aspirational statements. Those documents include the 2013 Idaho Park and Recreation Board Goals; the IDPR Mission, Vision, and Core Value statements; the Executive Staff 20-, 10-, and 5-year goals; the State Comprehensive Outdoor Recreation and Tourism Plan; and IDPR’s current Strategic Plan. Within those documents, staff identified over 150 aspirational statements. The Executive Staff then distilled these statements into the three goals identified in this document.

The third task was then to set measurable objectives, performance measures, and performance targets. Again, the Executive Team all participated in this effort.

Once finalized, the Director then submitted the Strategic Plan to the Idaho Park and Recreation Board for their consideration. The Board first discussed this current version of the strategic plan on May 21, 2014. The Board provided direction to staff and directed changes for their XX meeting(s). The Board took final action to approve the plan on XX. All Board meetings were properly noticed as set forth in Idaho State Code 67-2343.

The final plan was then sent to the appropriate legislative bodies, distributed to staff, and posted on the IDPR website.

## ORGANIZATION

In order to make this document a living and useful document, it focuses on goals related to how IDPR runs and develops our parks and recreation programs. These three goals are: access, experience, and stewardship. The remainder of this document is organized around those goals.

## ACCESS

### Goal 1: Protect and improve public access to outdoor recreation statewide.

Idaho Department of Parks and Recreation can and does provide access to outdoor recreation through a variety of means. The term “access” as used here includes not only a point of entry, but also the full recreational opportunity. IDPR impacts all recreationists, not only those that enjoy state parks for thousands of reasons but also those that enjoy motorized and non-motorized recreation of all types, whether within state



park boundaries or not. Most obvious to the general public are state parks and the opportunity they provide to camping, boating, climbing, fishing, hiking, and even disc golf (among many others). IDPR also provides access through the recreation trail programs for both motorized and non-motorized trail use in Idaho. IDPR also vigorously seeks public and private partnerships and sponsorships with willing groups and agencies for the purpose of expanding access to recreational opportunities and ensuring continued access to existing opportunities.

**Objective 1.1: Preserve outdoor recreation opportunities associated with facilities within Idaho State Parks.**

Recreation opportunities within parks include, but are not limited to, the parks and park units themselves, boat ramps, docks, camping sites, trail heads and trail connections.

PERFORMANCE MEASURE 1.1.1: NO DECREASE IN RECREATION OPPORTUNITIES WITHIN PARKS.



**Performance Target 1.1.1.1: As recreation opportunities are lost, within the next budget cycle, prioritize replacement of the loss in the impacted park or district<sup>3</sup>.**

A variety of factors (largely related to weather and nature) impact our ability to keep opportunities and/or access open. For example, many of the parks that border large lakes have extensive maintenance needs for their docks and shoreline due to the damage caused by large storms, ice flows, and general erosion. Funding should focus on maintaining current infrastructure and protecting public access.

**Objective 1.2: Protect access to valuable recreational trails and boating facilities throughout the state.**

Access issues and possible closures may result through changes to local, state and/or Federal plans and management strategies.

PERFORMANCE MEASURE 1.2.1: WORK CLOSELY WITH LAND MANAGERS AND RECREATIONISTS TO ENSURE THAT THE PUBLIC IS WELL-INFORMED OF CHANGES AND POTENTIAL IMPACTS.

**Performance Target 1.2.1.1: Report quarterly to the Board on communications and/or participation in planning and access discussions.**

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<sup>3</sup> The term “districts” as used here references the statutorily defined districts for the Idaho Park and Recreation Board.

## EXPERIENCE

### Goal 2: Foster experiences that renew the human spirit and promote community vitality.

IDPR provides not only recreation facilities for the public, but also recreation experiences through education and interpretation on a wide range of topics such as star gazing, nature photography, wild flower identification, bird watching, junior ranger skills, ice fishing, hunting academy, state history, yoga, and several important safety and instruction classes for off-highway vehicles, boats, and snowmobiles. These experience-based programs are opportunities to develop new customers and to promote community partnerships.



#### Objective 2.1: Provide different and unique outdoor experiences.

PERFORMANCE MEASURE 2.1.1: INCREASE AVAILABLE ACTIVITIES TO ATTRACT A WIDER RANGE OF PARK AND RECREATION AUDIENCES.

##### Performance Target 2.1.1.1: Create at least one new activity in each park annually to draw in groups that currently are not using our parks or recreation facilities.

As staff attends conferences and speaks with their counterparts in other (federal, state, and local) organizations, they will identify successful programs or facilities that IDPR does not yet provide. Staff will discuss activities, facilities and programs and select those that may be appropriate. The new activity or facility may be in a park or recreation program. If necessary, the required resources shall be identified as a budget priority or redirected from existing activities that fail to meet stated goals and objectives.

PERFORMANCE MEASURE 2.1.2: STRATEGIZE ON HOW TO BEST USE TECHNOLOGY IN OUR PARKS AND RECREATION ACTIVITIES.

##### Performance Target 2.1.2.1: Develop a long-range technology plan by July 2015.

Traditionally, parks were viewed as places to leave technology behind. However, our current users are increasingly dependent upon technology and insist on having technology available to them at the parks. IDPR needs to strategize on how best to implement technology in our parks and recreation activities. The plan shall identify appropriate technologies and an implementation schedule.

##### Performance Target 2.1.2.2: Implement the long-range technology plan by July 2016.

Implement the plan as set forth in the implementation schedule as noted above.

## STEWARDSHIP

**Goal 3: Be responsible stewards of the natural resources and funds entrusted to Idaho Department of Parks and Recreation.**

**Objective 3.1: Be good stewards of the natural resources entrusted to IDPR.**

For the purposes of this objective, stewardship of natural resources, includes but is not limited to, care and maintenance of campground and day use facilities, control of invasive species (plants, snails, etc.), planting trees, forest fuels management, erosion control, care and maintenance of historic properties and structures, and riparian restoration projects. The failure to address these natural resources is generally the cause for complaint and dissatisfied customers.



PERFORMANCE MEASURE 3.1.1: HAVE SATISFIED PARK CUSTOMERS.

**Performance Target 3.1.1.1: Implement a customer service survey through the reservation program by July 2015.**

**Performance Target 3.1.1.2: Re-establish a plan for day use customer satisfaction surveys by July 2015.**

**Performance Target 3.1.1.3: Implement the plan for day use customer satisfaction surveys by July 2016.**

PERFORMANCE MEASURE 3.1.2: IMPROVE FIRE SAFETY WITHIN OUR PARKS.

**Performance Target 3.1.2.1: Work with the natural resource manager to identify a means to prioritize forest fuels management in the parks by July 2016. The prioritization plan shall include an implementation schedule.**

**Performance Target 3.1.2.2: Implement the schedule noted above by July 2017.**

PERFORMANCE MEASURE 3.1.3: UPDATE CRITERIA TO EVALUATE PARK ACQUISITIONS AND DISPOSITIONS.

**Performance Target 3.1.3.1: Update the document “Procedure to Identify and Evaluate Areas of Outstanding Natural, Scientific, Cultural, Historic or Recreation Value in Idaho” to reference the goals and objectives of the current strategic plan by July 1, 2016.**

**Objective 3.2: Be good stewards of the funds entrusted to IDPR.**

PERFORMANCE MEASURE 3.2.1: CONTINUE TO SEEK ADDITIONAL REVENUE FROM ALL FUNDING SOURCES, INCLUDING GENERAL FUND SUPPORT.

**Performance Target 3.2.1.1: Increase park revenue (including but not limited to, camping, day use, retail, cabins, yurts, moorage, special events, concessions, leases and donations) by an average of 3% annually.**

PERFORMANCE MEASURE 3.2.2: IDENTIFY CORPORATE SPONSORSHIP OPPORTUNITIES THAT WILL HELP OFFSET OPERATING EXPENSES (UNIFORMS, SUPPLIES, UTILITIES, EQUIPMENT).

**Performance Targets 3.2.2.1: Secure at least one new corporate sponsor annually, or an overall cost offset (one or many sponsors) of \$20,000 or greater annually.**

**Objective 3.3: Promote and enhance our compensation package to recruit and retain top talent.**

PERFORMANCE MEASURE 3.3.1: IMPROVE IDPR WAGES COMPARABLE TO OTHER STATE AGENCIES.

**Performance Target 3.3.1.1: Raise IDPR's compa-ratio<sup>4</sup> such that IDPR is out of the bottom quartile relative to other state agencies.**

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<sup>4</sup> The Department of Human Resources (DHR) defines compa-ratio as the relationship between a classified employee's actual salary and the policy pay rate of their job as set by the state. To illustrate the impact of these ratios, for a person employed in a position that would pay \$40,000 in the private sector competitive market, that individual would make about \$29,000 working for IDPR.

**Objective 3.4: Communicate how State Parks and Recreation programs add to the economic, health, and social value of local communities, the region, and the State.**

PERFORMANCE MEASURE 3.4.1: CONDUCT ECONOMIC STUDIES ON THE IMPACT OF STATE PARKS AND RECREATION PROGRAMS.

IDPR recently completed an economic impact study on summertime off-highway vehicle use (ATV, UTV, and motorbike). The next study underway is for parks. Wintertime vehicle use (snowmobiles) and then boats will follow.

**Performance Target 3.4.1.1: Initiate an economic impact study on state parks by December 2015.**

**Performance Target 3.4.1.2: Initiate an economic impact study on wintertime vehicle use by July 2016.**

**Performance Target 3.4.1.3: Initiate an economic impact study on boats by July 2018.**

**Performance Target 3.4.1.4: Communicate the results of economic impact studies through press releases, Legislative presentations, local chambers of commerce, and budgets.**

## KEY FACTORS EXTERNAL TO THE AGENCY AND BEYOND ITS CONTROL

There are a number of factors external to the agency that may delay or prevent implementation of this strategic plan. These factors can be generally grouped as weather, disasters, legislative, and national and regional trends.

### Weather and Disasters

Given that the focus of IDPR is enjoying the outdoors, the weather can greatly impact programs and facilities:

- Weather extremes (very hot and very cold) can affect park attendance.
- Wind and rain storms can down trees and destroy facilities.
- Lightning strikes can destroy electrical systems and start fires.
- Ice build-up can damage docks and increase and/or cause shore erosion.
- Low snow levels may impact funds generated from the recreation registration program.
- Drought may shorten the boating season and can impact IDPR's ability to sustain desired vegetation and control weeds.
- Natural disasters such as floods, fires, and earthquakes create severe impacts on facilities, customers, and programs.



In general, staff is accustomed to weather related impacts and can adjust accordingly. However, repair and maintenance activities can be very expensive and outside the spending authority in place at the time.

### Legislative and Gubernatorial Support

IDPR is dependent on the support of the Idaho State Legislators and the Governor for its continued operation. Inability to fund programs will obviously impact IDPR's ability to meet the strategic plan goals and objectives.

### State and National

The state and national economy/unemployment rate impact the discretionary income of would-be park attendees and recreationalists to enjoy our facilities and programs. The rising cost of fuel for would-be customers can discourage out of state visitors and/or motorized recreationists such as motorbikes, boats, ATVs, UTVs, and RV (recreational vehicle) users. A decrease in customers and/or decrease in fuel sales both impact the revenue stream of IDPR.

### Regional

Regional impacts out of IDPR control include the rising cost of water, fuels, and utilities. Sharp increases such as occurred during the winter of 2013/2014 can impact operating budgets for the parks and recreation programs, reducing on-going preventative maintenance efforts.

## IMPLEMENTATION

In making budget requests Administration and Executive Staff will consider the priorities outlined in this plan. In making decisions on policy, operations, and administrative issues, Administration and Executive Staff will seek guidance from this plan. In making large purchases or hiring decisions, Administration and Executive Staff will consider the guidance this plan provides. Performance measures will be tracked and reported annually to the Division of Financial Management. Annual reports will be available to the public.

The following implementation schedule summarizes the performance targets, lists the responsible parties, and the timeframe in which the targets need to be completed.

NUMBER	ACTION	RESPONSIBLE	TIMEFRAME
1.1.1.1	As recreation opportunities are lost, within the next budget cycle, prioritize replacement of the loss in the impacted park or district	Recreation Bureau Chief and Regional Managers with input from Field Staff	Budget cycle following the loss.
1.2.1.1	Report quarterly to the Board on communications and/or participation in planning and access discussions.	Recreation Bureau Chief and Operations Administrator	Each quarterly Board meeting
2.1.1.1	Create at least one new activity in each park annually to draw in groups that currently are not using our parks or recreation facilities.	Regional Managers and Recreation Bureau Chief	July 2015 and annually thereafter.
2.1.2.1	Develop a long-range technology plan.	Executive Staff with input from Field and Support Staff	July 2015
2.1.2.2	Implement the long-range technology plan.	Executive Staff with Management Information Systems group as lead	July 2016
3.1.1.1	Implement a customer service survey through the reservation program.	Executive Staff with Reservation group as lead	July 2015 and annually thereafter
3.1.1.2	Re-establish a plan for day use customer satisfaction surveys.	Executive Staff with Reservation group as lead	July 2015
3.1.1.3	Implement the plan for day use customer satisfaction surveys.	Field and Support Staff with Reservation group as lead	July 2016 and annually thereafter
3.1.2.1	Work with the natural resource manager to identify a means to prioritize forest fuels management in the parks.	Operations Administrator and Natural Resource Manager	July 2016
3.1.2.2	Implement the schedule noted above.	Natural Resource Manager	July 2017
3.1.3.1	Update the document "Procedure to Identify and Evaluate Areas of Outstanding Natural, Scientific, Cultural, Historic or Recreation Value in Idaho" to reference the goals and objectives of the current strategic plan.	Executive Staff	July 2016
3.2.1.1	Increase park revenue (including but not limited to, camping, day use, retail, cabins, yurts, moorage, special events, concessions, leases and donations) by 3% annually.	Park Managers, Regional Managers, Recreation Bureau, Reservation group, and Operations Administrator	July 2015 and annually thereafter
3.2.2.1	Secure at least one new corporate sponsor annually, or an overall cost offset (one or many sponsors) of \$20,000 or greater annually.	Sponsorship Coordinator and Park Managers	July 2015 and annually thereafter
3.3.1.1	Raise IDPR's compa-ratio such that IDPR is out of the bottom quartile	Director and Human Resources Director	July 2018 with annual progress

NUMBER	ACTION	RESPONSIBLE	TIMEFRAME
	relative to other state agencies.		reports included in budget
3.4.1.1	Initiate an economic impact study on state parks.	Operations Administrator	December 2015
3.4.1.2	Initiate an economic impact study on Wintertime vehicle use.	Recreation Bureau Chief	July 2016
3.4.1.3	Initiate an economic impact study on boats.	Recreation Bureau Chief	July 2018
3.4.1.4	Communicate the results of economic impact studies through press releases, legislative presentations, local chambers of commerce, and budgets for at least one year after their completion.	Communications, Regional Managers and Park Managers (to local groups), and Director.	Varies



State of Idaho

**DIVISION OF FINANCIAL MANAGEMENT**

Executive Office of the Governor

C.L. "BUTCH" OTTER  
Governor

JANI REVIER  
Administrator

May 1, 2014

**MEMORANDUM**

TO: Agency Directors  
Fiscal Officers  
Strategic Planning Coordinators

FROM: Jani Revier, Administrator   
Division of Financial Management

SUBJECT: **Strategic Planning Updates**

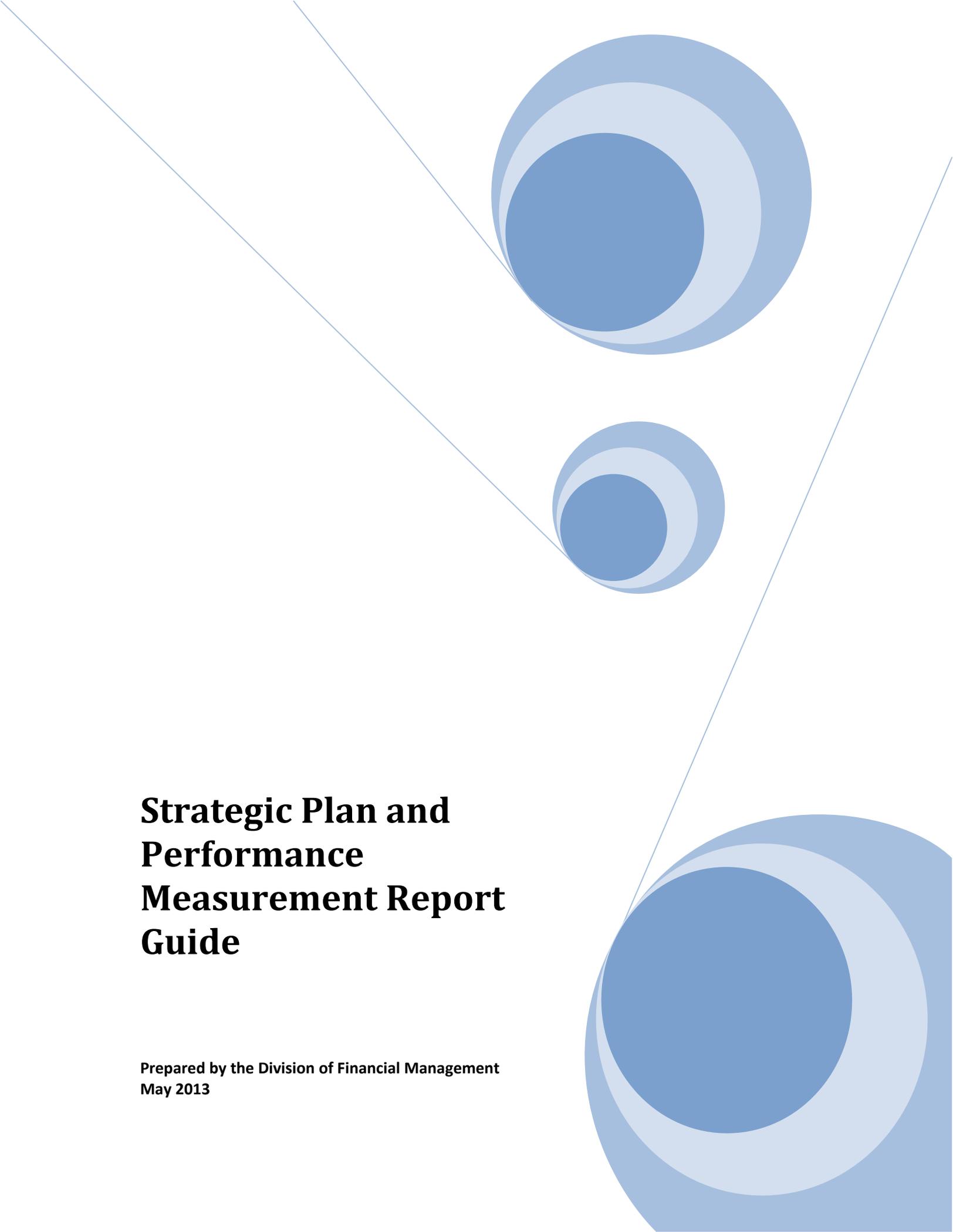
Updated strategic plans will be due to the Division of Financial Management on July 1, 2014 (Reference *Idaho Code* 67-1901 – 67-1904).

Updates should be in electronic format and submitted to [info@dfm.idaho.gov](mailto:info@dfm.idaho.gov) by July 1. Strategic Plans shall cover a minimum of four years forward including the fiscal year in which it is submitted. All strategic plans will be posted to our web site <http://dfm.idaho.gov>.

Performance Measurement Reports (Agency profiles) will be due September 2. Performance Measurement Report forms and instructions will be sent to your Strategic Planning Coordinator and Fiscal Officer later this summer (mid-June). Please review the enclosed list of agency Strategic Planning Coordinators for accuracy. Report any needed changes to Yvonne Cendejas at [yvonne.cendejas@dfm.idaho.gov](mailto:yvonne.cendejas@dfm.idaho.gov).

A *Strategic Plan and Performance Measurement Report Guide* can be found on our website at <http://dfm.idaho.gov/StateAgencyGuide.html> for reference when preparing these two documents. If you should have any questions, please contact Chris Ross at 854-3082 or [chris.ross@dfm.idaho.gov](mailto:chris.ross@dfm.idaho.gov).

Enclosures



# **Strategic Plan and Performance Measurement Report Guide**

**Prepared by the Division of Financial Management  
May 2013**

**A GUIDE TO**  
**STRATEGIC PLANNING**  
**AND**  
**PERFORMANCE MEASUREMENT**  
**REPORTING**

**May 2013**

**Division of Financial Management**

**Jani Revier**  
**Administrator**

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## **INTRODUCTION**

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In 1993, the fifty-second Legislature of Idaho initiated a shift in philosophy of state business to a comprehensive strategic planning process with the passage of House Bill 328. The shift comes as a result of the public's call for better measurement of government performance for the purposes of improving policy making, agency management, and public accountability. Senate Bill 1509, in 1994, took this one step further by requiring agencies to report on their performance relative to their strategic plans beginning at the end of fiscal year 1996.

In 2005, the fifty-eighth Legislature eliminated the existing *Idaho Code* regarding strategic planning and performance measurement requirements. The old code sections were deemed as no longer meeting legislative intent. House Bill 300 was introduced which repealed and replaced the existing *Idaho Code 67-1901 through 67-1905* (Appendix A). The new code sections established new requirements designed to improve the process requirements for the implementation of Strategic Planning and Performance Measurement Reporting for every state agency and the formulation of their program plans using the framework provided by the Division of Financial Management.

### **Framework**

Strategic planning/performance measurement is a long-term, dynamic, and future-oriented process of assessment, goal-setting, and decision-making that maps an explicit path between the present and a vision of the future. It includes a multi-year view of objectives and strategies for the accomplishment of agency goals. Clearly defined performance measures and benchmarks provide feedback that permits program performance to influence future planning, resource allocation, and operational decisions. The strategic planning/performance measurement process incorporates and sets direction for all operations of the agency.

### **Purposes of Strategic Planning/Performance Measurement Reporting**

The ultimate goal of strategic planning and performance measurement reporting is to assure that services provided by state governmental entities meet the needs of the people. Strategic planning and performance reporting also assists in maintaining a focus on the quality of services and the benefits those services provide to our state. By law, strategic planning for Idaho state government specifically serves the following purposes:

1. To improve management practices and the confidence of our citizens in the capability of their state government in achieving program and operating results of the highest quality. This is accomplished by developing and effectively utilizing long-term strategic planning techniques, key performance standards or goals and measures and improved practices in publicly reporting their progress.
2. To improve program effectiveness and accountability by promoting a new focus on results, service quality, and customer satisfaction. This can be accomplished by evaluating each program for internal efficiencies or opportunities for enhanced effectiveness.

3. To help program managers improve service delivery by requiring that they plan to meet program objectives and by providing them with information about program results and service quality.
4. To improve oversight review and decision-making by providing measurable, impartial information on achieving public policy objectives and the relative effectiveness and efficiency of program implementation and spending.

A successful strategic planning/performance measurement reporting process provides many benefits to agencies and those affected by their operations. A stronger agency identity results as purposes and direction are clarified. Strategic planning improves an agency's ability to anticipate and accommodate the future by identifying issues, opportunities, and problems. Enhanced decision-making will be achieved by strengthening internal communications, both vertically and horizontally.

Strategic planning/performance measurement reporting relies on careful evaluation of an organization's capabilities and environment and leads to priority-based allocation of fiscal, human, technology, capital, and other resources. The strategic plan defines what an agency is and intends to be, as well as the principles guiding it. Agency goals, objectives, and performance measures are clearly enumerated that lead to priority-based resource allocation decisions and agency plans to achieve those goals. Producing identifiable, measurable and meaningful results contained in the performance measurement report is essential to a successful process.

#### **Elements of Idaho's Strategic Plan**

1. A comprehensive mission or outcome-based vision statement covering the major divisions and core functions of the agency.
2. Goals for the major divisions and core functions of the agency.
3. Objectives and/or tasks that indicate how the goals are to be achieved.
4. Performance measures, developed in accordance with sections 67-1904, Idaho Code, that assess the progress of the agency in meeting its goals in the strategic plan.
5. Benchmarks or performance targets for each performance measure along with an explanation of the manner in which the benchmark or target level was established.
6. An identification of those key factors external to the agency and beyond its control that could significantly affect the achievement of the strategic plan goals and objectives.
7. Contains four years forward including the fiscal year it was submitted and updated annually.
8. Serves as a foundation for developing performance measurement information.

9. Provides for the opportunity to consult with appropriate members of the legislature and others affected by the plan.

### **Elements of Idaho's Performance Measurement Report**

1. Agency overview that describes the agency and the services it provides to the citizens of Idaho including the agency's governance and organizational structure, director name; key divisions, management positions, etc. Also includes facts about the number of employees, number and location of offices, and a brief history of the agency or other items of interest. May also explain factors that hamper the agency's ability to be successful or that may give rise to an increase in demand for services.
2. Core functions that describe the primary functions of the agency and statutory authority that requires such services to be delivered.
3. Fiscal year revenue and expenditure information for the prior four fiscal years broken down by revenue sources and types of expenditures.
4. Profile of cases managed and/or key services provided for the prior four fiscal years including the most recently completed fiscal year. Each agency will determine the number of measures and type of measures to use. This section is designed to give the agency maximum flexibility in reporting on caseloads, services, or products provided to constituencies.
5. Performance highlights (optional) bring attention to performance issues that are not readily understood by looking at a table of information. The highlights section can also be used to explain dramatic increases or decreases in caseloads or services provided. In addition, the highlights can be used to bring attention to an area of significant accomplishment, such as reducing dependence on a specific service.
6. Performance measures that will assess the progress the agency is making in achieving a goal (quantifiable indicator). These should be the same measures as stated in the strategic plan. Agencies should choose 10 or fewer measures to highlight in table format and show the current fiscal year and four years of actual results (if actual results are not available because it is a new measure, that should be stated).
7. Benchmarks or performance targets for each performance measure as included in the strategic plan.
8. List agency contact information.
9. Explanatory note which provide context important for understanding the measures and the results, and any other qualitative information useful for understanding agency performance.
10. Attestation signed by the agency director that the data reported has been internally assessed for accuracy and is deemed to be accurate.

**Other Performance Measurement Reporting requirements include:**

1. Agency shall use the information for internal management purposes.
2. Agency shall maintain reports and documentation to support the performance measures and kept for four years covered by the report.
3. Agency shall submit to DFM and Legislative Services Office (LSO).
4. DFM will publish the report each year as part of the budget publications.
5. LSO may put in their budget publication, if they so choose.
6. Agency shall present the information to the germane committees.
7. Germane committee may authorize an alternative form of measurement or may request an increase in the number of measures.

## **MISSION**

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### **Definition**

*Agency Mission is the reason for an agency's existence. It concisely identifies what the agency does, why it does it, and for whom it does it. A mission reminds the public, the Governor, legislators, the courts, and agency personnel of the unique purposes promoted and served by the agency.*

### **Development Guides**

The mission describes the overall role of the agency as it relates to the state as a whole and is the common thread binding the agency's organizational structure and its activities. The mission of the agency may link to several state functional areas depending on the unique nature of the organization. All employees should be able to identify their specific working relationship to this defined mission. The mission must be clearly understandable to the public and should at a minimum answer the following questions:

1. Who are we as an organization and who do we serve?
2. What are the basic purposes for which we exist, or what basic problems are we established to address?
3. What makes our purpose unique?
4. Is the mission in harmony with the agency's enabling statute?

A mission should be developed by the agency and succinctly identify agency purposes, distilling from enabling statutes or constitutional provisions the most important reasons for an agency's work. In developing the mission, the agency should also examine other relevant sources, e.g., board policies and program descriptions. The mission should generally be no more than one paragraph in length.

## **OUTCOME-BASED VISION STATEMENT**

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### **Definition**

*The Outcome-Based Vision statement is an inspiring picture of a preferred future. The Vision Statement provides the reader with a clear description of how the agency sees the future should their goals and objectives be achieved.*

### **Development Guides**

There are no clear guidelines for the development of the agency's vision statement except for the legislative direction that the statement be "outcome-based". This implies that the statement contain provisions which can be objectively measured to determine whether the agency is advancing toward its vision. The following questions may assist agencies in the development of their vision statements:

1. What will our organization look like in five years?
2. How will the nature of the way we deliver products or services change in the future?
3. How will our organization change to meet the changing needs of our clients?

The vision statement should be brief but provide a realistic view of the future of the organization.

## **GOALS**

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### **Definition**

*Agency goals are the general ends toward which agencies direct their efforts. A goal addresses issues by stating policy intention. Goals can be presented in both qualitative and quantitative form. In a strategic planning system, goals are ranked for priority. Goals stretch and challenge an agency, but they are realistic and achievable.*

### **Development Guides**

The development of agency goals is one of the most critical aspects of the strategic planning process in that goals chart the future direction of the agency. The goal development process begins to focus the agency's actions toward clearly defined purposes. Within the scope of the stated mission, goals specify where the organization desires to be in the future. Goals are broad, issue-oriented statements that reflect the realistic priorities of the agency.

Goals should be client-focused and be easily understood by the public. Although there is no established limit, the number of goals the agency may develop should be kept to a reasonable number in order to establish the agency's direction and provide a unifying theme for programs and activities. During goal development, the agency should begin identifying the desired results of its efforts and the corresponding performance measures that will quantify accomplishment of those results.

The formation of agency goals should include, but is not limited to, an analysis of the following questions:

1. Are the goals in harmony with the agency's mission and philosophy statements and will achievement of the goals fulfill or help fulfill the agency's mission?
2. Are the goals derived from the performance standards?
3. Do the goals provide a clear direction for agency action?
4. Are the goals unrestricted by time? Do they reflect agency priorities?

## **OBJECTIVES**

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### **Definition**

*Objectives are clear targets for specific action. They mark quantifiable interim steps toward achieving an agency's long-range mission and goals. Linked directly to agency goals, objectives are measurable, time-based statements of intent. They emphasize the results of agency actions at the end of a specific time period.*

### **Development Guides**

Objectives are tools that can provide incentives to improve employee motivation and productivity and to inform citizens of how well an agency is meeting the needs of the public. The development of objectives aids decision-making and accountability by focusing on outcomes. An agency's objectives are derived from its goals. Objectives should be shown under each goal in an approximate priority order, beginning with those of greatest importance and impact.

An agency may have multiple objectives under a single goal; however, each stated goal should have at least one objective. The data necessary to establish objectives and to determine the feasibility of achieving realistic objectives should be provided by the agency's performance standards. Objectives should be easily understood by the public and clearly state the specific results the agency seeks to accomplish. The following questions should be asked to determine the relevancy of the objective:

1. Does meeting the objective demonstrate progress toward the stated goal?
2. Does the objective clearly state what the agency intends to accomplish?
3. Is the objective realistic and attainable?
4. Does the objective describe an outcome in terms of specific targets and time frames that can be measured?

## **STRATEGIES (optional)**

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### **Definition**

*Strategies are methods to achieve goals and objectives. Formulated from goals and objectives, a strategy is the means for transforming inputs into outputs, and ultimately outcomes, with the best use of resources. A strategy reflects budgetary and other resources.*

### **Development Guides**

Strategies are specific courses of action that will be undertaken by the agency to accomplish the goals and objectives. While an objective indicates *what* the agency wants to achieve, a strategy indicates *how* the particular objective will be achieved. Strategies are action-oriented rather than procedural in nature and are directly linked to output measures.

To develop strategies, the agency determines how best to achieve the results intended by the specific objective. More than one strategy may be needed for accomplishing each objective.

In choosing strategies, the costs, benefits, and anticipated consequences of alternative courses of action must be evaluated by the agency. Strategies may, and probably will, cross program, activity or division lines. Strategies must be easily understood by the public. They are shown in the strategic plan under each objective in an approximate priority order, beginning with those of greatest importance and impact. Questions to consider in developing strategies include, but are not limited to, the following:

1. If this strategy (or strategies) is implemented, can we assume that the objective will be reached?
2. What are the anticipated costs and benefits of each strategy?
3. Do we have the authorization to take the action outlined in each strategy? Is it a legal and practical action?

## **PERFORMANCE MEASURES**

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### **Definition**

*Performance Measures are gauges of the actual impact or effect upon a stated condition or problem. They are tools to assess the effectiveness of an agency's performance and the public benefit derived.*

### **Development Guides**

Performances are the results, or impacts, of government action or policy. Progress is assessed by comparing performance to objectives through the use of measures. Performance measures are expressed in a quantifiable form and indicate the degree to which an agency is achieving its objectives. A performance measure should be directly related to the objective it is measuring. It shows the change or difference the agency's action will have on the particular target group or issue area indicated in the objective. It should be clear and easily understood by those who are unfamiliar with the agency. Performance measures should be developed by the agency and provided in the strategic plan. The following questions should be addressed as outcome measures are developed:

1. Is the outcome measure relevant? Is it logically and directly related to the agency goal and objective?
2. Is the outcome measure reliable? Does it produce accurate and verifiable information over the time frame set by the objective?
3. Is the outcome measure valid? Does it capture what the agency intends to measure?
4. Is the measure of sufficient value to justify the cost of producing the necessary data? In the case of excessive costs, could sampling techniques or other more cost-effective alternatives be used to collect the data?
5. If the data are not currently available, can a proxy measure be substituted until a data base is available?

6. Will the outcome measure enable a decision to be made or lead to a valid conclusion concerning the agency's action?

## **BENCHMARKS**

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### **Definition**

*Benchmark or performance target measures the agency's expected, planned or intended result for a particular performance measure. The number of people receiving a service or the number of services delivered are often used as measures of benchmark.*

### **Development Guides**

Benchmarks are the goods and services produced by an agency. Benchmarks are used to track performance of the agency in implementing its strategies and evaluate the efficiency of the implementation of the strategic plan. Benchmarks should focus on those items for which the agency has control within the scope of its operations. In developing and selecting key output measures, the following questions should be addressed:

1. Is the benchmark reliable? Will it measure the same thing over a period of time? Will the data used in the measure be available on a continuing basis?
2. Is the benchmark directly related to the agency's strategies? Does the agency control the benchmarks through its actions?
3. Does the benchmark show the quantity of work performed? Can the measure be stated in unit cost terms?
4. Is the benchmark clear? Are the terms used generally accepted and defined? Will the measure be easily understood by those who are not familiar with the subject?

## **KEY EXTERNAL FACTORS**

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### **Definition**

*Key factors external to the agency are those factors which are beyond the control of the organization. They include changes in economic, social, technological, ecological or regulatory environments which could impact the agency and its ability to fulfill its mission and goals.*

### **Development Guides**

Key external factors may be similar or even the same for many state agencies. The change comes in how those external factors impact the organization's ability to complete its mission. The development of key external factors allows the agency to openly address assumptions upon which the goals and objectives are based.

## **Strategic Plan Summary - Due July 3**

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All agencies must submit their Strategic Plans in electronic format (Microsoft Word or PDF) annually to the Division of Financial Management by July 3. The plans must consist of the following:

- *Vision or Mission Statement*
- *Goals*
- *Objectives*
- *Performance Measures*
- *Benchmarks*
- *External Factors*

**Note:** Strategic plans should cover a minimum of four years forward and shall be updated annually.

## **Performance Measurement Report Summary - Due Sept. 3**

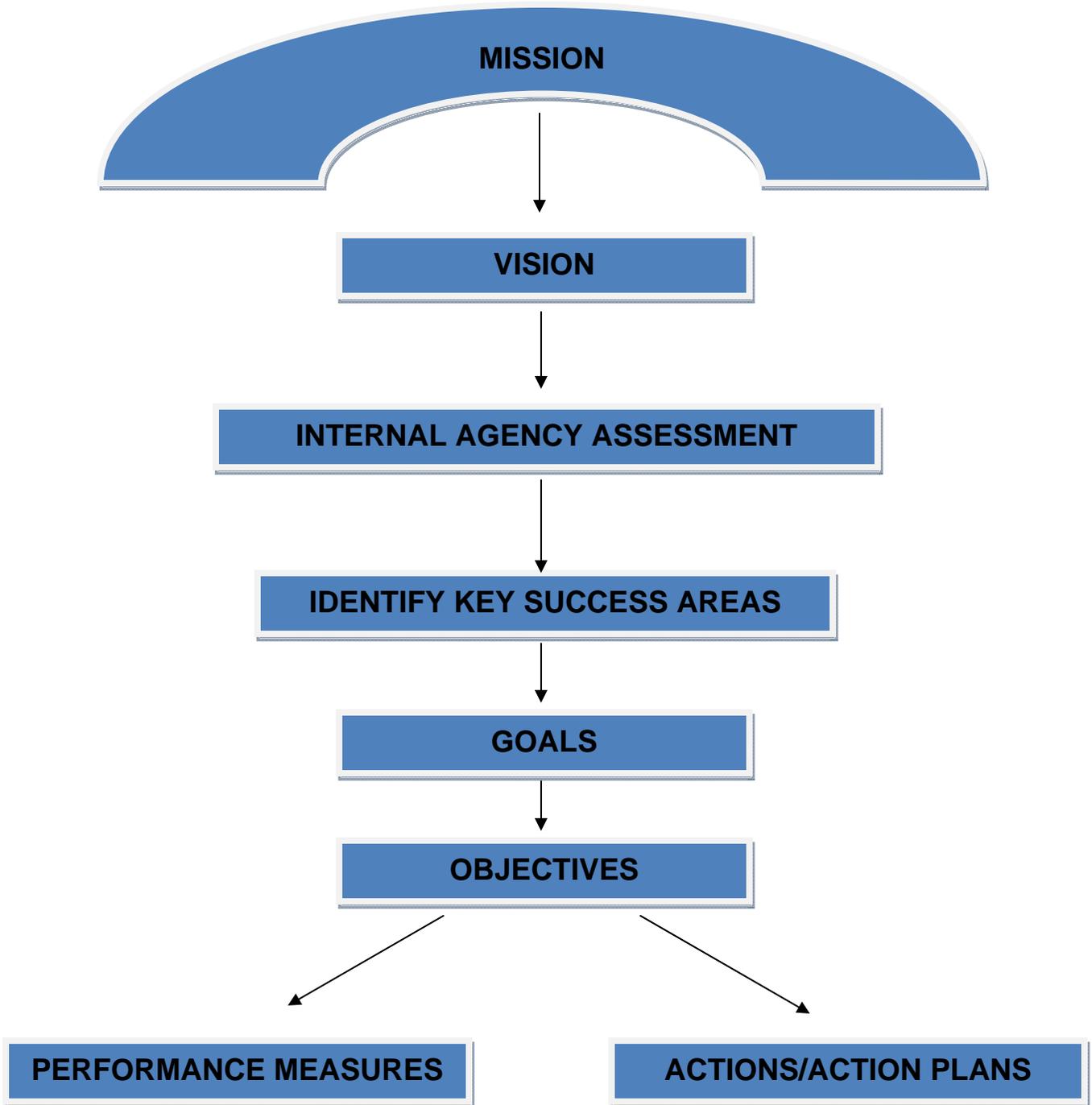
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All agencies must submit their Performance Measurement Reports in electronic format to DFM (Microsoft Word) and the Legislative Services Office by September 3, along with a copy of the signed Agency Director Attestation letter. This is separate from the Agency's budget request submittal. The Performance Measurement Reports will consist of the following:

- *Agency Overview*
- *Core Functions/Idaho Code*
- *Revenue and Expenditure*
- *Profile of Cases Managed and/or Key Services Provided*
- *Performance Highlights* (optional)
- *Performance Measures*
- *Benchmarks*
- *Explanatory Note*
- *Contact Information*
- *Agency Director Attestation*

**Note:** DFM will provide each agency with an electronic copy of their prior year Performance Measurement Report, so the agency can make the necessary modifications and input data for the current fiscal year. Please use the copy sent to you by DFM, not last year's report and not your own version of the report.

## STRATEGIC PLANNING FLOW CHART



## APPENDIX B

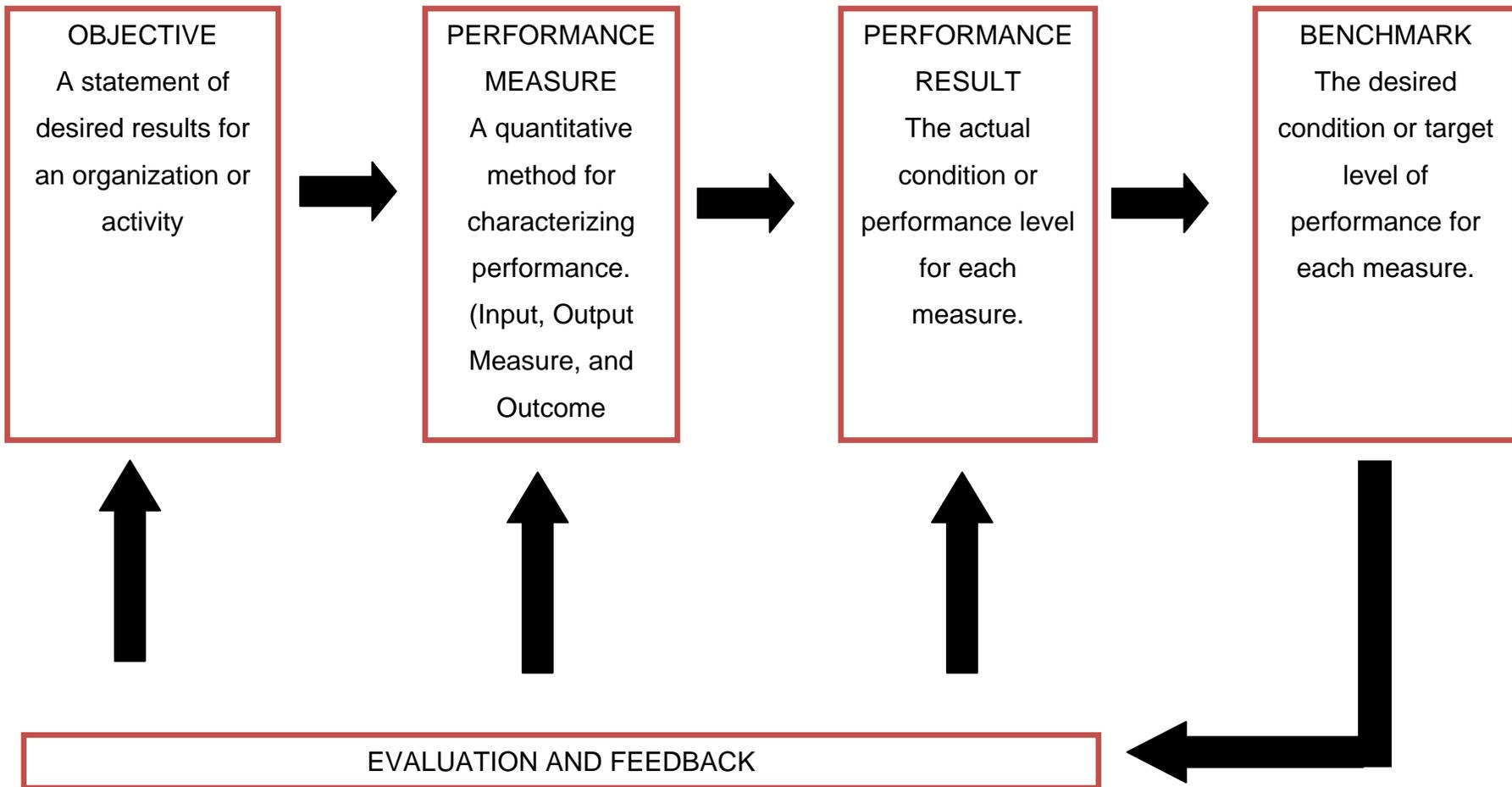
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### STRATEGIC PLANNING TEMPLATE

This chart represents one way in which information can be gathered to move through the process. Planning efforts should respond to the needs of your agency and evolve in the order that will be most beneficial in your agency environment.

<b>QUESTION TO BE ANSWERED</b>	<b>STRATEGIC PLAN ELEMENT</b>
Where have we been?	History
Where are we now?	Context
Where should we go and why?	Vision
What is our work toward the vision? Who are we? What is our niche now to work toward the vision?	Mission
What will guide the work we choose to do and the way we do the work?	Core functions
What is our way of realizing our vision?	Critical Obstacles
What will we do to reach our vision?	Strategic, Long-term Goals/Objectives
What will we do in year 1, year 2...	Performance Measures
How will we know if we are successful?	Indicators of Success/Benchmarks
What infrastructure is needed to carry out the work in this plan?	Infrastructure Assessment
What will we do in the next three months, six months, year, year 2, year 3 ...	Implementation Plan/Strategies
How will the plan be disseminated and to whom?	Disseminate Plan
How will we monitor the plan and assess our progress?	Monitoring and Revising Strategic Plan/Performance Measurement Report

## PERFORMANCE MEASUREMENT FLOW CHART



## Performance Measurement Template

Performance Measure and Description	Frequency of Measurement	Responsible Parties	Audience
<b>Measure #1</b> Description of Measure #1: Include purpose (i.e., goal/strategy being measured), how data will be collected, and how data will be used for decision-making.	(weekly, bi-weekly, monthly, quarterly)	Includes those responsible for data collection and communication	(all stakeholders, leadership, constituents, employees, etc.)
<b>Measure #2</b>			
<b>Measure #3</b>			
<b>Measure #4</b>			
<b>Measure #4</b>			
<b>Measure #5</b>			

IDAPA RULE                       IDAPA FEE                       BOARD ACTION REQUIRED  
 BOARD POLICY                       INFO ONLY, NO ACTION REQUIRED

**AGENDA**  
**Idaho Park and Recreation Board Meeting**  
**May 20 - 21, 2014**  
**Jack O'Connor Building**  
**Lewiston ID**

**AGENDA ITEM:**                      **Modernization of IDPR's Recreational Registration Unit**  
**ACTION REQUIRED:**                      **No Action Required**  
**PRESENTER:**                      **Tammy Kolsky**

**PRESENTATION**

**BACKGROUND INFORMATION:**

IDPR has current processes and information systems in place that are allowing it to administer the Recreation Registration Program, however, these processes and systems are aging rapidly. The age of these processes and systems, recent analysis by the attorney general and ITD modernizing its systems has highlighted core requirements of the program that are not adequately being addressed. Many more of these requirements are also at risk in the near future if action is not taken to modernize both the processes and the systems supporting the overall Recreation Registration Program.

To address this need a project team has been formed. The project team will include subject matter experts representing Management Services, MIS, Fiscal and other Stakeholders as required. Project work will include:

- Program Analysis including an ongoing assessment of the recreation community needs
- Assessment of statutory requirements and their impact on any resulting service contract
- Development of RFP
- Evaluation of Proposals and the Award of Contract
- Implementation and Transition to New Environment(s)
- Testing and Acceptance

The project team has identified objectives which mutually support the milestones and deliverables for this project. In order to achieve success on the Recreational Registration Modernization project, the following objectives must be met within the designated time and budget allocations:

- Meet prescribed timeframes for implementation of a comprehensive suite of Recreation Registration Program components
- Meet the Park Board Objectives of maintaining a relationship with ITD, maintaining a vendor network and eliminating the current triplicate forms.
- Provide for the current level of customer service or better
- Remain within budget constraints
- Achieve better definition to and sustainability of IDPR's relationship with the Idaho Transportation Department (ITD) in relation to the Recreation Registration Program

Follows is a schedule of high-level project milestones. It is understood that this is an estimate and will surely change as the project moves forward and the tasks, milestones and their associated requirements are more clearly defined.

<b>Summary Milestone Schedule – Key project milestones relative to project start.</b>	
<b>Project Milestone</b>	<b>Target Date</b>
• Develop Project Charter (completed)	05/30/2014
• Define Project Decision making process (completed)	04/18/2014
• Define Project Deliverables and Tasks	04/30/2014
• Develop Project Communication Plan	04/25/2014
• RIS Application Analysis	05/09/2014
• Recreation Registration Process Analysis	05/17/2014
• Determine full Project Scope	06/30/2014
• Identify required Legislation	07/18/2014
• Propose Legislative Ideas	08/01/2014
• Legislative Process	Winter 2015
• RFP Process	Fall 2014 Winter 2015
• Rule Change Process	Spring 2015
• RFP Release/Evaluation and Award Process	Spring/ Summer 2015
• Implementation	Summer 2015
• Begin new system(s) phase in	January 2016

**STAFF RECOMMENDATIONS:**

No staff recommendation.

IDAPA RULE                       IDAPA FEE                      **X BOARD ACTION REQUIRED**  
 BOARD POLICY                       INFO ONLY, NO ACTION REQUIRED

**AGENDA**  
**Idaho Park and Recreation Board Meeting**  
**May 20 - 21, 2014**  
**Jack O'Connor Building**  
**Lewiston ID**

**AGENDA ITEM:**                      **Adoption of Temporary and Proposed Rule(s) to Comply with HB492**

**ACTION REQUIRED:**    **Board Action Required**

**PRESENTER:**                      **Tammy Kolsky**

**PRESENTATION**

**BACKGROUND INFORMATION:**

During the 2014 Legislative session HB492 was proposed by recreation community users with the intent to clarify and distinguish the difference between the Recreational Registrations the Idaho Department of Parks and Recreation (IDPR) performs and the Vehicle Registrations performed by the Idaho Transportation Department (ITD).

HB492 changed terminology in Idaho Statute sections 49-426, 67-7003, 67-7008, 67-7008A(1), 67-7010, 67-7013(5), 67-7014, 67-7029, 67-7040, 67-7101, 67-7103, 67-7104, 67-7106, 67-7108, 67-7112, 67-7113, 67-7122, 67-7123, 67-7124, 67-7125, and 67-7126 to move away from the term registration and, in its place, use the terms numbered, numbering, certificate of number, certificate of numbering, vessel number, and validation stickers (as appropriate).

HB492aS (numbering system for boats, snowmobiles, and OHVs) passed on the last day of session, March 20. There was no emergency clause in the legislation so it will become effective July 1, 2014.

The passage of HB492 leaves the Department in need of rule changes in order to be in compliance with Statute. The following is a listing of affected IDAPA rules that require the same terminology changes.

- 26.01.03 Rules Governing Recreational Registration Vendors
- 26.01.20 Rules Governing the Administration of Park and Recreation Areas and Facilities
- 26.01.30 Idaho Safe Boating Rules
- 26.01.31 Rules Governing the Administration of the Idaho Department of Parks and Recreation State and Federal Grant Funds
- 26.01.34 Idaho Protection Against Invasive Species Sticker Rules
- 26.01.36 Rules Governing the Winter Recreational Parking Permit Program

**STAFF RECOMMENDATIONS:**

Department staff recommends the Park Board direct staff to seek Temporary and Proposed rule changes to the below sections of Idaho Code:

- 26.01.03 Rules Governing Recreational Registration Vendors
- 26.01.20 Rules Governing the Administration of Park and Recreation Areas and Facilities
- 26.01.30 Idaho Safe Boating Rules
- 26.01.31 Rules Governing the Administration of the Idaho Department of Parks and Recreation State and Federal Grant Funds
- 26.01.34 Idaho Protection Against Invasive Species Sticker Rules
- 26.01.36 Rules Governing the Winter Recreational Parking Permit Program

For the purpose of being in compliance with the following sections of Idaho Statute:

49-426, 67-7003, 67-7008, 67-7008A(1), 67-7010, 67-7013(5), 67-7014, 67-7029, 67-7040, 67-7101, 67-7103, 67-7104, 67-7106, 67-7108, 67-7112, 67-7113, 67-7122, 67-7123, 67-7124, 67-7125, and 67-7126.

**IDAPA 26  
TITLE 01  
CHAPTER 03**

**26.01.03 - RULES GOVERNING RECREATIONAL REGISTRATION PROGRAM VENDORS**

**000. LEGAL AUTHORITY.**

The Parks and Recreation Board, State of Idaho, acting pursuant to the Administrative Procedures Act, Title 67, Chapter 52, Idaho Code, and its powers and responsibilities under the Parks and Recreation Act, Title 67, Chapter 42, Idaho Code, adopted the following rules. These rules are promulgated under the Department's authority to administer the following Acts: Recreational Activities, Sections 67-7101 through 67-7133, Idaho Code, and Idaho Safe Boating Act, Section 67-7001 et seq., Idaho Code. These rules are intended to set forth the procedures for vendors to apply to sell ~~recreational registrations~~ Program products (including but not limited to, certificates of number, permits, user certificates, and stickers) for the Idaho Department of Parks and Recreation and to set forth procedures necessary to effect consistent, effective and efficient operation and management of the recreational registration program. (7-1-93)

**001. -- 002. (RESERVED)**

**003. APPEALS.**

All decisions of denial are considered final unless appealed pursuant to IDAPA 26.01.01.250, "Rules of Administrative Procedure of the Idaho Park and Recreation Board," within thirty (30) days. (7-1-93)

**004. -- 009. (RESERVED)**

**010. DEFINITION OF TERMS.**

**01. Application.** A form prescribed and furnished to prospective vendors by the Department. (7-1-93)

**02. Department or Central Office.** The Idaho Department of Parks and Recreation. Location: 5657 Warm Springs Avenue, Boise, Idaho, 83716; Mailing Address: Statehouse Mail, Boise, Idaho 83720; Phone: 208-334-4199. (7-1-93)

**03. Memorandum of Agreement.** A contract between the Department and the Vendor. (7-1-93)

**04. Products.** Recreational Registration Program products shall include but not be limited to certificates of number, permits, user certificates, and stickers.

~~**045. Recreational Registration Programs.** Registration of various recreational vehicles, which includes, but is not limited to, snowmobiles, boats, off road motorbikes, and recreational activities such as use of Park 'N' Ski facilities. A unit within Idaho Department of Parks and Recreation responsible for the administration and oversight of the vendor program, the sale of program products, and the management and distribution of the resulting funds.~~ (7-1-93)

~~**056. Vendor.** Any business authorized to sell recreational registration licenses products.~~ (7-1-93)

~~**067. Vendor Policy Manual.** A policy manual setting forth guidelines for selling recreational registration licenses products.~~ (7-1-93)

**011. -- 049. (RESERVED)**

**050. DEPARTMENT RESPONSIBILITIES.**

The Department has the responsibility to provide, but is not limited to providing the following: (7-1-93)

- 01. Reporting Procedures.** Effective and efficient reporting procedures. (7-1-93)
- 02. Training.** Training and assistance for vendor problem areas. (7-1-93)
- 03. Supplies.** Maintenance of adequate supplies provided on a timely basis. (7-1-93)
- 04. Internal Control.** Maintenance of adequate internal controls to ensure system integrity. (7-1-93)

**051. -- 099. (RESERVED)**

**100. CRITERIA FOR APPLYING FOR VENDORSHIP.**

A prospective vendor may apply to sell one (1) or more types of registrations products. A prospective vendor may make a request to the Department at any time by phone, mail, or in person to receive Vendor Application forms and a copy of the applicable vendor Memorandum of Agreement. The application and the signed Memorandum of Agreement must be completed in full and returned to the Department for approval. If approved by the Department, the vendorship will be effective upon issuance of the signed Memorandum of Agreement by the Licensing Section, Department of Parks and Recreation. (7-1-93)

**101. -- 149. (RESERVED)**

**150. MINIMUM QUALIFICATIONS OF VENDORS.**

**01. Established Business.** The prospective vendor's business must be known as an established business in the general area they will serve and they may need to provide additional references to establish, to the department's satisfaction, the likelihood of an ongoing business operation. No vendor will be given an exclusive territory or area in which to sell registrations and licenses products. (7-1-93)

**02. Taxes and Fees.** The applicant must not be delinquent in payment of any taxes or fees to the state of Idaho or any subdivision thereof. (7-1-93)

**03. Operating Hours.** The location of the business and hours of operation must be ~~such that registration will be available to registrants at a convenient time and place~~ convenient to the intended customers. (7-1-93)

**04. Service.** Every effort will be made by the applicant to provide satisfactory service to both ~~registrants in issuing registrations and~~ the Department and its customers in properly collecting fees, safeguarding supplies and reporting in a timely, accurate manner. (7-1-93)

**05. Bonding.** When applicable, a vendor must be bondable to the extent that his gross fees collected will exceed one thousand dollars (\$1,000); such bond to be provided by the Department. (7-1-93)

**06. Nondiscrimination.** Vendors shall not discriminate against any ~~registrant~~ Department customers on the basis of race, religion, or nationality or gender. (7-1-93)

**151. -- 199. (RESERVED)**

**200. NOTIFICATIONS AND TIME LIMITS.**

**01. Action on Application.** The Department shall provide written notification within thirty (30) days following receipt of a vendor application and contract as to the approval or denial of same. Delivery at the central office of the Department shall constitute receipt of the documents. This decision for approval or denial shall be

based on the rules contained herein and or such other procedures as are considered necessary by the Department.(7-1-93)

**02. Notification.** If approved, a fully executed copy of the vendor contract will be returned to the vendor. If denied, notification will outline reasons for such denial. (7-1-93)

**201. -- 249. (RESERVED)**

**250. VENDOR SUSPENSION AND TERMINATION.**

**01. Suspension.** A vendor may be suspended from selling ~~registrations-products~~ for up to one (1) year for: (7-1-93)

**a.** Failure to file a sales report on or before the date required by law, even if there were no ~~registrations-products~~ sold. (7-1-93)

**b.** Filing of inaccurate or incorrect reports. (7-1-93)

**c.** Failure to issue ~~registrations-products~~ in accordance with the provisions of Idaho Code, the Vendor Memorandum of Agreement and procedures, policies and instructions of the Department. (7-1-93)

**02. Termination.** A vendor may be terminated permanently for: (7-1-93)

**a.** Being suspended twice in any three (3) year period. (7-1-93)

**b.** Breach of the vendor Contract. (7-1-93)

**c.** Remitting fees with a nonsufficient funds check which is not due to bank error. (7-1-93)

**d.** A volume of ten (10) or less ~~registrations, or total lack of~~ sales, for a one (1) year period. (7-1-93)

**e.** Refusal to remit fees collected or return voided or unused sticker. (7-1-93)

**f.** Use of unacceptable or unbusiness-like conduct toward a ~~registrant~~Department customer. (7-1-93)

**251. -- 299. (RESERVED)**

**300. VENDOR FEES.**

In order to establish consistency in vendor ~~registration~~-fees, vendors are strongly encouraged to charge the maximum allowable vendor fee as established under appropriate statutes as outlined in Section 000 of this chapter, and to notify the Department of vendor's intent to reduce the fee. The fee must remain consistent for a full season or program year, and changes must be approved by the Department in advance. (7-1-93)

**301. -- 349. (RESERVED)**

**350. DEPARTMENT RESERVES EXCLUSIVE RIGHT TO RENEW ~~REGISTRATIONS~~ CERTIFICATES OF NUMBER BY MAIL.**

The Department reserves the exclusive right to mail out requests for renewal on all ~~registrations-certificates of number~~ which it is authorized to administer. This does not preclude vendors from making arrangements with ~~registrants-Department customers~~ who may be physically removed from their place of residence at a time when ~~re-registration-numbering~~ becomes necessary. To perform such ~~re-registration-numbering~~ as a service to that patron, vendor should follow the procedures as outlined in the Vendor Policy Manual.

**351. -- 399. (RESERVED)**

**400. VENDORS TO OBTAIN EVIDENCE OF OWNERSHIP PRIOR TO ISSUING  
REGISTRATION CERTIFICATES OF NUMBER.**

Vendors must take reasonable care that adequate evidence of ownership is presented prior to registration numbering.  
Prior registration certificate of number is sufficient evidence. (7-1-93)

**401. -- 999. (RESERVED)**

**IDAPA 26  
TITLE 01  
CHAPTER 20**

**26.01.20 - RULES GOVERNING THE ADMINISTRATION OF PARK  
AND RECREATION AREAS AND FACILITIES**

**000. LEGAL AUTHORITY.**

The Idaho Park and Recreation Board is authorized under Section 67-4223, Idaho Code, to adopt, amend, or rescind rules as may be necessary for the proper administration of Title 67, Chapter 42, Idaho Code, and the use and protection of lands and facilities subject to its jurisdiction. (1-1-94)

**001. TITLE AND SCOPE.**

**01. Title.** The title of this chapter shall be cited in full as Idaho Department of Parks and Recreation Rules, IDAPA 26.01.20, "Rules Governing the Administration of Park and Recreation Areas and Facilities."(1-1-94)

**02. Scope.** This chapter establishes fees for and rules governing the use of lands and facilities administered by the Department, and establishes procedures for obtaining individual and group use reservations. (1-1-94)

**002. WRITTEN INTERPRETATIONS.**

This agency has written interpretations of these rules, in the form of explanatory comments accompanying the notice of proposed rulemaking that originally proposed the rules, or documentation of compliance with IDAPA 26.01.01.150, "Rules of Administrative Procedure of the Idaho Park and Recreation Board." These documents are available for public inspection and copying in the central office of the agency. (3-13-97)

**003. APPEALS.**

Any person who may be adversely affected by a final decision, ruling, or direction of the director may appeal the decision, ruling, or direction as outlined under IDAPA 26.01.01.250, "Rules of Administrative Procedure of the Idaho Park and Recreation Board." (1-1-94)

**004. INCORPORATION BY REFERENCE.**

No documents have been incorporated by reference into these rules. (3-16-04)

**005. OFFICE -- OFFICE HOURS -- MAILING ADDRESS AND STREET ADDRESS.**

**01. Office Hours.** Central office hours are 8 a.m. to 5 p.m., Mountain Time, Monday through Friday, except holidays designated by the state of Idaho. (3-30-06)

**02. Mailing Address.** The mailing address for the central office is Idaho Department of Parks and Recreation, PO Box 83720, Boise, ID 83720-0065. (3-16-04)

**03. Street Address.** The Central office of the Idaho Department of Parks and Recreation is located at 5657 Warm Springs Ave., Boise, ID 83716-8700. (3-16-04)

**006. PUBLIC RECORDS ACT COMPLIANCE.**

Any records associated with these rules are subject to the provisions of the Idaho Public Records Act, Title 9, Chapter 1, Idaho Code. (3-16-04)

**007. -- 009. (RESERVED)**

**010. DEFINITIONS.**

As used in this chapter: (1-1-94)

**01. ADA Campsites and Facilities.** (3-30-06)

**a.** ADA Designated Campsites. Campsites that have been designated and built to meet ADA accessibility requirements. These campsites are not managed exclusively for ADA use. (3-27-13)

**b.** ADA Accessible Facilities. IDPR offers some facilities that provide for ADA accessibility. These facilities are not managed exclusively for ADA use. (3-30-06)

**02. Annual Motor Vehicle Entrance Fee.** A sticker that allows a single motor vehicle to enter Idaho State Parks without being charged a motor vehicle entrance fee. (3-27-13)

**a.** The Annual Motor Vehicle Entrance Fee sticker expires December 31 of the year issued. (3-27-13)

**b.** The Annual Motor Vehicle Entrance Fee sticker may be purchased at any Idaho State Park, the Idaho Department of Parks and Recreation central or regional offices, or online. (3-27-13)

**c.** Automobiles, Trucks, Motorhomes. The sticker must be permanently affixed on the lower corner of the driver's side windshield. (3-27-13)

**d.** All-Terrain Vehicles (ATVs), Utility Type Vehicles (UTVs), Speciality Off-Highway Vehicles (SOHVs). The sticker must be permanently affixed on the rear fender. (3-27-13)

**e.** Motorbikes. The sticker must be permanently affixed on the rider's right fork. (3-27-13)

**f.** Snowmobiles. The sticker must be permanently affixed to the right side of the cowling located just below the hood, to the right of the ~~registration- validation~~ sticker. It must be visible and legible at all times. (3-27-13)

**03. Annual Motor Vehicle Entrance Fee Replacement.** Replacement due to a motor vehicle sale or damage to an existing annual motor vehicle entrance fee sticker. (3-27-13)

**a.** The applicant must apply at any Idaho State Park, at the Idaho Department of Parks and Recreation central or regional offices, or online for replacement sticker. (3-27-13)

**b.** Proof of purchase must be established. (3-27-13)

**c.** Display and placement of the replacement sticker will comply with Subsections 010.02.c. through 010.02.f. of this Chapter. (3-27-13)

**04. Board.** The Idaho Park and Recreation Board, a bipartisan, six (6) member Board, appointed by the Governor. (3-13-97)

**05. Camping Unit.** A camping unit is the combined equipment and people capacity that a site or facility will accommodate. (3-30-06)

**a.** Campsites. Maximum capacity limits on each campsite are subject to each site's design and size. Unless otherwise specified, the maximum capacity will be one (1) family unit or a party of no more than eight (8) persons, two (2) motor vehicles or one (1) RV or two (2) motorcycles, and up to two (2) tents, provided the combined equipment and people fit within the designated camping area of the site selected. (4-4-13)

**b.** Facilities. Maximum capacity limits on each facility are subject to each facility's design and size.

The combined equipment and people occupying a facility must fit within the designated areas of the facility selected. (3-30-06)

**06. Camping Day.** (3-30-06)

**a.** For individual and group campsites the period between 2 p.m. of one (1) calendar day and 1 p.m. of the following calendar day. (3-30-06)

**b.** For individual and group camping facilities, the period between 3 p.m. of one (1) calendar day and 12 noon of the following calendar day. (3-30-06)

**07. Campsite.** (3-30-06)

**a.** Individual. An area within an IDPR managed campground designated for camping use by an individual camping unit or camping party. (3-30-06)

**b.** Group. An area within an IDPR managed campground designated for group camping use or a block of individual campsites designated for group use within a campground primarily managed for individual use. (3-30-06)

**c.** Facility, Individual. A camping structure within an IDPR managed campground or area designated for camping use by an individual camping party. (3-30-06)

**d.** Facility, Group. A camping structure within an IDPR managed campground or area designated for group use. (3-30-06)

**08. Day Use.** Use of any non-camping lands and/or facilities between the hours of 7 a.m. and 10 p.m. unless otherwise posted. (3-30-06)

**09. Department.** The Idaho Department of Parks and Recreation. (1-1-94)

**10. Designated Beach.** Waterfront areas designated by the park manager or designee for water-based recreation activities. The length and width of each designated beach shall be visibly identified with signs. (3-30-06)

**11. Designated Roads and Trails.** Facilities recognizable by reasonable formal development, signing, or posted rules. (3-7-03)

**12. Director.** The Director and chief administrator of the Department, or the designee of the Director. (1-1-94)

**13. Dock and Boating Facility.** Floats, piers, and mooring buoys owned or operated by the Department. (3-13-97)

**14. Encroachments.** Non-recreational uses of lands under the control of the Board including any utilization for personal, commercial, or governmental use by a non-Department entity. (4-4-13)

**15. Extra Vehicle.** An additional motor vehicle without built in sleeping accommodations registered to a camp site. (3-27-13)

**16. Facilities.** (3-30-06)

**a.** Individual. A camping structure within an IDPR managed campground or area designated for camping use by an individual camping party. (3-30-06)

**b.** Group. A camping structure within an IDPR managed campground or area designated for group use. (3-30-06)

- 17. Group Use.** Twenty-five (25) or more people, or any group needing special considerations or deviations from normal Department rules or activities. (1-1-94)
- 18. Idaho State Parks Passport.** A sticker, purchased from any county Department of Motor Vehicles' office in the state of Idaho, that matches a particular motor vehicle license number and expiration date, allowing that vehicle to enter Idaho State Parks without being charged a motor vehicle entrance fee. (3-27-13)
- a.** Idaho State Parks Passport sticker expires concurrent with the expiration of that vehicle's registration. (3-27-13)
- b.** Display and placement of the Idaho State Parks Passport will comply with Subsections 010.02.c. through 010.02.f. of this rule. (3-27-13)
- 19. Idaho State Parks Passport Replacement.** Replacement due to a motor vehicle registration transfer or damage to an existing passport. (3-27-13)
- a.** The applicant must apply in person to their county Department of Motor Vehicles' office for this replacement sticker. (3-27-13)
- b.** Display and placement of the replacement sticker will comply with Subsections 010.02.c. through 010.02.f. of this rule. (3-27-13)
- 20. Motor Vehicle.** Every vehicle that is self-propelled except for vehicles moved solely by human power and motorized wheelchairs. (3-27-13)
- 21. Motor Vehicle Entrance Fee (MVEF).** A fee charged for entry to or operation of a motor vehicle in an Idaho State Park. Day use expires at 10 p.m. on date of purchase or as posted; overnight camping use expires upon checkout which is 1 p.m. for a campsite and 12 noon for a facility. (3-27-13)
- 22. Overnight Use.** Use of any non-camping lands for the parking of motor vehicles or trailers not associated with a campsite between the hours of 10 p.m. and 7 a.m. unless otherwise posted. (4-4-13)
- 23. Overnight Use Fee.** A fee charged for overnight use of non-camping lands between the hours of 10 p.m. and 7 a.m. (4-4-13)
- 24. Park or Program Manager.** The person, designated by the Director, responsible for administering and supervising particular lands, facilities, and staff that are under the jurisdiction of the Department.(3-7-03)
- 25. Recreational Vehicle (RV).** A "recreational vehicle" means a vehicular type unit primarily designed as temporary living quarters for recreational, camping, or travel use, which either has its own motive power or is mounted on or drawn by another vehicle. The entities are travel trailer, camping trailer, truck camper, fifth-wheel trailer, and motorhome. It does not include pickup hoods, shells, or canopies designed, created, or modified for occupational use. (Section 39, Idaho Code) (3-27-13)
- 26. Standard Amenities.** Campsite with no serviced amenities. (3-30-06)
- 27. Serviced Amenities.** Serviced campsite amenities includes water, electricity, or sewer. (3-30-06)
- 28. Primary Season.** The time of the year when the majority of use occurs at a park facility. (3-7-03)
- 29. Vessel.** Every description of watercraft, including a seaplane on the water, used or capable of being used as a means of transportation on water, but not including float houses, diver's aids operated and designed primarily to propel a diver below the surface of the water, and non-motorized devices not designed or modified to be used as a means of transportation on the water such as inflatable air mattresses, single inner tubes, and beach and water toys as defined in Section 67-7003(22), Idaho Code. (3-7-03)

**30. Vessel Length.** The distance measured at the centerline at the highest point above the waterline from the fore-part of the outer hull at the bow to the aft-part of the outer hull at the stern, excepting any bowsprits, railings or extraneous or additional equipment. (3-13-97)

**011. -- 074. (RESERVED)**

**075. AUTHORITY CONFERRABLE ON EMPLOYEES - ENFORCEMENT.**

**01. Director Authority.** The Director may, pursuant to Section 67-4239, Idaho Code, authorize any employee of the Department to exercise any power granted to, or perform any duty imposed upon the Director. (3-7-03)

**02. Park Manager Authority.** The park manager or designee may establish and enforce all rules, including interim rules. Interim rules shall apply to the public safety, use, and enjoyment or protection of natural, cultural, or other resources within lands administered by the Department. Those rules shall be posted for public view and shall be consistent with established state laws and these rules. Interim rules shall expire in one hundred twenty (120) days from the established effective date unless approved by the Board. (3-30-06)

**076. -- 099. (RESERVED)**

**100. PENALTIES FOR VIOLATIONS.**

Failure of any person, persons, partnership, corporation, concessionaire, association, society, or any fraternal, social or other organized groups to comply with these rules shall constitute an infraction. (3-30-06)

**01. Civil Claim.** The penalty established in Section 100 of this chapter shall not prevent the Department from filing a civil claim against a violator to collect damages incurred to lands, resources, or facilities administered by the Department. (3-13-97)

**02. Violators.** In addition to the penalty provided in Section 100 of this chapter, or any other existing laws of the state of Idaho, any person failing to comply with any section of these rules or federal, state, or local laws, rules, or ordinances applicable under the circumstances, shall be a trespasser upon state land and subject to expulsion from any state park area for a period of time not less than forty-eight (48) hours. (3-7-03)

**101. -- 124. (RESERVED)**

**125. PRESERVATION OF PUBLIC PROPERTY.**

The destruction, injury, defacement, removal, or disturbance in or of any public building, sign, equipment, monument, statue, marker, or any other structures; or of any tree, flower, or other vegetation; or of any cultural artifact or any other public property of any kind, is prohibited unless authorized by the park manager of a specific area. (3-30-06)

**126. -- 149. (RESERVED)**

**150. USE OF MOTOR VEHICLES.**

Except where otherwise provided, motor vehicles may enter or be operated in park and recreation areas and facilities only upon payment of the motor vehicle entrance fee or display of a valid Idaho state Parks Passport or Annual Motor Vehicle Entrance Fee sticker. All motor vehicles shall stay on authorized established Department roadways or parking areas except for trails and areas which are clearly identified by signs for off-road use. Drivers and motor vehicles operated within lands administered by the Department shall be licensed or certified as required under state law. The operators of all motor vehicles shall comply with the motor vehicle entrance fee requirements, speed and traffic rules of the Department, and all other federal, state, local laws, and ordinances governing traffic on public roads. (3-27-13)

**01. Use of Parking Spaces for Persons With a Disability.** Special zones and parking spaces within state parks are designated and signed for exclusive use by vehicles displaying a special license plate or card denoting

legal handicap status as provided in Section 49-213, Idaho Code. (3-7-03)

**02. Overdriving Road Conditions and Speeding Prohibited.** No person shall drive a vehicle at a speed greater than the posted speed or a reasonable and prudent speed under the conditions, whichever is less. Every person shall drive at a safe and appropriate speed when traveling on park roads, in congested areas, when pedestrians or bicyclists are present, or by reason of weather or hazardous highway conditions as provided in Section 49-654, Idaho Code. (3-7-03)

**03. Motorcycle and ATV Safety Helmets.** Persons under eighteen (18) years of age shall wear a protective safety helmet when riding upon a motorcycle or an all-terrain vehicle as operator or passenger as provided in Section 49-666, Idaho Code. (3-30-06)

**04. Snowmobile Operation Limited.** No person shall operate a snowmobile on any regularly plowed park road unless authorized by park manager or designee. Access on non-plowed roads and trails shall only be permitted when authorized by the park manager. (3-30-06)

**05. Compliance With Posted Regulatory Signs Required.** Persons operating vehicles within state parks are required to obey posted regulatory signs as provided in Section 49-807, Idaho Code. (3-7-03)

**06. Obedience to Traffic Direction Required.** No person shall willfully fail or refuse to comply with any lawful order or directions of any park employee invested with authority to direct, control, or regulate traffic within a state park. (3-30-01)

**07. Restrictions.** The operation of motor vehicles within a designated campground is restricted to ingress and egress to a campsite or other in-park destination by the most direct route. (3-27-13)

**08. Official Use.** This rule does not prohibit official use of motor vehicles by Department employees anywhere within lands administered by the Department. (3-27-13)

## 151. PARKING VIOLATIONS

**01. Land or Facilities Administered by the Department.** No person shall stop, stand, or park a motor vehicle or trailer anywhere within land or facilities administered by the Department unless proof of payment of all required fees or other lawful authorization for entry is plainly visible and properly displayed. (4-4-13)

**02. Designated Campgrounds.** No person shall stop, stand, or park a motor vehicle within designated campgrounds unless proof of payment of the applicable campsite fees as set forth in Section 250 of this chapter is plainly visible and properly displayed on either the lower windshield or dashboard of the driver's side of the vehicle. (4-4-13)

**03. Designated Overnight Use Area.** Except for authorized campers, no person shall stop, stand, park, or leave a motor vehicle or trailer unattended outside day use hours unless the motor vehicle or trailer is in a designated overnight use area and proof of payment of the overnight-use fee is plainly visible and properly displayed. (4-4-13)

**04. Fee Collection Surcharge.** Any person stopping, standing, or parking a motor vehicle or trailer without payment of all required fees is subject to the fee collection surcharge as provided in Subsection 225.06 of this chapter. (4-4-13)

**05. Citations for Violations.** Citations for violations of this Section may be issued to the operator of the motor vehicle. If the operator cannot be readily identified, the citation may be issued to the registered owner or lessee of the motor vehicle, subject to the provisions of Section 67-4237, Idaho Code. (4-4-13)

152. -- 174. (RESERVED)

**175. PUBLIC BEHAVIOR.**

**01. Resisting and Obstructing a Park Employee Prohibited.** Persons shall not willfully resist, delay, obstruct, or interfere with any park employee in his duties to protect the state's resources and facilities and to provide a safe place to recreate. (3-30-01)

**02. Day Use.** Between the hours of 10 p.m. and 7 a.m., unless otherwise posted, all personal property must be removed from the day use area. (3-27-13)

**03. Quiet Hours.** Within lands administered by the Department, the hours between 10 p.m. and 7 a.m. shall be considered quiet hours unless otherwise posted. During that time, users are restricted from the production of noise that may be disturbing to other users. (1-1-94)

**04. Noise.** Amplified sound, poorly muffled vehicles, loud conduct, or loud equipment are prohibited within lands administered by the Department, except in designated areas or by authority of the park manager. (1-1-94)

**05. Alcohol.** State laws regulating alcoholic beverages and public drunkenness shall be enforced within lands administered by the Department. (3-30-01)

**06. Littering.** Littering is prohibited within lands administered by the Department. (1-1-94)

**07. Smoking.** State Park facilities are designated as "smoke free" areas. Persons shall not smoke within park structures or at posted outdoor areas. (3-30-01)

**176. -- 199. (RESERVED)**

**200. CAMPING.**

**01. Occupancy.** Camping shall be permitted only in designated campsites, areas, or facilities. A campsite or facility will be determined occupied only after all required fees have been paid, registration information completed, and all permits properly displayed. Unique circumstances may arise, and specific sites or facilities by virtue of design may require exceptions to the capacity limits. (3-27-13)

**02. Self Registration.** In those areas so posted, campers shall register themselves for the use of campsites and facilities, paying all required fees as provided for herein and in accordance with all posted instructions. (3-27-13)

**03. Length of Stay.** Except as provided herein, no person, party or organization may be permitted to camp on any lands administered by the Department for more than fifteen (15) days in any thirty (30) consecutive day period. This applies to both reservation and "first come first served" customers. The IDPR Operations Division Administrator or designee may authorize shorter or longer periods for any individual area. (3-30-06)

**04. Registration Required.** All required fees must be paid, registration information completed, and all permits properly displayed prior to occupying a campsite or facility. Saving or holding campsites or facilities for individuals not physically present at the time of registration for "first come first served" camping is prohibited. (3-27-13)

**05. Condition of Campsite.** Campers shall keep their individual or group campsite or facility and other use areas clean. (3-30-06)

**06. Liquid Waste Disposal.** All gray water and sewage wastes shall be held in self-contained units or collected in water-tight receptacles in compliance with state adopted standards and dumped in sanitary facilities provided for the disposal of such wastes. (3-30-01)

**07. Motorized Equipment.** No generators or other motorized equipment emitting sound and exhaust

are permitted to be operated during quiet hours. (7-1-93)

**08. Campsite Parking.** All motor vehicles and trailers, shall fit entirely within the campsite parking pad/area provided with the assigned individual or group campsite or facility. All equipment that does not fit entirely within the designated campsite parking area shall be parked at another location within the campground, or outside the campground, as may be designated by the park manager or designee. If no outside parking is available, the park manager or designee may require the party to register on a second campsite, if available. (3-27-13)

**09. Equipment.** All camping equipment and personal belongings of a camper shall be maintained within the assigned individual or group campsite or facility perimeter. (3-30-06)

**10. Check Out.** (3-30-06)

**a.** Campsite. Campers are required to check out and leave a clean individual or group campsite by 1 p.m. of the day following the last paid night of camping. (3-30-06)

**b.** Facility. Campers are required to check out and leave a clean individual or group camping facility by 12 noon of the day following the last paid night of camping. (3-30-06)

**11. Visitors.** Individuals visiting campers shall park in designated areas, except with permission of the park manager or designee. Visitors shall conform to established day use hours and day use fee requirements. (3-30-06)

**12. Responsible Party.** The individual purchasing an individual or group campsite or facility is responsible for ensuring compliance with the rules within this chapter. (3-30-06)

**13. Camping Prohibited.** Camping in individual or group facility sites is prohibited unless in areas specifically designated for camping or by authorization of the park manager or designee. (3-30-06)

## **201. BOATING FACILITIES.**

The provisions of this section do not apply to Department-operated marinas which provide moorage on a lease or long-term rental basis. (3-7-03)

**01. Moorage and Use of Marine Facilities.** No person or persons shall moor or berth a vessel of any type in a Department-owned or operated park or marine area that is signed for other use. Vessel moorage shall be limited to no more than fifteen (15) days in any consecutive thirty (30) day period. (3-30-06)

**02. Moorage Fees.** Vessels moored between 10 p.m. and 7 a.m. at designated facilities shall be charged an overnight moorage fee. (3-30-06)

**03. Use of Onshore Campsites.** If any person or persons from a vessel moored at a Department boating facility also occupies any designated campsite onshore, all required fees for such campsite(s) shall be paid in addition to any moorage fee provided herein. (3-27-13)

**04. Self-Registration.** In those areas so posted, boaters shall register themselves for the use of marine facilities and onshore campsites, paying all required moorage and campsite fees as provided for herein and in accordance with all posted instructions. (3-27-13)

## **202. OVERNIGHT USE.**

**01. Occupancy.** Overnight use shall be permitted only in designated areas. Overnight use is only allowed after all required fees have been paid, registration information completed, and all permits properly displayed. (4-4-13)

**02. Overnight Use Fees.** Motor vehicles or trailers not associated with campers between 10:00 p.m. and 7:00 a.m. at designated facilities shall be charged an overnight use fee. (4-4-13)

**03. Self Registration.** In those areas so posted, overnight users shall register themselves for the use of overnight use areas, paying the appropriate fees as provided for herein and in accordance with all posted instructions. (4-4-13)

**04. Length of Stay.** Except as provided herein, no person, party, or organization may be permitted to utilize overnight use areas on any lands administered by the Department for more than fifteen (15) days in any thirty (30) consecutive-day period. This applies to both reservation and “first come first served” customers. The IDPR Director or designee may authorize shorter or longer periods for any individual area. (4-4-13)

**05. Registration Required.** All required fees must be paid, registration information completed, and all permits properly displayed prior to occupying an overnight use area. (4-4-13)

**06. Check Out.** Overnight users are required to check out by 1 p.m. of the day following the last paid overnight of use. (4-4-13)

**07. Responsible Party.** The individual purchasing an overnight use permit or the registered owner of the motor vehicle or trailer is responsible for ensuring compliance with the rules within this chapter. (4-4-13)

**08. Overnight Use Prohibited.** Overnight use is prohibited except in areas specifically designated for overnight use or by authorization of the park manager or designee. (4-4-13)

**203. -- 224. (RESERVED)**

**225. FEES AND SERVICES.**

**01. Authority.** (3-13-97)

**a.** The Board shall adopt fees for the use of lands, facilities, and equipment. Visitors shall pay all required fees. (3-27-13)

**b.** Park managers or designees may set fees for goods available for resale and services provided by staff to enhance the users experience unique to the individual park. Fees for lands, facilities, and equipment unique to an individual park will be posted at that site. (3-27-13)

**02. General Provisions.** All fees in this chapter are maximum fees unless otherwise stated. Actual fees charged shall be established by Board Policy. (3-7-03)

**03. Camping.** Camping fees include the right to use designated campsites and facilities for the period camp fees are paid. Utilities and facilities may be restricted by weather or other factors. (3-16-04)

**04. Group Use.** (7-1-93)

**a.** Groups of twenty-five (25) persons or more, or any group needing special considerations or deviations from these rules shall obtain a permit. Permits may be issued after arrangements have been made for proper sanitation, population density limitations, safety of persons and property, and regulation of traffic. (3-30-06)

**b.** Permits for groups of up to two hundred fifty (250) people may be approved by the park manager with thirty (30) days advance notice. Permits for groups of two hundred fifty (250) or more people may be approved by the Director with forty-five (45) days advance notice. (3-27-13)

**c.** The motor vehicle entrance fee may be charged to groups entering a designated area for a non-camping visit. (3-27-13)

**05. Fees and Deposits.** Fees and deposits may be required for certain uses or the reservation of certain facilities unique to an individual park and will be posted at that site. (3-30-06)

**06. Fee Collection Surcharge.** A ten dollar (\$10) surcharge may be added to all established fees when the operator of a motor vehicle or responsible party of a camping unit fails to pay all required fees prior to entering a park area or occupying a campsite. If the surcharge is assessed, and the operator of the vehicle or responsible party is not present, all required fees in addition to the ten dollar (\$10) surcharge will be assessed against the registered owner of the motor vehicle or camping unit. (3-27-13)

**07. Admission Fees.** A maximum per person fee of ten dollars (\$10) may be charged for internal park facilities which provide an educational opportunity or require special accommodations. (3-10-00)

**08. Cooperative Fee Programs.** The Department may collect and disperse fees in cooperation with fee programs of other state and federal agencies. (3-10-00)

**09. Encroachment Permit Application Fee.** The Department may assess an encroachment application fee as set by the Board to cover administrative costs incurred by the Department in reviewing the application and the site, and in preparing the appropriate document(s). (3-27-13)

226. -- 249. (RESERVED)

**250. FEE SCHEDULE: CAMPSITES.**

**01. Campsites:**

<b>CAMPSITE FEE TABLE</b> Maximum Fee Allowed	
<b>Primitive Campsite</b> No amenities at site, camping area not defined	\$23/day
<b>Standard Campsite</b> Any defined campsite, either tent pad or RV pad/area (may include: table and/or grill)	\$26/day
<b>Serviced Campsite/ W</b> Any defined campsite, either tent pad or RV pad/area, with water at site (may include: table and/or grill)	\$30/day
<b>Serviced Campsite/ E</b> Any defined campsite, either tent pad or RV pad/area, with electricity at site (may include: table and/or grill)	\$30/day
<b>Serviced Campsite/ W, E</b> Any defined campsite, either tent pad or RV pad/area, with water and electricity at site (may include table and/or grill)	\$34/day
<b>Serviced Campsite/ W, E, SWR</b> Any defined campsite, either tent pad or RV pad/area, with water, electricity, and sewer at site (may include table and/or grill)	\$36/day
<b>Companion Campsite</b> May be any campsite type, regardless of amenities, that has greater equipment/people capacity (may include table and/or grill) Fee determined by actual site type.	Site type multiplied by two (2)

<b>Amenity Fee for Central Water</b> Applies to "Standard" campsites in campgrounds with a central water supply. The Amenity Fee is charged in addition to the Standard Campsite fee.	\$2/night
<b>Amenity Fee for Flush-Toilets/Showers</b> Applies to "Standard" campsites in campgrounds with Flush-Toilets/Showers. The Amenity Fee is charged in addition to the Standard Campsite fee.	\$2/night
<b>Use of Campground Showers by Non-campers</b>	\$3/person
<b>Overnight Use Fee per motor vehicle or trailer per night</b> Applies to non-campers leaving a motor vehicle or trailer on park property overnight.	\$10/night
<b>Limited Income Discount</b> - Idaho residents showing proof of limited income (Medicaid card or other evidence approved by the Board) may receive a camping fee discount of:	\$4/day
<b>Resident Disabled Idaho Veterans</b> - Campsite fees are waived for resident Idaho veterans showing proof of a one hundred percent (100%) permanent and total service related disability	
<b>Senior Citizen Discount</b> - Pursuant to Section 67-4223, Idaho Code, and at the discretion of the Director, IDPR may provide, at selected under-utilized locations and times, a senior citizen discount.	Maximum 50% of RV camping fee
<b>Camping Cabins and Yurts</b>	\$200/night
Each additional person above the sleeping capacity of camping cabin or yurt	\$12/night

(7-1-14)

**02. Reservation Service Fees, Individual Campsite or Facility.** A non-refundable non-transferable (from one party to another) service charge of ten dollars (\$10) may be assessed for each individual campsite or facility reserved. This fee will be waived for campers with a current Idaho RV registration sticker and reimbursed to the Department by the RV Program. A service charge of ten dollars (\$10) or the first night's fee, whichever is less, will be assessed for the cancellation or modification of each individual campsite or facility reserved that involves reducing the planned length of stay or to change the reservation dates where part of the new stay includes part of the original stay booked (rolling window) if notice is received more than twenty-four (24) hours in advance of the scheduled arrival time. Cancellations or modifications made less than twenty-four (24) hours in advance of the scheduled arrival time shall result in assessment of a ten dollar (\$10) service charge and may require the forfeiture of the first night's camping fee. Modifications that change the original stay so that no part of the new stay includes part of the original stay are to be considered a cancellation and a re-book will be required. (3-30-06)

**251. (RESERVED)**

**252. FEE SCHEDULE: MOTOR VEHICLE ENTRANCE FEE.**

<b>MOTOR VEHICLE ENTRANCE FEE TABLE.</b>	
<b>Maximum Fee Allowed</b>	
<b>Annual Motor Vehicle Entrance Fee</b> per motor vehicle	\$40
<b>Daily charge</b> per motorized vehicle	\$5

Annual Motor Vehicle Entrance Fee Replacement per motor vehicle	\$5
Daily charge per commercial motor coach (no annual pass available)	\$25
<b>Disabled Idaho Resident Veterans</b> - The motor vehicle entrance fee is waived for resident Idaho veterans showing proof of a one hundred percent (100%) permanent and total service related disability	
<b>Idaho State Parks Passport</b> per motor vehicle.	\$10
<b>Idaho State Parks Passport Replacement</b> per motor vehicle	\$2

(3-27-13)

253. (RESERVED)

254. **FEE SCHEDULE: GROUP FACILITY.**

Group Facility Fees. Reservation service fee, designated group campground or facility. (3-30-06)

**01. Non-Refundable, Non-Transferable.** A non-refundable, non-transferable (from one (1) party to another) service charge of twenty-five dollars (\$25) will be assessed per designated group area or facility reserved. This fee will be charged in addition to the usage fees for each group or campsite or facility. (4-4-13)

**02. Individual Fees.** Groups using overnight facilities shall be charged three dollars (\$3) per person per night camping fees for each individual above the authorized base occupancy rate for the specific site or facility. (4-4-13)

**03. Cleaning and Damage Deposits.** Cleaning/damage deposits may be required for certain facilities. Where cleaning/damage deposits are required, they shall be paid prior to check-in. Cleaning/damage deposits shall be fully refunded if the facility is left in the same condition in which it was accepted. (4-4-13)

**04. Day Use.** Group use fees for day use facilities may be negotiated by the park manager or designee and will generally not fall below the cost of providing services. (4-4-13)

255. (RESERVED)

256. **FEE SCHEDULE: BOATING FACILITIES.**

Boating Facilities:

<b>BOATING FACILITIES FEE TABLE</b> Maximum Fee Allowed	
<b>Vessel launching</b> - per vessel/per day Annual Motor Vehicle Entrance Fee, Idaho State Parks Passport, or motor vehicle entrance fee apply toward vessel launching fees	\$5/ day
<b>Overnight moorage</b> - any length of vessel. (Applicable to persons who have paid for a park campsite and are not camping on the vessel)	\$9/night

<b>Overnight moorage</b> - persons camping on vessel Any length vessel Any length vessel moored at buoy	\$10/night \$9/night
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(3-27-13)

**257. (RESERVED)**

**258. FEE SCHEDULE: SPECIAL FEES.**

**01. Modification of Fees.** Additional fees or deposits may be required for certain uses or for the reservation of certain facilities. The Department reserves the right to waive or reduce fees and charges for Department sponsored promotions. (7-1-93)

**02. Sales Tax.** Applicable sales tax may be added to all sales excluding the day use fee. (3-30-06)

**03. Special Charges.** The cost to the agency for returned checks will be passed on to the issuer of the insufficient funds check. (4-4-13)

**04. Length of Stay.** Fifteen (15) days in any consecutive thirty (30) day period. (3-30-06)

**259. FEE SCHEDULE: WINTER ACCESS PROGRAM FEES.**

<b>WINTER ACCESS PROGRAM FEE TABLE</b>	
<b>Maximum Fee Allowed</b>	
Winter Access Daily per Person Pass -- per person per season	\$6
Winter Access Daily Family Pass -- per family per season	\$100
Winter Access Individual Season Pass -- per person per season	\$50
Winter Access Couples Season Pass -- per couple per season	\$75

**01. Winter Access Program Fee – Daily Pass.** A fee of six dollars (\$6) per person per day and one hundred dollars (\$100) per family per season will be required at Board-approved premium winter access locations. These programs may include: maintained parking areas, warming facilities, winter accessible restroom facilities, regularly groomed trails, extensive signing, trail mapping, and ski patrol services. (7-1-14)

**02. Winter Access Program Fee – Season Pass.** A fee of fifty dollars (\$50) per Individual Season Pass per person per winter access season and a fee of seventy-five dollars (\$75) per Couples Season Pass per couple per winter access season will be required at Board-approved premium winter access locations. These programs may include maintained parking areas, warming facilities, winter accessible restroom facilities, regularly groomed trails, extensive signing, train mapping, and ski patrol services. (7-1-14)

**260. -- 274. (RESERVED)**

**275. CRITERIA FOR INDIVIDUAL CAMPSITE, CAMPING CABIN, AND YURT RESERVATIONS.**

**01. Confirmation Requirements.** (3-30-06)

a. Confirmation of an Individual Campsite or Facility Reservation. Full payment of all required fees shall be made before a reservation is confirmed. (3-27-13)

b. Confirmation of a Designated Group Campground or Facility Reservation. (3-30-06)

i. Payment of the first night or daily base rate fee for a group facility and all required fees shall be made before a reservation is confirmed. (3-27-13)

ii. Payment of all required fees applicable for each campsite or facility reserved within a group campground must be paid at the time of booking before a reservation is confirmed. (3-27-13)

**02. Individual Campsite and Facility Reservations.** Reservations for individual campsites, and facilities shall be managed in accordance with rules promulgated by the Idaho Park and Recreation Board. (4-7-11)

**03. Reservation Modifications.** Individual and group campsite(s) or facilities. A reservation service fee will be assessed for any modification to a previously made reservation that involves reducing the planned length of stay, or to change the reservation dates where part of the new stay includes part of the original stay booked (rolling window). With the exception of the reservation service fees as defined in Subsection 250.02, any overpaid fees will be reimbursed at the time the reservation is modified. (3-30-06)

**04. Reservation Cancellations.** (3-7-03)

a. Individual Site or Facility. A reservation service fee will be assessed for the cancellation of a reservation. This service fee will be assessed for each campsite or facility involved. If the customer cancels after the scheduled arrival date the customer forfeits all usage fees for the time period already expired. Cancellations received after checkout time will result in the forfeiture of that day's usage fees for the campsite or facility. At no time shall the customer be charged a cancellation fee that exceeds the amount originally paid. The IDPR or its reservation service provider may cancel a customer's reservation for insufficient payment of fees due. With the exception of the reservation service fees, all fees paid will be reimbursed at the time the reservation is cancelled. (3-30-06)

b. Park Board Designated Special Use Campsites and Facilities. A reservation service fee will be assessed for the cancellation of a reservation. If a cancellation for a group facility occurs twenty-one (21) or fewer calendar days prior to arrival, the customer forfeits the first night or daily facility usage fees (base rate). If a cancellation for a group facility occurs more than twenty-one (21) calendar days prior to arrival, a cancellation charge of fifty dollars (\$50) will be assessed. If the customer cancels after the arrival date the customer forfeits all usage fees for the time period already expired. Cancellations received after checkout time will result in the forfeiture of that day's usage fees for the campsite or facility. At no time shall the customer be charged a cancellation fee that exceeds the amount originally paid. The IDPR or its reservation service provider may cancel a customer's reservation for insufficient payment of fees due. An individual site cancellation fee applies to each campsite in a group campground. With the exception of the reservation service fees, all fees paid will be reimbursed at the time the reservation is cancelled. (4-4-13)

**05. Park Manager Authority.** The park manager or designee may deny entry to, or reservation of, any Department unit, campsite, or facility, to any individual whose prior documented behavior has violated Department rules or whose in-park activities are incompatible with the park's operation. (3-30-06)

**276. -- 299. (RESERVED)**

**300. RESERVING GROUP USE FACILITIES.**

**01. General.** Unless otherwise provided, designated group use facilities and areas may be reserved through the reservation system up to nine (9) months in advance but at least two (2) days prior to the date of arrival. (3-30-06)

**02. Responsible Party.** A designated group leader shall be responsible for all facilities. A damage or

cleaning deposit may be required by the park manager or designee as a condition of reservation. (3-7-03)

**03. Park Manager Authority.** The park manager or designee may deny entry to, or reservation of any Department unit, campsite, or facility, to any group whose prior documented behavior has violated Department rules, whose in-park activities are incompatible with the park's operation, or whose in-park activity will violate Department rules. (3-30-06)

**04. Additional Information.** Additional information concerning group use reservations and definitions can be found in Subsection 250.05 of this chapter. (3-30-06)

**301. -- 399. (RESERVED)**

**400. PARK CAPACITIES.**

Where applicable, park managers may limit or deny access to an area whenever it has reached its designated capacity. Only if special arrangements for the public welfare have been made may the park manager allow that capacity to be exceeded. (3-30-06)

**401. OPERATIONAL GUIDELINES FOR NON-TRADITIONAL RECREATIONAL ACTIVITIES.**

Non-traditional recreational activities such as model airplane/gliders operations, geo-caching, gold panning and metal detecting may be authorized by the Park Manager or his designee, if such activities do not interfere with traditional uses of the park and are consistent with preservation of park resources. (4-2-08)

**402. -- 449. (RESERVED)**

**450. WATERFRONT AREA RESTRICTIONS.**

**01. Swimming.** Swimming or water contact shall be at an individual's own risk. (3-7-03)

**02. Restrictions on Designated Beaches.** No glass containers or pets are allowed on designated beaches or swim areas. (3-7-03)

**03. Restricted Areas.** Vessels shall remain clear of designated beaches and other areas signed and buoyed for public safety. (3-7-03)

**04. Ramps and Docks.** The use of docks located next to boat ramps is limited to the active launching and loading of boats. (3-7-03)

**05. Compliance with Laws.** Vessels operating on public waters administered by the Department shall fully comply with the Idaho Safe Boating Act, Title 67, Chapter 70 and the Marine Sewage Disposal Act, Title 67, Chapter 75, Idaho Code, and the rules promulgated thereunder. The director may establish rules prohibiting the use of boat motors or to limit the horsepower capacity on those vessels operating on waters administered by the Department. (3-7-03)

**451. -- 474. (RESERVED)**

**475. PETS.**

Pets are allowed within lands administered by the Department only if confined or controlled on a leash not longer than six (6) feet in length. No person may allow their pet to create a disturbance which might be bothersome to other users. Excepting persons with disabilities who are assisted by guide animals, no person may permit their pet animals to enter or remain on any swim area or beach. Pet owners shall be responsible to clean up after their animals. Pets may not be left unattended. Areas for exercising pets off leash may be designated by the park manager or designee. Department employees may impound or remove any stray or unattended animals at the owner's expense. (3-7-03)

**476. -- 499. (RESERVED)**

**500. LIVESTOCK.**

Grazing of livestock is not permitted within lands administered by the Department. Exceptions may be made by the board for grazing permits or otherwise permitting the use of lands administered by the Department for livestock. The use of saddle or other recreational livestock is prohibited on trails, roadways, and other areas unless designated through signing for that purpose or with permission of the park manager or designee. (3-7-03)

**501. -- 524. (RESERVED)**

**525. FIRES.**

The use of fires shall be restricted to fire circles, grills or other places otherwise designated by the park manager. All fires shall be kept under control at all times, and shall be extinguished before checking out of the campsite or whenever fire is left unattended. Areas may be closed to open fires during extreme fire danger. (3-13-97)

**526. -- 549. (RESERVED)**

**550. FIREWORKS.**

No person may use fireworks of any kind within lands administered by the Department, except under special permit issued by the director for exhibition purposes, and then only by persons designated by the director. (1-1-94)

**551. -- 574. (RESERVED)**

**575. PROTECTION OF WILDLIFE.**

All molesting, injuring, or killing of any wild creature is strictly prohibited, except as provided by action of the Board and as established in Board Policy. Persons in possession of wildlife, which may be legally taken within state park boundaries, shall comply with Idaho Fish and Game rules. (3-7-03)

**576. PROTECTION OF HISTORICAL, CULTURAL AND NATURAL RESOURCES.**

The digging, destruction or removal of historical, cultural or natural resources is prohibited. Collection for scientific and educational purposes will be through written permission of the park manager or designee only. (3-30-06)

**01. Spreading of Human Ashes.** Human ashes may be spread on lands owned by the Idaho Department of Parks and Recreation. The exact location must be pre-approved by the Park Manager or designee. Ashes may not be spread in the water within a state park. (4-2-08)

**02. Land-Use Restrictions.** The spreading of human ashes will not restrict the use of Department land from future development. The Department does not assign or convey any rights or restrictions by allowing the placement of ashes on the land, and there are no restrictions in the ability of the landowner to operate, develop, or otherwise use the land at their sole discretion without any obligation associated with the placement of ashes on the land. (4-2-08)

**577. -- 599. (RESERVED)**

**600. PERSONAL SAFETY, FIREARMS.**

No person may purposefully or negligently endanger the life of any person or creature within any land administered by the Department. No person may discharge firearms or other projectile firing devices within any lands administered by the Department, except in the lawful defense of person, persons, or property or in the course of lawful hunting, or for exhibition or at designated ranges as authorized by the Director. (3-29-10)

**601. -- 624. (RESERVED)**

**625. ADVERTISEMENTS/PROMOTIONS/DEMONSTRATIONS.**

**01. Printed Material.** Public notices, public announcements, advertisements, or other printed matter shall only be posted or distributed in a special area approved by the park manager or designee. (3-30-06)

**02. Political Advertising.** Political advertising is strictly prohibited within any lands administered by the Department. (3-30-06)

**03. Demonstrations.** Public demonstrations are limited to areas approved by the park manager and subject to an approved permit issued after arrangements for sanitation, population density limitations, safety of persons and property, and regulation of traffic are made. (3-30-06)

**626. -- 649. (RESERVED)**

**650. AUTHORIZED OPERATIONS.**

No person, firm, or corporation may operate any concession, business, or enterprise within lands administered by the Department without written permission or permit from the board. No person(s), partnership, corporation, association or other organized groups may: (1-1-94)

**01. Beg or Solicit for Any Purpose.** (7-1-93)

**02. Game or Operate a Gaming Device of Any Nature.** (7-1-93)

**03. Abandon Any Property.** Leaving property on Department lands is prohibited unless registered in a campsite or permitted by the park manager or designee. Property left on Department lands for more than twenty-four (24) hours will be removed at the owner's expense. (3-7-03)

**04. Discriminate.** Discriminate in any manner against any person or persons because of race, color, national origin, religion, gender, age or disability within lands administered by the Department. (1-1-94)

**651. -- 674. (RESERVED)**

**675. DEPARTMENT RESPONSIBILITY.**

The Department is not responsible for damage to, or theft of personal property within lands administered by the Department. All visitors use facilities and areas at their own risk. (1-1-94)

**676. -- 999. (RESERVED)**

**IDAPA 26  
TITLE 01  
CHAPTER 30**

**26.01.30 - IDAHO SAFE BOATING RULES**

**000. LEGAL AUTHORITY.**

The Idaho Park and Recreation Board is authorized under Section 67-7002, Idaho Code to promulgate rules to effectuate the purposes of and aid in the administration of the Idaho Safe Boating Act, Title 67, Chapter 70, Idaho Code. (1-1-94)

**001. TITLE AND SCOPE.**

**01. Title.** The title of this chapter shall be cited in full as Idaho Department of Parks and Recreation Rules, IDAPA 26.01.30, "Idaho Safe Boating Rules." (1-1-94)

**02. Scope.** This chapter establishes rules to effectuate the purposes of and aid in the administration and enforcement of the Idaho Safe Boating Act, Title 67, Chapter 70, Idaho Code. (1-1-94)

**002. WRITTEN INTERPRETATIONS.**

This agency has written interpretations of these rules, in the form of explanatory comments accompanying the notice of proposed rulemaking that originally proposed the rules, or documentation of compliance with IDAPA 26.01.01.150, "Rules of Administrative Procedure of the Idaho Park And Recreation Board." These documents are available for public inspection and copying in the central office of the agency. (1-1-94)

**003. APPEALS.**

Any person who may be adversely affected by a final decision, ruling, or direction of the director may appeal the decision, ruling, or direction as outlined under IDAPA 26.01.01.250, "Rules of Administrative Procedure of the Idaho Park and Recreation Board." (1-1-94)

**004. -- 005. (RESERVED)**

**006. CITATION.**

The official citation of this chapter is IDAPA 26.01.30.000 et seq. For example, the citation for this section is IDAPA 26.01.30.006. (1-1-94)

**007. -- 009. (RESERVED)**

**010. DEFINITIONS.**

As used in this chapter: (1-1-94)

**01. Duly Constituted Water Ski School.** A profit-making business which files Idaho income tax returns in accordance with the Idaho Income Tax Act (Title 63, Chapter 30, Idaho Code) substantiating that instruction of water ski students for the making of a profit is or was being performed by the instructor. (1-1-94)

**02. Lifeboat.** A vessel that: (7-1-93)

**a.** Is owned by the owner of a vessel for which a valid certificate of number has been issued; (7-1-93)

**b.** Is kept with the numbered vessel during normal operation of the numbered vessel; and (7-1-93)

c. Is used solely in life threatening situations. (7-1-93)

**03. Motorboat.** Any vessel propelled by machinery, which is powered by an energy source other than human effort, whether or not such machinery is the principal source of propulsion. (7-1-93)

**04. Sailboat.** Any vessel equipped with mast(s) and sail(s), dependent upon the wind to propel the vessel in the normal course of operation of the vessel. (1-1-94)

**05. Sailboard.** A surfboard type sailboat with no freeboard and using a triangular sail on a swivel mounted mast not secured to a hull by guys or stays. (7-1-93)

**06. Tender.** A vessel equipped with propulsion machinery of less than ten (10) horsepower that: (7-1-93)

a. Is owned by the owner of a vessel for which a valid certificate of number has been issued; (7-1-93)

b. Displays the number of that numbered vessel followed by the suffix "1"; and (7-1-93)

c. Is used for direct transportation between the numbered vessel and the shore and for no other purpose. (7-1-93)

**07. Watercraft.** Those devices designed as a means of transportation on water. The following devices are not considered watercraft: (7-1-93)

a. Diver's aids operated and designed primarily to propel a diver below the surface of the water; and (7-1-93)

b. Non-motorized devices not designed as a means of transportation on water, such as inflatable air mattresses, single inner tubes, and beach and water toys. (3-23-98)

c. Float houses as defined in Section 67-7003(8), Idaho Code. (3-23-98)

**08. Whistle or Horn.** Any sound producing appliance capable of producing the prescribed blasts and which complies with the specifications of 33 U.S.C. Section 2001 et seq. and 33 CFR Section 86.01 et seq. (1-1-94)

**09. Other Definitions.** Other definitions set forth in the Idaho Safe Boating Act (Title 67, Chapter 70, Idaho Code) are incorporated herein by reference. (7-1-93)

**011. -- 049. (RESERVED)**

## **050. PERSONAL FLOTATION DEVICES (PFD'S).**

**01. Personal Flotation Devices Required.** Except seaplanes, sailboards, and as provided in Subsections 050.03 and 050.04 of this chapter, no person shall operate or permit to be operated any vessel on the waters of this state without carrying on board personal flotation devices (Type I life preservers, Type II buoyant vests, Type III special purpose marine buoyant devices, Type IV buoyant cushions or ring life buoys, or Type V restricted use devices) as follows: (7-1-93)

a. Recreational vessels (used for non-commercial use) less than sixteen (16) feet in length, and canoes and kayaks of any length, shall have one (1) type I, II, or III wearable personal flotation devices of a suitable size for each person on board. (5-1-95)

b. Recreational vessels sixteen (16) feet in length and over, except as stated in Subsection 050.01.a. of this chapter, shall have one (1) type I, II, or III wearable personal flotation device of a suitable size for each person on board and, in addition, one (1) type IV throwable device. (1-1-94)

c. Commercial vessels less than forty (40) feet in length not carrying passengers for hire shall have at least one (1) Type I, II, or III wearable personal flotation device of a suitable size for each person on board. (1-1-94)

d. Commercial vessels carrying passengers for hire and commercial vessels forty (40) feet in length or longer not carrying passengers for hire shall have at least one Type I wearable personal flotation device of a suitable size for each person on board. (1-1-94)

e. Commercial vessels twenty-six (26) feet in length or longer shall have at least one (1) Type IV throwable ring life buoy in addition to other requirements. (1-1-94)

f. Children fourteen (14) years of age and younger, onboard vessels nineteen (19) feet or less, must wear an approved flotation device when the vessel is underway. (3-15-02)

**02. Location and Condition.** All personal flotation devices required by Section 050 of this chapter shall be readily accessible to persons on board and be of good and serviceable condition. When aboard a personal watercraft (Jet Ski, Wave Runner, etc.) or being towed by a boat (water ski, wake board, knee board, tube, etc.), an approved flotation device must be worn to be considered readily accessible. All such devices shall be approved by the U.S. Coast Guard, and shall be marked in accordance with U.S. Coast Guard standards. All such devices shall comply with the construction and design standards set forth by 46 U.S.C. Section 2101 et seq. and Section 4301 et seq., and applicable federal regulations. (3-30-01)

**03. Alternative PFD Requirement.** A Type V personal flotation device may be carried in lieu of any required personal flotation device if U.S. Coast Guard approved for the activity engaged in. (7-1-93)

**04. Exemptions.** (7-1-99)

a. Racing shells, rowing sculls and racing kayaks are exempt from the requirements of Section 050 of this chapter provided they are manually propelled, recognized by a national or international racing association and designed solely for competitive racing. (7-1-99)

b. Float tubes are exempt from the requirements of Section 050 of this chapter while being operated on lakes and reservoirs of this state of less than two hundred (200) surface acres in size at natural or ordinary high water. (7-1-99)

**051. -- 074. (RESERVED)**

**075. FIRE EXTINGUISHERS.**

**01. Fire Extinguishers Required.** Except seaplanes and those motorboats less than twenty-six (26) feet in length, propelled by outboard motors, of open construction which will not permit the entrapment of explosive or flammable gases or vapors, and not carrying passengers for hire, no person shall operate or permit to be operated any motorboat on the waters of this state unless it shall carry on board and have readily accessible at least the minimum number of serviceable U.S. Coast Guard approved fire extinguishers as set forth below. (7-1-93)

**02. Type and Size -- Table.** Extinguishers approved for use on motorboats are hand portable of either B-I or B-II classification. "B" type is for gasoline, oil and grease fires. "I" and "II" denotes size as follows:

Classification	Foam Dioxide	Carbon Chemical	Dry Freon	Halon/
B-I	1.25 gals.	4 lbs.	2 lbs.	2.5 lbs.
B-II	2.50 gals.	15 lbs.	10 lbs.	

(1-1-94)

**03. Inspections.** Dry chemical fire extinguishers without gauges or indicating devices shall be inspected every six (6) months. If the gross weight of a carbon dioxide (CO<sub>2</sub>) fire extinguisher is reduced by more than ten percent (10%) of the net weight, the extinguisher is not acceptable and shall be recharged. (1-1-94)

**04. Specific Requirements.** Except as provided in Subsection 075.01 of this chapter, the requirements for fire extinguishers by length of motorboat are as follows: (7-1-93)

**a.** Less than twenty-six (26) feet in length: At least one (1) B-1 fire extinguisher is required. (7-1-93)

**b.** Twenty-six (26) feet to less than forty (40) feet in length: At least two (2) B-1 fire extinguishers are required. (7-1-93)

**c.** Forty (40) feet to not more than sixty-five (65) feet in length: At least three (3) B-1 fire extinguishers are required. (7-1-93)

**d.** Over sixty-five (65) feet in length: Federal requirements shall apply as stated in 46 U.S.C. Section 2101 et seq. and Section 4301 et seq., and 46 CFR Section 25.30-1 et seq. (1-1-94)

**05. Alternative Fire Extinguisher Requirement.** One (1) B-II fire extinguisher may be substituted for two (2) B-I fire extinguishers. (7-1-93)

**06. Fixed Systems.** When a fixed fire extinguishing system is installed in machinery space(s), one (1) less B-I fire extinguisher is required. (7-1-93)

**076. -- 099. (RESERVED)**

## **100. LIGHTS AND SHAPES.**

**01. Lights Required.** No person shall operate or permit the operation of any vessel on the waters of this state between sunset and sunrise or in other times of restricted visibility unless the vessel is equipped with and displays the lights herein specified, and during such time no other lights which may be mistaken for those prescribed shall be exhibited. (1-1-94)

**02. Motorized Vessels.** A motorboat less than sixty-five and six-tenths (65.6) feet in length shall exhibit navigation lights as follows: (7-1-93)

**a.** A white light placed over the fore and aft centerline of the vessel showing an unbroken light over an arc of the horizon of two hundred twenty-five (225) degrees (twenty (20) points) and so fixed as to show the light from right ahead to twenty-two and five-tenths (22.5) degrees (two (2) points) abaft (toward the stern from) the beam on either side of the vessel. (1-1-94)

**b.** A white light placed as nearly as practicable at the stern showing an unbroken light over an arc of the horizon one hundred thirty-five (135) degrees (twelve (12) points) and so fixed as to show the light sixty-seven and five-tenths (67.5) degrees (six (6) points) from right aft on each side of the vessel. (7-1-93)

**c.** On the starboard side a green light and on the port side a red light each showing an unbroken light over an arc of the horizon of one hundred twelve and five-tenths (112.5) degrees (ten (10) points) and so fixed as to show the light from right ahead to twenty-two and five-tenths (22.5) degrees (two (2) points) abaft (toward the stern from) the beam on its respective side. These sidelights may be combined in one (1) lantern carried on the fore and aft centerline of the vessel. (1-1-94)

**d.** A motorboat less than thirty-nine and four-tenths (39.4) feet in length may exhibit a white light aft visible all around the horizon in lieu of the white lights prescribed in Subsections 100.02.a. and 100.02.b. of this chapter. (7-1-93)

**03. Non-Motorized Vessels.** A sailboat, under sail alone, and a vessel under oars or paddles, shall exhibit navigation lights as follows: (1-1-94)

**a.** On the starboard side a green light and on the port side a red light each showing an unbroken light over an arc of the horizon of one hundred twelve and five-tenths (112.5) degrees (ten (10) points) and so fixed as to show the light from right ahead to twenty-two and five-tenths (22.5) degrees (two (2) points) abaft (toward the stern from) the beam on its respective side. These sidelights may be combined in one (1) lantern carried on the fore and aft centerline of the vessel. (1-1-94)

**b.** A white light placed as nearly as practicable at the stern showing an unbroken light over an arc of the horizon one hundred thirty-five (135) degrees (twelve (12) points) and so fixed as to show the light sixty-seven and five-tenths (67.5) degrees (six (6) points) from right aft on each side of the vessel. (1-1-93)

**c.** A sailboat of less than twenty-three (23) feet in length or a vessel under oars or paddles shall, if practicable, exhibit the lights prescribed in Subsections 100.03.a. and 100.03.b. of this chapter, but if it does not, it shall have ready at hand an electric torch or lighted lantern showing a white light which shall be exhibited in sufficient time to prevent collision. (7-1-93)

**04. Anchorage.** All vessels shall display a white light visible all around the horizon when anchored on the waters of this state, unless anchored in a designated mooring area. (1-1-94)

**05. Seaplanes.** Where it is impracticable for a seaplane to exhibit lights of the characteristics or in the positions prescribed in Section 100 of this chapter, it shall exhibit lights as similar in characteristics and position as is possible. (1-1-94)

**06. Sailboats.** Between sunrise and sunset, a vessel proceeding under sail when also being propelled by machinery shall exhibit forward where it can best be seen a conical shape, apex downward. A vessel of less than thirty-nine and four-tenths (39.4) feet in length is not required to exhibit this shape, but may do so. (7-1-93)

**07. Visibility.** Every white light prescribed by Section 100 of this chapter shall be of such character as to be visible at a distance of at least two (2) miles. Every other colored light shall be fitted with inboard screens of sufficient height so set as to prevent these lights from being seen across the bow and shall be of such character as to be visible at a distance of at least one (1) mile. The word "visible" in Section 100 of this chapter shall mean visible on a dark night with clear atmosphere. (7-1-93)

**08. Alternative Lights and Shapes.** In lieu of the lights and shapes required in Section 100 of this chapter, a vessel may exhibit those lights and shapes provided for by 33 U.S.C. Section 1601 et seq., or 33 U.S.C. Section 2001 et seq. and applicable regulations, and as published by the U.S. Coast Guard in the Navigational Rules International - Inland. (1-1-94)

**101. -- 124. (RESERVED)**

**125. VENTILATION.**

**01. Ventilation Required.** Except seaplanes, no person shall operate or permit to be operated any vessel having aboard a gasoline engine used for any purpose, unless it shall be provided with proper ventilation. (7-1-93)

**02. Compartments With Gasoline Engines.** Each compartment in a vessel that has a permanently installed gasoline engine with a cranking motor shall be open to the atmosphere, or be ventilated by a natural ventilation system and a mechanical exhaust blower system as required by 46 U.S.C. Section 2101 et seq. and Section 4301 et seq., and 33 CFR Section 183.601 et seq. (1-1-94)

**03. Collection of Vapors or Gases.** Each compartment or tank in a vessel that may permit the entrapment of explosive or flammable gases or vapors shall be ventilated by a natural ventilation system. (1-1-94)

**04. Natural Ventilation System.** A natural ventilation system shall be approved for use by the U.S. Coast Guard and include a supply opening or duct from the atmosphere or from a ventilated compartment or from a compartment that is open to the atmosphere, and an exhaust opening into another ventilated compartment or an exhaust duct to the atmosphere. Each exhaust opening or duct shall originate in the lower third of the compartment; and each supply opening or duct and each exhaust opening or duct in a compartment shall be above the normal accumulation of bilge water. Each supply opening shall be forward facing and located on the exterior surface of a vessel, or be constructed so that air shall effectively flow into or out of the supply or exhaust openings. (1-1-94)

**05. Exhaust Blowers.** Each vessel that is required to have an exhaust blower shall have a label that is located as close as practicable to each ignition switch, is in plain view of the operator, and has at least the following information:

**“WARNING -- GASOLINE VAPORS CAN EXPLODE. BEFORE STARTING ENGINE  
OPERATE BLOWER FOR FOUR (4) MINUTES AND CHECK ENGINE  
COMPARTMENT BILGE FOR GASOLINE VAPORS.”**

(1-1-94)

**06. Alternative Ventilation System.** In lieu of the ventilation and warning label required in Section 125 of this chapter, a vessel may be provided with any type of ventilating system as required by 46 U.S.C. Section 2101 et seq. and Section 4301 et seq., and applicable federal regulations. (1-1-94)

**126. -- 149. (RESERVED)**

**150. SOUND PRODUCING DEVICES.**

No person shall operate or permit to be operated any vessel on the waters of this state without carrying on board sound producing devices as follows: (7-1-93)

**01. Vessels Thirty-Nine and Four-Tenths Feet and Over.** A vessel of thirty-nine and four-tenths (39.4) feet or more in length shall be provided with a whistle or horn capable of making the prescribed signals provided for by 33 U.S.C. Section 2001 et seq., and a bell. The whistle or horn shall be audible for at least one-half (1/2) nautical mile, and the bell, when struck, shall produce a clear bell-like tone of full sound characteristic. (1-1-94)

**02. Vessels Under Thirty-Nine and Four-Tenths Feet.** A vessel of less than thirty-nine and four-tenths (39.4) feet in length shall be provided with a whistle or horn capable of making the prescribed signals provided for by 33 U.S.C. Section 2001 et seq. The whistle or horn shall be audible for at least one-half (1/2) nautical mile. (1-1-94)

**151. -- 174. (RESERVED)**

**175. BACKFIRE FLAME CONTROL.**

Except seaplanes, no person shall operate or permit to be operated any motorboat on the waters of this state unless each carburetor on every inboard gasoline engine installed in a motorboat shall be equipped with a U.S. Coast Guard approved backfire flame arrester or other means of backfire flame control approved for use by the U.S. Coast Guard, each of which is securely attached to the carburetor and in proper working order. (7-1-93)

**176. -- 199. (RESERVED)**

**200. WARNING FLAGS FOR DOWNED SKIERS.**

No person shall operate or permit to be operated any vessel used for towing waterskiers or similar devices in which persons or objects are being towed above, in, or on the waters of this state unless it shall have on board and display a warning flag as specified in Section 200 of this chapter. (7-1-93)

**01. Size and Color.** A warning flag shall be international orange or red in color and shall be at least one (1) foot square. (7-1-93)

**02. Use.** When any person being towed by the vessel becomes disengaged from the towline and is down in the water, a person in the vessel shall immediately hold the warning flag aloft, visible from all sides, as an indicator to other vessels in the area that a person is down in the water. As long as such downed person is in the water, the flag shall remain displayed to prevent danger to that person and hazards to passing vessels. (1-1-94)

**03. Use Limited.** Such warning flag shall be displayed only under the conditions set forth in Section 200 of this chapter or when other eminent danger exists. (3-23-98)

**201. -- 224. (RESERVED)**

**225. VESSEL LIVERIES -- EQUIPMENT.**

Neither the owner of a vessel livery nor his agent or employee shall permit any vessel permitted by him to be operated as a vessel to depart from his premises unless it shall have been provided, either by owner or renter, with the equipment required pursuant to Title 67, Chapter 70, Idaho Code and this chapter. (1-1-94)

**226. PERSONAL WATERCRAFT LIVERIES.**

**01. Education Required.** All liveries renting, leasing or hiring out any personal watercraft shall provide education in the laws, rules and safe operation of the personal watercraft to each person that will operate the personal watercraft. No person shall operate any personal watercraft which is rented, leased or hired without first completing instruction in the laws, rules and safe operation of the personal watercraft. This instruction shall include: (3-23-98)

**a.** The complete reading of "Personal Watercraft Laws and Safe Operation," IDPR form REV 50.13; and (3-23-98)

**b.** The complete viewing of the video "Play It Safe" produced by the Personal Watercraft Industry Association. (3-23-98)

**02. Acknowledgment Required.** All persons operating a rented, leased or hired personal watercraft shall carry on board for inspection by any law enforcement officer a valid "Idaho PWC Renter's Acknowledgment of Education" form, IDPR form REV 50.14. (3-23-98)

**03. Provision of Forms, Videos, Publications.** All forms, videos and other required educational materials will be provided to personal watercraft liveries by the Department at no charge to the livery. (3-23-98)

**227. -- 249. (RESERVED)**

**250. ~~REGISTRATION-VESSEL~~ NUMBERS -- DISPLAY, SIZE, COLOR.**

**01. Requirements.** Each ~~registration-vessel~~ number required by Section 67-7008, Idaho Code shall:(1-1-94)

**a.** Be in plain vertical block characters of not less than three (3) inches in height; (7-1-93)

**b.** Contrast with the color of the background; (7-1-93)

**c.** Have spaces or hyphens that are equal to the width of a letter other than "I" or a number other than "1" between the letter and number groupings (Example: ID 5678 A or ID-5678-A); (7-1-93)

**d.** Read from left to right; (7-1-93)

**e.** Be maintained in legible condition; (7-1-93)

**f.** Be as high above the waterline as practicable without decreasing the visibility of the number. (7-1-93)

**02. Manufacturers and Dealers.** When a vessel is used by a manufacturer or dealer for testing or demonstrating, the ~~registration-vessel~~ number may be painted on or attached to removable plates that are temporarily but firmly attached to each side of the forward half of the vessel. (1-1-94)

**03. Special Circumstances.** On vessels so configured that a ~~registration-vessel~~ number on the hull or superstructure would not be easily visible, the ~~registration-vessel~~ number shall be painted on or attached to a backing plate that is attached to the forward half of the vessel so that the ~~registration-vessel~~ number is visible from each side of the vessel. (1-1-94)

**251. -- 274. (RESERVED)**

**275. ~~REGISTRATION-VESSEL~~ NUMBERS - FORM.**

**01. Numbering.** Each ~~registration-vessel~~ number issued according to Section 67-7008, Idaho Code, shall consist of the prefix "ID," which denotes Idaho as the State of issuing authority, followed by: (1-1-94)

**a.** Not more than four (4) numerals followed by not more than two (2) capital letters (Example: ID 1234 AB); or (1-1-94)

**b.** Not more than three (3) numerals followed by not more than three (3) capital letters (Example: ID 123 ABC). (7-1-93)

**02. Prohibited Letters.** A ~~registration-vessel~~ number suffix may not include the letters "I," "O," or "Q," which may be mistaken for numerals. (1-1-94)

**276. -- 299. (RESERVED)**

**300. ~~REGISTRATION/USE PERMIT~~ -- VALIDATION STICKERS.**

**01. Size and Location of Stickers.** ~~Registration-v~~Validation stickers issued according to Section 67-7008, Idaho Code shall: (1-1-94)

**a.** Be displayed within six (6) inches of and directly in line with the ~~registration-vessel~~ number displayed on the vessel; (7-1-93)

**b.** Be approximately three (3) inches square; and (7-1-93)

**c.** Indicate the year in which each validation sticker expires by the colors, green, red, blue, and international orange, in rotation beginning with green for stickers that expire in 1987. (7-1-93)

**02. Removal of Stickers.** Validation stickers issued according to Sections 67-7008 or 67-7011, Idaho Code, which have become invalid, shall be removed from the vessel. (1-1-94)

**301. -- 324. (RESERVED)**

**325. APPLICATION AND CERTIFICATE OF ~~REGISTRATION-NUMBER~~ -- CONTENTS.**

**01. Requirements.** Except as allowed in Subsections 325.03 and 325.04 of this chapter, each application for a certificate of ~~registration-number~~ and each certificate of ~~registration number~~, referred to in Section 67-7008, Idaho Code, shall contain the following information: (1-1-94)

**a.** Number issued to the vessel; (7-1-93)

**b.** Expiration date of the certificate; (7-1-93)

**c.** State of principal use; (7-1-93)

- d. Name of the owner; (7-1-93)
- e. Address of owner, including ZIP code; (7-1-93)
- f. Whether the vessel is used for pleasure, rent or lease, dealer or manufacturer demonstration, commercial passenger carrying, commercial fishing or other use; (7-1-93)
- g. Manufacturer's hull identification number (if any); (7-1-93)
- h. Make of vessel; (7-1-93)
- i. Year vessel was manufactured; (7-1-93)
- j. Overall length of vessel; (7-1-93)
- k. Whether the vessel is an open boat, cabin cruiser, houseboat, or other type; (7-1-93)
- l. Hull material; (7-1-93)
- m. Whether the propulsion is inboard, outboard, inboard-outdrive, or sail; (7-1-93)
- n. Whether the fuel is gasoline, diesel, or other; (7-1-93)
- o. The number previously issued by an issuing authority for the vessel, if any; (7-1-93)
- p. Whether the application is for a new ~~registration~~certificate of number, renewal of a ~~registration~~certificate of number, or transfer of ownership; (7-1-93)
- q. The signature of the owner. (7-1-93)

**02. Manufacturer or Dealer.** A certificate of ~~registration-number~~ issued to a manufacturer or dealer to be used on a vessel for test or demonstration purposes may omit the requirements of Subsections 325.01.g. through 325.01.n. of this chapter if the word "manufacturer" or "dealer" is plainly marked on the certificate. (7-1-93)

**03. Livery Vessels.** A certificate of ~~registration-number~~ issued to a vessel that is to be rented or leased without propulsion machinery may omit the requirements of Subsections 325.01.m. and 325.01.n. of this chapter if the words "livery vessel" are plainly marked on the certificate. (7-1-93)

**04. Proof of Ownership.** Each applicant for a certificate of ~~registration-number~~ as prescribed in Section 67-7008, Idaho Code, shall submit one (1) of the following documents to the Department or authorized vendor: (3-23-98)

- a. The bill of sale from the dealer or a bill of sale from the previous owner of the vessel; (3-23-98)
- b. If the vessel is home built, a sworn statement attesting to the identity of the builder, the location or place of construction, the source of the material used for construction and a description of the vessel. The statement must also be accompanied by any receipts received from the purchase or acquisition of the materials used in the construction of the vessel and a copy of the construction plans, if any; (3-23-98)
- c. If the vessel has been rebuilt, a sworn statement attesting to the identity of the builder, the location or place of rebuilding, the source of the material used for rebuilding and a description of the vessel. The statement must also be accompanied by any receipts received for the purchase or acquisition of the materials used in the rebuilding of the vessel and documentation indicating the source of the original hull and proof of ownership from the previous owner; (3-23-98)

**d.** If none of the documents listed in Subsections 325.04.a. or 325.04.b. of this Section are available, the applicant must submit an affidavit of ownership to the Department. (3-23-98)

**326. -- 349. (RESERVED)**

**350. NUMBERING - EXEMPTIONS.**

The following vessels are exempt from the numbering provisions of Title 67, Chapter 70, Idaho Code, pursuant to Section 67-7009(5), Idaho Code: (7-1-93)

- 01. Rowboats.** Rowboats without motors; (7-1-93)
- 02. Canoes.** Canoes without motors; (7-1-93)
- 03. Kayaks.** Kayaks without motors; (7-1-93)
- 04. Inflatables.** Inflatable vessels without motors; (7-1-93)
- 05. Paddle Vessels.** Paddle vessels without motors; (7-1-93)
- 06. Sailboards.** Sailboards without motors; (7-1-93)
- 07. Tenders.** Tenders; (7-1-93)
- 08. Documented Vessels.** Vessels properly documented with the U.S. Coast Guard, according to 46 U.S.C. 12101 et seq.; and (3-23-98)
- 09. Government Vessels.** Vessels exempted in Section 67-7009(3), Idaho Code, include those vessels owned by the United States, another state or a political subdivision thereof, which are used principally for governmental purposes other than recreation, and which are clearly identifiable as a government-owned vessel. (7-1-93)

**351. -- 399. (RESERVED)**

**400. COUNTY ELIGIBILITY TO RECEIVE MONEYS FROM THE STATE VESSEL ACCOUNT.**

**01. Boating Improvement Program.** Only those counties in the state with a boating improvement program, as recognized by the Department, shall be eligible to receive moneys from the state vessel account. "A 'boating improvement program' means that one or more recognized boating facilities are being developed and/or maintained within the county's jurisdiction and/or that the county has or is actively developing a recognized boating law enforcement program" (Section 67-7013(6), Idaho Code). (1-1-94)

**02. Requirements for Boating Improvement Program.** A boating improvement program is recognized if it contains one (1) or more of the following: (7-1-93)

**a.** Boating facilities which are being maintained within the county's jurisdiction. A boating facility is an improved public boating access site, which includes at least an improved (concrete or asphalt) boat ramp and any type parking area for vehicles and their attached boat trailers. (1-1-94)

**b.** Boating facilities which are being developed within the county's jurisdiction. "Being developed" means that substantiating evidence can and shall be presented in proof of the development. (1-1-94)

**c.** The county has a boating law enforcement program. A boating law enforcement program is a program whereby an agent of the county sheriff's Department is currently, or has in the recent past, patrolled the county's waterways and enforced Title 67, Chapter 70, Idaho Code. (1-1-94)

d. The county is actively developing a boating law enforcement program. "Actively developing" means that substantiating evidence can and shall be presented in proof if the development. (1-1-94)

**401. -- 424. (RESERVED)**

**425. HULL IDENTIFICATION NUMBERS - REQUIRED.**

**01. Obtaining a Hull Identification Number.** A person who builds or imports a vessel for his own use and not for the purposes of sale shall request a hull identification number from the director and affix the number as instructed (Section 67-7004(2), Idaho Code). (1-1-94)

**02. Displaying the Hull Identification Number.** A person shall identify a vessel with the display of two (2) identical hull identification numbers, or as otherwise provided by 46 U.S.C. Section 2101 et seq. and Section 4301 et seq., and 33 CFR Section 181.21 et seq. (1-1-94)

**03. Duplicate Numbers Prohibited.** The same hull identification number may not be assigned to more than one (1) vessel. (7-1-93)

**04. Proof of Ownership.** Each applicant for a hull identification number as prescribed in Sections 67-7004(2) and 67-7004(4), Idaho Code, shall submit one (1) of the following documents to the Department: (3-23-98)

a. The bill of sale from the dealer or a bill of sale from the previous owner of the vessel; (3-23-98)

b. If the vessel is home built, a sworn statement attesting to the identity of the builder, the location or place of construction, the source of the material used for construction and a description of the vessel. The statement must also be accompanied by any receipts received from the purchase or acquisition of the materials used in the construction of the vessel and a copy of the construction plans, if any; (3-23-98)

c. If the vessel has been rebuilt, a sworn statement attesting to the identity of the builder, the location or place of rebuilding, the source of the material used for rebuilding and a description of the vessel. The statement must also be accompanied by any receipts received for the purchase or acquisition of the materials used in the rebuilding of the vessel and documentation indicating the source of the original hull and proof of ownership from the previous owner; (3-23-98)

d. If none of the documents listed in Subsections 425.04.a. or 425.04.b. of this Section are available, the applicant must submit an affidavit of ownership to the Department. (3-23-98)

**426. -- 449. (RESERVED)**

**450. HULL IDENTIFICATION NUMBERS -- FORM.**

Each hull identification number issued according to Section 67-7004(2), Idaho Code shall consist of twelve (12) characters, uninterrupted by slashes, hyphens, or spaces, as follows: (1-1-94)

**01. Prefix.** The first three (3) characters (prefix) shall be "IDZ," which denotes Idaho as the issuing authority. (1-1-94)

**02. Hull Serial Number.** Characters four (4) through eight (8) shall be the hull serial number assigned by the director in letters of the English alphabet, or Arabic numerals, or both, except the letters "I," "O," and "Q." (1-1-94)

**03. Date of Manufacture.** Characters nine (9) and ten (10) shall indicate the month and year of manufacture. The date indicated can be no earlier than the date construction or assembly began and no later than the date construction or assembly is completed or the vessel is imported into the United States. Character nine (9) shall be indicated using letters of the English alphabet. The first month of the year, January, shall be designated by the letter "A," the second month, February, by the letter "B," and so on until the last month of the year, December. Character ten (10) shall be the last digit of the year of manufacture or import and shall be an Arabic numeral.(1-1-94)

**04. Model Year.** Characters eleven (11) and twelve (12) shall indicate the model year using Arabic numerals for the last two (2) numbers of the model year such as "87" for 1987 and "88" for 1988. (1-1-94)

**451. -- 474. (RESERVED)**

**475. HULL IDENTIFICATION NUMBERS -- DISPLAY.**

Each hull identification number issued according to Section 67-7004(2), Idaho Code shall be displayed as follows: (1-1-94)

**01. Primary Number.** The primary hull identification number shall be affixed: (1-1-94)

**a.** On vessels with transoms, to the starboard outboard side of the transom within two (2) inches of the top of the transom, gunwale, or hull/deck joint, whichever is lowest. (7-1-93)

**b.** On vessels without transoms or on vessels on which it would be impractical to use the transom, to the starboard outboard side of the hull, aft, within one (1) foot of the stern and within two (2) inches of the top of the hull side, gunwale or hull/deck joint, whichever is lowest. (7-1-93)

**c.** On catamarans and pontoon vessels which have readily replaceable hulls, to the aft crossbeam within one (1) foot of the starboard hull attachment. (7-1-93)

**d.** If the hull identification number would not be visible, because of rails, fittings, or other accessories, the number shall be affixed as near as possible to the location specified in Subsection 475.01 of this chapter. (1-1-94)

**02. Duplicate Number.** The duplicate hull identification number shall be affixed in an unexposed location on the interior of the vessel or beneath a fitting or item of hardware. (1-1-94)

**03. Hull Identification Number to Be Permanently Affixed.** Each hull identification number shall be carved, burned, stamped, embossed, molded, bonded, or otherwise permanently affixed to the vessel so that alteration, removal, or replacement would be obvious. If the number is on a separate plate, the plate shall be fastened in such a manner that its removal would normally cause some scarring of or damage to the surrounding hull area. A hull identification number may not be attached to parts of the vessel that are removable. (1-1-94)

**04. Size of Characters.** The characters of each hull identification number shall be no less than one-fourth (1/4) of an inch high. (1-1-94)

**476. -- 499. (RESERVED)**

**500. IDAHO WATERWAY MARKING SYSTEM.**

**01. Uniform System.** In the marking of water areas, as described in Section 67-7031, Idaho Code, the Uniform State Waterway Marking System shall be used for the placement of aids to navigation and regulatory markers in the waters of the state. (1-1-94)

**02. Regulatory Markers.** Regulatory markers shall be used to indicate to a vessel operator the existence of dangerous areas as well as those which are restricted or controlled, such as speed zones and areas dedicated to a particular use, or to provide general information and directions. (1-1-94)

**03. Colors.** Each regulatory marker shall be colored white with international orange geometric shapes. (7-1-93)

**04. Buoys.** When a buoy is used as a regulatory marker it shall be white with horizontal bands of international orange placed completely around the buoy circumference. One (1) band shall be at the top of the buoy body, with a second band placed just above the waterline of the buoy so that both international orange bands are

clearly visible to approaching vessels. The area of buoy body visible between the two (2) bands shall be white. (7-1-93)

**05. Geometric Shapes.** Geometric shapes shall be placed on the white portion of the buoy body and shall be colored international orange. The authorized geometric shapes and meanings associated with them are as follows: (7-1-93)

- a.** A vertical open faced diamond shape to mean danger. (7-1-93)
- b.** A vertical open faced diamond shape having a cross centered in the diamond to mean that a vessel is excluded from the marked area. (7-1-93)
- c.** A circular shape to mean that vessel operated in the marked area is subject to certain operating restrictions. (7-1-93)
- d.** A square or rectangular shape with directions or information lettered on the inside. (7-1-93)

**06. Signs.** Where a regulatory marker consists of a square or rectangular shaped sign displayed from a structure, the sign shall be white, with an international orange border. When a diamond or circular geometric shape associated with meaning of the marker is included it shall be centered on the signboard. (7-1-93)

**07. Navigation Aids.** Aids to navigation shall be used to supplement the federal lateral system of buoyage and shall have either a lateral or cardinal meaning. (1-1-94)

**08. Defined Channel.** On a well defined channel including a river or other relatively narrow natural or improved waterway, an aid to navigation shall normally be a solid colored buoy. A buoy which marks the left side of the channel viewed looking upstream or toward the head of navigation shall be colored all black. A buoy which marks the right side of the channel viewed looking upstream or toward the head of a navigation shall be colored all red. On a well defined channel, solid colored buoys shall be established in pairs, one (1) on each side of the navigable channel which they mark, and opposite each other to inform the user that the channel lies between the buoys and that he should pass between the buoys. (7-1-93)

**09. Irregularly Defined Channel.** On an irregularly defined channel, solid colored buoys may be used singly in staggered fashion on alternate sides of the channel provided they are spaced at sufficiently close intervals to inform the user that the channel lies between the buoys and that he should pass between the buoys. (7-1-93)

**10. Undefined Channel.** Where there is no well defined channel or when a body of water is obstructed by objects whose nature or location is such that the obstruction can be approached by a vessel from more than one (1) direction, supplemental aids to navigation having cardinal meaning (i.e., pertaining to the cardinal points of the compass, north, east, south, and west) may be used. The use of an aid to navigation having cardinal meaning is discretionary provided that the use of such a marker is limited to wholly state owned waters and the state waters for private aids to navigation as defined and described in Section 500 of this chapter. (1-1-94)

**11. Cardinal System.** Aids to navigation conforming to the cardinal system shall consist of three (3) distinctly colored buoys. (7-1-93)

**a.** A white buoy with a red top may be used to indicate to a vessel operator that he shall pass to the south or west of the buoy. (1-1-94)

**b.** A white buoy with a black top may be used to indicate to a vessel operator that he shall pass to the north or east of the buoy. (1-1-94)

**c.** In addition, a buoy showing alternate vertical red and white stripes may be used to indicate to a vessel operator that an obstruction to navigation extends from the nearest shore to the buoy and that he may not pass between the buoy and shore. The number of white and red stripes is discretionary, provided that the white stripes are twice the width of the red stripes. (1-1-94)

**12. Markers to Be Visible.** The size, shape, material, and construction of all markers, both fixed and floating, shall be such as to be observable under normal conditions of visibility at a distance such that the significance of the marker or aid shall be recognizable before the observer stands into danger. (1-1-94)

**13. Lettering to Be Visible.** Numbers, letters or words on an aid to navigation or regulatory marker shall be placed in a manner to enable them to be clearly visible to an approaching and passing vessel. They shall be block style, well proportioned, and as large as the available space permits. Numbers and letters on red or black backgrounds shall be white; numbers and letters on white backgrounds shall be black. (7-1-93)

**14. Numbering Buoys.** Odd numbers shall be used to identify solid colored black buoys or black topped buoys; even numbers shall be used to identify solid colored red buoys or red topped buoys. All numbers shall increase in an upstream direction or toward the head of navigation. The use of numbers to identify buoys is discretionary. (7-1-93)

**15. Lettering Markers.** Letters only may be used to identify regulatory and the white and red vertically striped obstruction markers. When used the letters shall follow alphabetical sequence in an upstream direction or toward the head of navigation. The letters "I" and "O" shall be omitted to preclude confusion with numbers. The use of letters to identify regulatory markers and obstruction markers is discretionary. (7-1-93)

**16. Reflective Material.** The use of reflectors or retroreflective materials shall be discretionary. (7-1-93)

**17. Color of Reflective Material.** When used on buoys having lateral significance, red reflectors or retroreflective materials shall be used on solid colored red buoys; green reflectors or retroreflective materials shall be used on solid colored black buoys; white reflectors or retroreflective materials only shall be used for all other buoys including regulatory markers, except that orange reflectors or retroreflective materials may be used on the orange portions of regulatory markers. (7-1-93)

**18. Lights.** The use of navigational lights on state aids to navigation, including regulatory markers, is discretionary. When used, lights on solid colored buoys shall be regularly flashing, regularly occulting, or equal interval lights. For ordinary purposes the frequency of flashes may not be more than thirty (30) flashes per minute (slow flashing). When it is desired that lights have a distinct cautionary significance, as at sharp turns or sudden constrictions in the channel or to mark wrecks or other artificial or natural obstructions, the frequency of flashes may not be less than sixty (60) flashes per minute (quick flashing). When a light is used on a cardinal system buoy or a vertically striped white and red buoy it shall always be quick flashing. The colors of the lights shall be the same as for reflectors; a red light only on a solid colored red buoy; a green light on solid colored black buoy; white light only for all other buoys including regulatory markers. (1-1-94)

**19. Ownership Identification.** The use and placement of ownership identification is discretionary, provided that ownership identification is worded and placed in a manner which shall avoid detracting from the meaning intended to be conveyed by a navigational aid or regulatory marker. (1-1-94)

**20. Mooring Buoys.** Mooring buoys in state waters for private aids to navigation shall be colored white and shall have a horizontal blue band around the circumference of the buoy centered midway between the top of the buoy and the waterline. (1-1-94)

**21. Lighted Mooring Buoys.** A lighted mooring buoy shall normally display a slow flashing white light. When its location in a waterway is such that it constitutes an obstruction to a vessel operated during hours of darkness, it shall display a quick flashing white light. (1-1-94)

**22. Identifying Mooring Buoys.** A mooring buoy may bear ownership identification provided that the manner and placement of the identification does not detract from the meaning intended to be conveyed by the color scheme or identification letter when assigned. (7-1-93)

**501. -- 524. (RESERVED)**

**525. NEGLIGENT OPERATION.**

Negligent operation, as used in Section 67-7017, Idaho Code, shall include, but not be limited to, the following:

(1-1-94)

**01. Airborne.** Becoming airborne or completely leaving the water while crossing the wake of another vessel at an unsafe distance from the vessel creating the wake; or (3-23-98)

**02. Weaving.** Weaving through congested traffic; or (3-23-98)

**03. Speed or Proximity.** Operating at such a speed and proximity to another vessel, a person, or property of other persons so as to require the operator to swerve at the last moment to avoid collision. (3-23-98)

**526. -- 999. (RESERVED)**

**IDAPA 26  
TITLE 01  
CHAPTER 31**

**26.01.31 - RULES GOVERNING THE ADMINISTRATION OF THE IDAHO DEPARTMENT  
OF PARKS AND RECREATION STATE AND FEDERAL GRANT FUNDS**

**000. LEGAL AUTHORITY.**

The Idaho Park and Recreation Board is authorized under Section 67-4223(a), Idaho Code, to adopt, amend, or rescind rules as may be necessary for proper administration of the Department and its programs. (7-1-99)

**001. TITLE AND SCOPE.**

**01. Title.** The title of this chapter shall be cited in full as Idaho Department of Parks and Recreation Rules, IDAPA 26.01.31, "Rules Governing the Administration of the Idaho Department of Parks and Recreation State and Federal Grant Funds." (4-11-06)

**02. Scope.** This chapter establishes procedures for grants administration of the Off-Road Motor Vehicle Account, the Recreational Vehicle Account, the Waterways Improvement Fund, the State Trust for Outdoor Recreation Enhancement, the Recreational Trails Program, the Motorbike Recreation Account, the Cutthroat License Plate Fund, and the Recreational Road and Bridge Fund. This chapter includes requirements for project application, eligibility, review, award and management. (4-11-06)

**002. WRITTEN INTERPRETATIONS.**

This agency has written interpretations of these rules, in the form of explanatory comments accompanying the notice of proposed rule-making that originally proposed the rules, or documentation of compliance with IDAPA 26.01.01, "Rules of Administrative Procedure of the Idaho Park and Recreation Board," Section 150. In addition, Idaho Department of Parks and Recreation Grant Guidelines prepared and maintained by the Department provide additional interpretation of these rules. These documents are available for public inspection and copying in the central office of the agency. (4-11-06)

**003. ADMINISTRATIVE APPEALS.**

Any applicant who may be adversely affected by a final decision, ruling, or direction of the Department may seek relief as outlined under IDAPA 26.01.01, "Rules of Administrative Procedure of the Idaho Park and Recreation Board," Section 250. (4-11-06)

**004. PUBLIC RECORDS.**

The records relative to any grant project are public records, and are to be controlled as outlined under IDAPA 26.01.01, "Rules of Administrative Procedure of the Idaho Park and Recreation Board," Section 300. (4-11-06)

**005. CITATION.**

The official citation of this chapter is IDAPA 26.01.31.000 et seq. For example, the citation for this section is IDAPA 26.01.31.005. (7-1-99)

**006. -- 009. (RESERVED)**

**010. DEFINITIONS.**

As used in this chapter: (7-1-99)

**01. Applicant.** An IDPR approved entity, that identifies a need for a project, supplies initial support

data, and applies for program grant through the Department. (4-11-06)

**02. Board.** The Idaho Park and Recreation Board. (7-1-99)

**03. County Waterways Committee.** Those committees created by Section 67-7012, Idaho Code, whose purpose is to advise the county on the maintenance and improvements of waterways and expenditures of moneys deposited in the county vessel account. (4-11-06)

**04. Cutthroat License Plate Fund (CLP).** That portion of the Park and Recreation fund created in Section 67-4225, Idaho Code, received from the sale of cutthroat wildlife license plates. (4-11-06)

**05. Department.** The Idaho Department of Parks and Recreation. (7-1-99)

**06. Director.** The chief administrator of the Department, or the designee of the Director. (7-1-99)

**07. Grant.** A grant from programs or funds as described in Section 001.02 of this chapter. (4-11-06)

**08. Grantee.** An applicant who receives a grant from the Department for the programs or funds as described in Section 001.02. (4-11-06)

**09. IDPR Grant Guidelines.** A compilation of state procedures, rules, and instructions assembled in manual form for dissemination to the potential applicant and public entities that may wish to apply for grants. (4-11-06)

**10. Management.** The actions taken in exercising control over, regulating the use, operation, and maintenance of facilities or programs. (7-1-99)

**11. Motorbike Recreation (MBR) Account.** This account, created by Section 67-7126, Idaho Code, may be used for all of the purposes outlined in Subsection 010.11 of this chapter and rider education programs. When reference is made to the ORMV Account in this chapter, it is intended to include the MBR Fund the same as if it was specifically denoted as such except enforcement of laws and rules governing the use of off-road motor vehicles in Idaho. (4-11-06)

**12. Off-Road Motor Vehicle (ORMV) Account.** That account created by Section 57-1901, Idaho Code. These moneys may be used to acquire, purchase, improve, repair, maintain, furnish and equip off-road motor vehicle facilities and sites or areas used by off-road vehicles on public or private land, and to assist with enforcement of laws and regulations governing the use of off-road vehicles in the state of Idaho. (7-1-99)

**13. Off-Road Motor Vehicle (ORMV) Account Advisory Committee.** A nine (9) member committee appointed by the Board to advise the Department on matters involving ORMV Fund grants. (7-1-99)

**14. Project.** An effort to comply with Idaho statutes and rules for which grant funds shall be used to assist the grantee in achieving the objectives of the grant programs. (4-11-06)

**15. Project Manager.** Any individual who has the principle responsibility for the ongoing management of projects. (7-1-99)

**16. Public Entity.** The state, federal or local government or a subdivision thereof, or an Indian tribe. (7-1-99)

**17. Recreational Road and Bridge Fund (RRBF).** That portion of the park and recreation capital improvement account designated for grants to improve roads, bridges, and parking lots in or leading to park and recreation areas of the state. (4-11-06)

**18. Recreational Trails Program (RTP).** The account created by the Transportation Equity Act for the 21st Century (Section 1112). This fund may be used for maintenance and restoration of existing recreational

trails, development and rehabilitation of trailside and trailhead facilities and trail linkages for recreational trails, purchase and lease of recreational trail construction equipment, construction of new recreational trails, acquisition of easements and fee simple title to property for recreational trails or recreational trail corridors, and the operation of education programs to promote safety and environmental protection as those objectives relate to the use of recreational trails. (4-11-06)

**19. Recreational Trails Program (RTP) Advisory Committee.** A ten (10) member advisory committee appointed by the Board to advise the Department on matters related to the Recreational Trails Program. (4-11-06)

**20. Recreational Vehicle (RV) Account.** That account created by Section 49-448, Idaho Code. The moneys may be used for the acquisition, lease, development, improvement, and maintenance of facilities designed to promote the health, safety, and enjoyment of recreational vehicle users. (7-1-99)

**21. Recreational Vehicle (RV) Advisory Committee.** A six (6) member committee appointed by the Board to advise the Board and Department on matters involving the RV Account. (7-1-99)

**22. Staff.** Any individual employed by the Department. (7-1-99)

**23. State and Federal Grant Manager.** The Department administrator in charge of State and Federal grant programs. (4-11-06)

**24. State and Federal Grant Program.** That section of the Department responsible for the administration of state and federal grant programs. (4-11-06)

**25. State Trust for Outdoor Recreation Enhancement (STORE).** The recreation account created by Section 67-4247, Idaho Code. (7-1-99)

**26. Waterways Improvement Fund (WIF).** That fund created by Section 57-1501, Idaho Code. These moneys may be used for the protection and promotion of safety, waterways improvements, creation and improvement of parking areas for boating purposes, making and improving boat ramps and moorings, marking of waterways, search and rescue, and all things incident to such purposes including the purchase of real and personal property. No such improvements shall be constructed in any county of the state without the approval of the county waterways committee of the plan for such improvements. (4-11-06)

**27. Waterways Improvement Fund Grant Advisory Committee.** A six (6) member committee appointed by the Board to advise the Department on matters relating to Waterways Improvement Fund grants. (7-1-99)

**011. -- 049. (RESERVED)**

**050. GENERAL PROVISIONS OF THE STATE AND FEDERAL GRANT PROGRAM.**

It is the intent of the Department, through the State and Federal Grant program, to provide funds and planning assistance to entities for the acquisition, lease, development, improvement and maintenance of facilities and equipment to promote the health, safety, enjoyment and general welfare of recreational users in the state of Idaho. (4-11-06)

**051. -- 074. (RESERVED)**

**075. ELIGIBLE APPLICANTS.**

Public entities as defined in Subsection 010.16, and sponsors as defined by Federal Highway Administration Recreation Trail Program Interim Guidance, are eligible to apply for and receive grants as described on Subsection 001.02 of this chapter. (4-11-06)

**076. -- 099. (RESERVED)**

**100. APPLICATION PROCEDURE.**

All forms and documents required by these rules and the Department shall be completed and submitted according to these rules in order for a grant application to be considered for approval. (7-1-99)

**01. Forms.** To be considered for a grant, an applicant must file with the Department a completed grant application form and other documentation specified in the IDPR Grant Guidelines, all of which shall have original signatures. An applicant must file with the Department a completed grant agreement form, with original signatures, within sixty (60) calendar days of written notification of grant approval. The application and grant agreement forms shall be provided to the applicant by the Department. (4-11-06)

**02. Review.** The applicant or applicant's representative may review the project and all associated documentation with the Department prior to submitting the application to ensure the project and documentation meet the criteria of the State and Federal grant program. When possible, Department staff may perform an on-site visit to the project site for preliminary fact finding and to evaluate the viability and eligibility of the project. (4-11-06)

**03. Public Comment.** The applicant shall submit to the Department proof of public comment regarding the project. Proof of public comment may include the results of public meetings, scoping of National Environmental Policy Act (NEPA) processes, individual contacts with recreationists and others that may be affected by the project, newspaper articles and/or other media releases which describe the project and request public input. (4-11-06)

**04. Deadline.** The deadline for grant applications shall be established by the Department. The Department shall announce the availability of funds at least sixty (60) days prior to the deadline date for receipt of applications. (4-11-06)

**101. -- 149. (RESERVED)**

**150. ELIGIBILITY AND PRIORITY RATING OF PROJECTS.**

Eligibility of all projects or applicants shall be determined by the State and Federal Grant Manager who shall consider relevant rules, statutes and past performance of the applicant. (4-11-06)

**01. Pre-Application Activities.** Projects, or any part thereof, either paid for by the grantee or completed prior to the grant application deadline date established by the Department, shall be ineligible for grant funding or to be considered as match. However, costs for design and engineering incurred within one (1) year prior to the application deadline date may be considered as match, provided they are listed as a scope element on the application. Recreational Trail Program projects, or any part thereof, completed prior to the execution of the project agreement shall be ineligible for grant funding or to be considered as match. (4-11-06)

**02. Priority Rating Criteria.** The Department and/or appropriate advisory committee shall establish project rankings by rating each eligible project using criteria established by the Board. Specific evaluation criteria shall be listed in the IDPR Grant Guidelines. (4-11-06)

**151. -- 174. (RESERVED)**

**175. PROJECT TIME PERIOD.**

**01. Grant Cycle.** Applications for ORMV Fund, RV Account, WIF, Motorbike Recreation Account (MRB), Cutthroat License Plate Fund, (CLP), Recreational Road and Bridge Fund (RRBF), or STORE shall be considered at least once each state fiscal year (July 1 through June 30) dependant upon adequate funding availability. Applications for RTP projects shall be considered at least once each federal fiscal year (October 1 through September 30) dependent upon adequate funding availability. (4-11-06)

**02. Expenditure of Grant Funds.** Except as herein provided, the grantee shall have only the designated state or federal fiscal year or years to expend grant funds. If the grant funds are not expended within the designated fiscal year or years, the grant shall be revoked unless the applicant requests and receives an extension of time from the Department. (4-11-06)

**03. Requests for Extension.** A written request for an extension of the project period shall be received by the Department prior to the end of the project period. The State and Federal Grant Manager shall make the final determination of extensions. No project extension shall be granted for more than one (1) year, however, project extensions may be granted in consecutive years. (4-11-06)

**176. -- 199. (RESERVED)**

**200. AUTHORITY FOR FUNDING APPROVAL.**

Projects up to and including twenty thousand dollars (\$20,000) may be approved by the Director. Projects over twenty thousand dollars (\$20,000) shall be presented to the Board for approval. (4-11-06)

**01. Minor Cost Increases.** Cost increases of fifteen percent (15%) or less of the original grant amount may be approved by the Director. (4-11-06)

**02. Major Cost Increases.** Cost increases of more than fifteen percent (15%) of the original grant amount shall require the project be presented as a totally new proposal and compete through the general application process described herein. Should the revised project not receive approval for cost increase grant funding, the grantee shall be required to complete the scope of the project as originally proposed at its expense or return any project grant funds paid to it so that the project may be canceled and the grant funds reallocated. (4-11-06)

**03. Waterways Improvement Fund Grant Limit.** The total sum of WIF grant funds approved to be used in any one (1) county may not exceed thirty percent (30%) of the total WIF grant funds approved to be used statewide in any state fiscal year. (4-11-06)

**201. -- 249. (RESERVED)**

**250. DISBURSEMENT OF FUNDS.**

**01. Allowable Costs.** Applicable Office of Management and Budget (OMB) cost principles, program regulations, and the terms of grant agreements shall be followed in determining the reasonableness and allowability of costs. (7-1-99)

**02. Documentation and System of Internal Controls.** The grantee shall maintain a system of internal controls in order to identify the source and disbursement of funds provided for all project costs and match by grant or project. Accounting records shall be supported by source documentation such as vouchers, canceled checks, invoices, payroll, time and attendance records, contract and sub-grant award documents, and other required billing forms. (4-11-06)

**03. Match.** Match is the donation of cash, product or service used to complete the grant project as approved. The following types of match may be used: (4-11-06)

**a.** Force account labor and equipment, i.e., the use of the grantee's staff (labor) and equipment costs. Documentation of force account shall include: the name of each worker, dates worked, hourly rate of pay, number of hours worked, and the total cost by each person. Documentation of equipment costs shall include the type of equipment used, dates used, hourly rate value, number of hours used, how the hourly rate was determined, and total cost. (7-1-99)

**b.** Donated material that is used as match shall be reasonable and cannot exceed the costs of the materials to the donor or the market price at the time they are charged to the project, whichever is less. A detailed invoice marked "donation" or a letter from the donor shall be used as documentation of donated material. (7-1-99)

**c.** Donated Contract Labor. When an employer, other than the grantee, furnishes the services of an employee, these services are valued at the employee's regular rate of pay (not including fringe benefits and overhead

costs). These services shall be for the same skill for which the employees is normally paid. Documentation shall include the employee's name, dates worked, hourly rate, number of hours worked, and total cost. (7-1-99)

**d.** Rates for Volunteers. Skilled and unskilled shall be consistent with the rate regularly paid by the grantee for similar work or shall be consistent with those paid for similar work in the grantee's labor market. If the volunteer is professionally skilled and employed in the work he is performing on the project, the grantee may use the individual's normal wage rate. If the volunteer is unskilled and not professionally employed in the work he is performing the grantee shall value the donated labor at the national minimum wage rate. Documentation shall include the volunteer's name, date worked, hourly rate, number of hours worked, and total cost. (7-1-99)

**04. Disbursement of Funds.** Except as provided in Subsection 250.05 herein, the Department shall authorize disbursement of funds allocated to a project on a reimbursement basis. This means that the grantee shall initially pay all project costs and then seek reimbursement through the Department. (4-11-06)

**a.** General. Grantees shall use only the forms specified in this section, and such supplementary or other forms as may from time to time be authorized by the Department. (7-1-99)

**b.** Request for Reimbursement. The grantee shall complete an Idaho Department of Parks & Recreation (IDPR), Request for Reimbursement/Close-out Report form certifying that the data is correct and submit the form to the State and Federal grant program with an original signature. (4-11-06)

**c.** Extend the Due Date. The Department may extend the due date of any financial report upon receiving a justified request from a grantee. (7-1-99)

**d.** Accounting Basis. Each grantee shall report program outlays and program income on a cash or accrual basis pursuant to Generally Accepted Accounting Principles. (7-1-99)

**05. Cash Advances.** When approved for an advance grantees shall be paid in advance no sooner than thirty (30) days prior to project start, provided they maintain or demonstrate the willingness and ability to maintain procedures to minimize the time elapsing between the transfer of funds and their disbursement by the grantee. (4-11-06)

**a.** Requesting an Advance. A disbursement of funds may be made on an advance basis by submitting an IDPR Request for Advancement form provided by the Department. Written Justification for an advance is required unless there is a Memorandum of Understanding or Collection Agreement on file. (4-11-06)

**b.** Interest Earned on Advances. Grantees and subgrantees shall promptly, at grant close-out, remit interest earned on advances to the Department. (7-1-99)

**06. Reporting.** Each grantee receiving grant funds that require reporting shall remit a complete activities report to the Department no later than January 31 of each year which shall cover the preceding calendar year and shall be on forms provided by the Department. Failure to report or poor performance indicated by the report may disqualify grantee from future grant application. (4-11-06)

**07. Grant Closeouts.** Within forty-five (45) days after the completion of the project, the grantee shall submit an IDPR Request for Reimbursement/Close-out form and immediately refund to the Department any balance of unobligated cash advanced and interest earned. (4-11-06)

**08. Record Retention.** The grantee shall retain all financial information referenced in these rules regarding a project for a time period of three (3) years from the date of the final grant payment, unless any litigation or audit concerning the project has been started or announced. (4-11-06)

**09. Audit Authority.** The Department shall have the right of access to any pertinent books,

documents, papers, or other records of grantees which are pertinent to the grant, in order to make audits, examinations, excerpts, and transcripts. An audit of the award may result in the disallowance of costs incurred by the recipient and the establishment of a debt (account receivable) due the Department. (7-1-99)

**10. Contingency Fund.** The Department may retain grant funds from each recreational program grant account for the exclusive purpose of providing facilities or services. (7-1-99)

**251. OFF-HIGHWAY VEHICLE LAW ENFORCEMENT FUND DISTRIBUTION.**

**01. Deposits Into and Usage of Fund.** One dollar (\$1) of every off-highway vehicle registration certificate of number shall be deposited into the off-highway vehicle law enforcement fund. Moneys in this fund shall be paid out and used as follows:

**a.** Sheriffs of counties with a current or an actively developing off-highway vehicle law enforcement program recognized by the Department shall receive moneys from the fund based upon the formula provided in this rule. (3-29-10)

**b.** A program shall be recognized as an off-highway vehicle law enforcement program if it is sponsored by a county sheriff to promote off-highway vehicle safety, education, and law enforcement and is overseen by an advisory committee of three (3) or more individuals to include at least one (1) sheriff or deputy sheriff, one (1) motorbike representative, and one (1) all-terrain vehicle or utility type vehicle representative.(3-29-10)

**c.** The Department shall not withhold recognition of an off-highway vehicle law enforcement program unless it is clearly demonstrated that the program has not performed its off-highway vehicle enforcement duties within the past calendar year. An annual report of accomplishments of the previous calendar year by each participating sheriff shall be delivered to the Department by March 1 of each year and shall include: (3-29-10)

- i. The number of citations issued; (3-29-10)
- ii. Assistance calls responded to; (3-29-10)
- iii. Off-highway vehicle contacts made; and (3-29-10)
- iv. Safety classes held. (3-29-10)

**d.** Money from the off-highway vehicle law enforcement fund shall be used to defray costs for enforcement by sheriffs' offices pertaining to the use of all terrain vehicles, motorbikes, specialty off-highway vehicles, and utility type vehicles as defined in section 67-7101, Idaho Code. (3-29-10)

**e.** Money in the off-highway vehicle law enforcement fund shall be used by the Department for the purpose of defraying costs of off highway vehicle related law enforcement activities that are conducted by a county sheriff's office and for no other purpose. Defrayable costs shall include: (3-29-10)

- i. Wages (including overtime wages) of county sheriff's deputies directly engaged in off-highway vehicle law enforcement, as described in this Section; (3-29-10)
- ii. Wages for court appearances pertaining to violations of Idaho law pertaining to off-highway vehicles, as described in this Section; and (3-29-10)
- iii. Direct costs to the sheriff's office required to facilitate the enforcement of off-highway vehicle laws, including vehicle purchase costs, fuel costs, supply costs and vehicle maintenance costs. (3-29-10)

**02. Annual Notification of Qualifying Offices.** Each year no later than April 1, the Department shall notify the Idaho Sheriffs' Association in writing regarding which sheriff's offices are recognized by the Department as qualifying for enforcement funding under Section 67-7126, Idaho Code, and the balance of the off-highway vehicle law enforcement fund. It shall be the responsibility of each sheriff's office to provide information regarding

its off-highway vehicle enforcement program in order for the Department to determine whether it recognizes the program. A sheriff's office shall have fourteen (14) days to request reconsideration of the Department's decision withholding recognition, and the Department shall act upon such request within fourteen (14) days. (3-29-10)

**03. Formula for Distribution of Funds.** The Department shall distribute the funds in the off-highway vehicle law enforcement fund based on the following formula: (3-29-10)

**a.** Total federal acres with reference to the Payments in Lieu of Taxes (PILT) number for each eligible county minus large tracts of land not open to off-highway vehicle use. The result is the total off-highway vehicle opportunity on federal public land for that county. (3-29-10)

**b.** Calculate the percentage of the total off-highway vehicle opportunity on federal public land for each eligible county as compared to the entire state. (3-29-10)

**c.** Multiply this percentage by point zero six (0.6) to get sixty percent (60%) of the value. (3-29-10)

**d.** Calculate the percentage of off-highway vehicle ~~registration-certificate of number~~ designations for each eligible county as compared to the entire state. (3-29-10)

**e.** Multiply this percentage by point zero four (0.4) to get forty percent (40%) of the value. (3-29-10)

**f.** Add the sixty percent (60%) value from the total off-highway vehicle opportunity on federal public land to the forty (40%) value of the off-highway vehicle ~~registrations certificates of number~~. This total will be the percentage of the off-highway vehicle law enforcement funds for which the individual county is eligible.(3-29-10)

**04. Distribution of Funds Not Used.** For the off-highway vehicle law enforcement funds that are not allocated to a county because they do not have an off-highway vehicle enforcement program as described by this rule, or for funds from undesignated ~~registrationscertificates of number~~, the funds return to the off-highway vehicle law enforcement fund. Any undistributed money shall be allocated as follows: (3-29-10)

**a.** Fifty percent (50%) of the unallocated money shall be distributed as per the distribution formula previously listed; and (3-29-10)

**b.** Fifty percent (50%) of the unallocated money shall be held by the Idaho Sheriff's Association to be used for emphasis areas of off-highway vehicle law enforcement. (3-29-10)

**05. Annual Audit.** All counties that receive off-highway vehicle law enforcement funding are subject to an annual audit of the expenditure of the funds. (3-29-10)

**252. -- 299. (RESERVED)**

### **300. GRANTEE OBLIGATIONS.**

**01. Project Completion.** Except as herein proved, upon approval of a grant application the grantee shall be obligated to complete all elements of a project as described on the approved grant application, grant agreement, or approved amendment. (4-11-06)

**02. Project Management.** Except as herein provided, upon approval of a grant application the grantee shall ensure adequate management of the project as specified in the approved grant application or grant agreement. (4-11-06)

**03. Grant Modification.** Only for good cause, and upon the submission of detailed justification shown in writing and approval by the State and Federal Grant Manager may the terms and obligations of the grant application or grant agreement be modified. (4-11-06)

**04. Maintenance and Operation.** Real property, physical facilities and equipment funded by a grant shall be maintained and operated in the condition or state equivalent to that existing when such facility was completed or property or equipment purchased, normal wear and tear excepted. (4-11-06)

**05. Public Use/Nondiscrimination.** Physical facilities and real property purchased in whole or in part with grant moneys shall be available for public use regardless of race, color, religion, national origin, gender, age, or disability. Facilities constructed with grant moneys shall meet the requirements as set by the Americans with Disabilities Act Guidelines. (4-11-06)

**06. Fees And Donations.** Except as herein provided, fees may be charged or donations subscribed for the use of or access to facilities or real property developed or purchased with grant funds at a level commensurate with the costs of maintenance and upkeep of the facility or real property with the approval of the Board. Fees may be charged or donations subscribed for special events of limited duration at the facility when approved by the Department. (4-11-06)

**07. Acknowledgment of Funding Assistance.** Grantee shall post and maintain appropriate permanent signs or decals upon project sites or equipment acknowledging funding assistance from the appropriate grant fund and the Department upon start of the project or purchase of equipment. (4-11-06)

**08. Notice Of ~~Registration- Numbering~~ Requirements.** Off-Road Motor Vehicle Account project applicants and sponsors shall be responsible for posting a written notice of the requirement of applicable ~~registration certificate of number~~ requirements and enforcing such requirements for special events as well as general use.(7-1-99)

**09. Project Liability.** Grantees, through a signed agreement, shall assume all project liability and hold the Department harmless. (4-11-06)

**10. Purchase and Bidding Requirements.** The grantee shall follow all local, state and federal laws pertaining to the expenditure of public funds. (4-11-06)

**11. Permits.** The grantee shall legally acquire all required local, state and federal permits for the construction or development of the project before grant funds shall be expended. Construction shall comply with the then current codes and standards as set by the Uniform Building Code, Uniform Plumbing Code, and the National Electrical Code. (4-11-06)

**12. Failure to Comply.** Failure by the grantee to comply with such terms and obligations as set forth in the approved grant application or grant agreement shall result in the immediate revocation of an approved grant or shall constitute a conversion pursuant to Section 350 of this chapter, as applicable. (4-11-06)

**301. -- 349. (RESERVED)**

**350. PROJECT CONVERSIONS.**

No grant funded project shall, without the prior written approval of the Board, be converted to uses other than for the authorized purposes specified in the original grant application or grant agreement. (4-11-06)

**01. Approval of a Conversion.** The Board shall approve a conversion only when the grant moneys spent on the project can be returned to the appropriate grant fund or the grantee can provide an immediate substitution of other projects of at least equal current fair market value and of reasonably equivalent recreational usefulness and location. (4-11-06)

**02. Resolving a Conversion.** If there is a project conversion, the grantee is responsible for repaying the appropriate grant fund an amount determined by investment amortization through use, project life expectancy, and depreciation or appreciation of the facilities or equipment. (4-11-06)

**03. Conversion Requests.** Project conversion requests shall be in writing by the grantee prior to any conversion attempts. (7-11-99)

**351. -- 399. (RESERVED)**

**400. RESPONSIBILITY FOR EQUIPMENT.**

Motorized equipment purchased with grant funds shall become property of the grantee. Such units of motorized equipment shall be subject to Subsection 250.06 and Section 350 of this chapter. (4-11-06)

**401. -- 449. (RESERVED)**

**450. REAL PROPERTY.**

**01. Appraisals.** A real estate appraisal is required for all real property to be acquired with grant funds. All appraisals shall be prepared according to Department procedures. The appraisal shall be paid for by the grantee, but may be included as part of eligible project costs. The selection of the appraiser shall be approved by the Department. (4-11-06)

**02. Appraisal Review.** The Department shall review appraisals as necessary. Any appraisal report which does not meet content requirements or use correct analysis procedures shall be corrected to the satisfaction of the Department. All costs shall be covered by the grantee. (4-11-06)

**03. Negotiated Price.** An approved appraisal is an acceptable estimate of property value. The negotiation between a willing seller and a willing buyer may set a price which is higher than the appraisal, and this value can be considered along with the appraised value in establishing the reasonable limits of assistance. If the grantee believes the negotiated price is a better indication of market value, yet is higher than the appraised value, a detailed statement of this difference shall be submitted to the Department. (4-11-06)

**04. Adequate Title and Public Access.** The grantee shall have clear title to, or adequate control and tenure of, the real property (land, land improvement, structures, and appurtenances) to be developed. The term "adequate control and tenure" of real property means a lease or an easement that provides the grantee sufficient control over the real property to permit the proposed development and use for a period of at least twenty-five (25) years from the date of application, unless specifically approved in writing by the Department for a shorter term. The grantee shall list all outstanding rights or interests held by others in the real property to be developed. If access to the real property to be developed is over private property, then the grantee shall describe the provisions made to ensure adequate public access. In the event the real property becomes unusable for its intended purposes or if such use ceases, the grantee shall be responsible for conversion of the project as described in Section 350 of this chapter. (4-11-06)

**05. Limitations on Use.** Property rights obtained with grant funds shall be free of all reservations or encumbrances which would limit the use of the site disproportionate to the public benefit. (4-11-06)

**451. -- 999. (RESERVED)**

**IDAPA 26  
TITLE 01  
CHAPTER 34**

**26.01.34 - IDAHO PROTECTION AGAINST INVASIVE SPECIES STICKER RULES**

**000. LEGAL AUTHORITY.**

The Idaho Park and Recreation Board is authorized under Section 67-7002, Idaho Code to promulgate rules to aid in the administration of the Idaho Safe Boating Act, Title 67, Chapter 70, Idaho Code; and is authorized under Section 67-7008A, Idaho Code, to promulgate rules prescribing the display of protection against invasive species stickers. (3-29-10)

**001. TITLE AND SCOPE.**

**01. Title.** The title of this chapter is cited in full as Idaho Department of Parks and Recreation Rules, IDAPA 26.01.34, "Idaho Protection Against Invasive Species Sticker Rules." (3-29-10)

**02. Scope.** This chapter establishes rules to aid in the administration and enforcement of the Idaho Safe Boating Act, Title 67, Chapter 70, Idaho Code. (3-29-10)

**002. WRITTEN INTERPRETATIONS.**

This agency has written interpretations of these rules, in the form of explanatory comments accompanying the notice of proposed rulemaking that originally proposed the rules, or documentation of compliance with IDAPA 26.01.01, "Rules of Administrative Procedure of the Idaho Park and Recreation Board," Section 150. (3-29-10)

**003. APPEALS.**

Any person who may be adversely affected by a final decision, ruling, or direction of the director may appeal the decision, ruling, or direction as outlined under IDAPA 26.01.01.250, "Rules of Administrative Procedure of the Idaho Park and Recreation Board." (3-29-10)

**004. INCORPORATION BY REFERENCE.**

There are no documents incorporated by reference in this chapter. (3-29-10)

**005. OFFICE HOURS -- MAILING ADDRESS AND STREET ADDRESS.**

The state office of the Department of Parks and Recreation is located at 5657 Warm Springs Avenue, Boise, Idaho 83706-0065, (208) 334-4199, Department Website at [www.parksandrecreation.idaho.gov](http://www.parksandrecreation.idaho.gov). The office hours are 8 a.m. to 5 p.m. Monday through Friday. (3-29-10)

**006. IDAHO PUBLIC RECORDS ACT.**

The Department will comply with Sections 9-337 through 9-350, Idaho Code, when requests for the examination and copying of public records are made. Unless otherwise exempted, all public records in the custody of the Department are subject to disclosure. (3-29-10)

**007. CITATION.**

The official citation of this chapter is IDAPA 26.01.34.000 et seq. For example, the citation for this section is IDAPA 26.01.34.007. (3-29-10)

**008. -- 009. (RESERVED)**

**010. DEFINITIONS.**

As used in this chapter: (3-29-10)

**01. Commercial Outfitters.** As defined in Section 36-2102(b), Idaho Code. (3-29-10)

**02. Department.** The Idaho Department of Parks and Recreation. (3-29-10)

**03. Fund.** Invasive Species Fund as defined in Section 22-1911, Idaho Code. (3-29-10)

**04. Idaho Invasive Species Act.** The Idaho Invasive Species Act of 2008 as established in Title 22, Chapter 19, Idaho Code. (3-29-10)

**05. Motorized Vessel.** Any watercraft requiring ~~registration certificate of number~~ under Section 67-7008, Idaho Code, or any comparable U.S. vessel ~~registration certificate of number~~ program. (3-29-10)

**06. Non-Motorized Vessel.** Any watercraft used or capable of being used as a means of transportation on water that is propelled by human effort. For the purpose of this chapter this term does not include small inflatable rafts or other inflatable vessels less than ten (10) feet in length. (3-29-10)

**07. Protection Against Invasive Species Sticker.** Any sticker issued by the Department in accordance with the provisions of Section 67-7008(A), Idaho Code. (3-29-10)

**08. ~~Registration~~-Validation Sticker.** Any sticker issued by the Department in accordance with the provisions of ~~Section~~ 67-7008, Idaho Code. (3-29-10)

**011. ABBREVIATIONS.**

There are no abbreviations defined in this chapter. (3-29-10)

**012. -- 049. (RESERVED)**

**050. COLLECTION OF FEES AND DISTRIBUTION OF REVENUES INTO FUND.**

In addition to any other moneys or fees collected pursuant to Section 67-7008 or any other provision of Title 67, Chapter 70, Idaho Code, all vessels are required to pay an additional fee as established in Section 67-7008A, Idaho Code. (3-29-10)

**01. Operator Responsibilities.** The operator of any watercraft required to display a Protection Against Invasive Species Sticker pursuant to this chapter will ensure that fees are paid and that a Protection Against Invasive Species Sticker is displayed on the vessel, except as provided in Subsection 075.01 of this chapter, prior to launch into the public waters of Idaho. (3-29-10)

**02. Prorated Group Rates for Commercial Outfitters.** (4-7-11)

**a.** Group rates for commercial outfitters with nonmotorized fleets exceeding five (5) vessels will be determined using the number of vessels within the fleet at the time of purchase of the stickers, as provided in Section 67-7008A(1)(c). Previous or future sticker purchases will be prorated separately. (4-7-11)

**b.** Protection Against Invasive Species Stickers purchased by outfitters or guides who are duly licensed in accordance with Title 36, Chapter 21, Idaho Code, shall be accompanied by an affidavit which shall be signed by the outfitter or guide. The signed affidavit shall verify the number of vessels within the covered fleet and that the appropriate number of Protection Against Invasive Species Stickers has been purchased. The Protection Against Invasive Species Stickers and affidavit shall be kept on file at the outfitter or guide's physical address and shall be made available for inspection upon request of the Department or upon request by law enforcement. Non-motorized commercial outfitters and guides are not required to place a Protection Against Invasive Species Sticker on their vessels. Identification of commercial outfitted and guided boats shall be in compliance with IDAPA 25.01.01, "Rules of the Outfitters and Guides Licensing Board," Subsection 054.03.a. (4-7-11)

**03. Transfer of Funds.** Fees collected will be transferred and deposited into the Fund no less than quarterly during any fiscal year. (3-29-10)

**051. -- 074. (RESERVED)**

**075. PROTECTION AGAINST INVASIVE SPECIES STICKER.**

**01. Motorized Vessels.** Beginning with the 2010 boating ~~registration~~-season, upon payment of the fees required by Section 050 of these rules, the ~~registration~~-validation sticker as identified in IDAPA 26.01.30, "Idaho Safe Boating Rules," will also serve as the Protection Against Invasive Species Sticker for those vessels ~~registered~~-~~numbered~~ pursuant to Section 67-7008, Idaho Code. (3-29-10)

**02. All Other Watercraft.** A separate Protection Against Invasive Species Sticker will be issued for all other watercraft upon payment of the fees required under Section 050 of these rules. (3-29-10)

**076. PLACEMENT OF PROTECTION AGAINST INVASIVE SPECIES STICKER.**

**01. Location.** (3-29-10)

**a.** Motorized vessel. Except as provided in Subsection 075.01 of this chapter, the Protection Against Invasive Species Sticker should be affixed next to the current year ~~Registration~~-~~Validation~~ ~~S~~sticker on the port (left) side of the vessel. (3-29-10)

**b.** Non-motorized. Except as provided in Subsection 050.02.a. of this chapter, the Protection Against Invasive Species Sticker should be affixed in the following manner. (4-7-11)

**i.** For canoes, kayaks, and other small rigid vessels, the Protection Against Invasive Species Sticker should be affixed near the bow above the waterline on the port (left) side, or on top of the vessel if there is little or no waterline distinction. (3-29-10)

**ii.** For inflatable (non-rigid) vessels, the Protection Against Invasive Species Sticker can be modified to allow attachment of a zip tie, plastic attachment, or other similar mechanism, or be laminated into a hang tag. (3-29-10)

**02. Removal.** Protection Against Invasive Species Stickers issued in accordance with Section 67-7008A, Idaho Code, which have become invalid, shall be removed from the vessel. (3-29-10)

**077. ENFORCEMENT.**

All operators of vessels as defined in this chapter must ensure their vessel is in compliance with the provisions of this chapter when launched upon the public waters of the state of Idaho. Non-compliance with the provisions of this chapter will result in possible assessment of penalties as described in Sec. 67-7033, Idaho Code, the Idaho Safe Boating Act. (3-29-10)

**078. -- 999. (RESERVED)**