

## **R657. Natural Resources, Wildlife Resources.**

### **R657-9. Taking Waterfowl, Wilson's Snipe and Coot.**

#### **R657-9-1. Purpose and Authority.**

(1) Under authority of Sections 23-14-18 and 23-14-19, and in accordance with 50 CFR 20, 50 CFR 32.64 and 50 CFR 27.21, 2004 edition, which is incorporated by reference, the Wildlife Board has established this rule for taking waterfowl, Wilson's snipe, and coot.

(2) Specific dates, areas, limits, requirements and other administrative details which may change annually are published in the guidebook of the Wildlife Board for taking waterfowl, Wilson's snipe and coot.

#### **R657-9-2. Definitions.**

(1)(a) Terms used in this rule are defined in Section 23-13-2.

[\(b\) The terms provided in Subsections 58-79-102\(1\) through \(7\) are incorporated by reference.](#)

(2) In addition:

(a) "Bait" means shelled, shucked or unshucked corn, wheat or other grain, salt or other feed that lures, attracts or entices birds.

(b) "Baiting" means the direct or indirect placing, exposing, depositing, distributing, or scattering of salt, grain, or other feed that could serve as a lure or attraction for migratory game birds to, on, or over any areas where hunters are attempting to take them.

(c) "CFR" means the Code of Federal Regulations.

(d) "Daily Bag Limit" means the maximum number of migratory game birds of a single species or combination (aggregate) of species permitted to be taken by one person in any one day during the open season in any one specified geographic area for which a daily bag limit is prescribed.

(e) "Dark geese" means the following species: cackling, Canada, white-fronted and brant.

(f) "Light geese" means the following species: snow, blue and Ross'.

(g) "Live decoys" means tame or captive ducks, geese or other live birds.

(h) "Off-highway vehicle" means any motor vehicle designed for or capable of travel over unimproved terrain.

(i) "Permanent waterfowl blind" means any waterfowl blind that is left unattended overnight and that is not a portable structure capable of immediate relocation.

(j) "Possession limit" the maximum number of migratory game birds of a single species or a combination of species permitted to be possessed by any one person when lawfully taken in the United States in any one specified geographic area for which a possession limit is prescribed.

(k) "Sinkbox" means any type of low floating device, having a depression, affording the hunter a means of concealment beneath the surface of the water.

(l) "Transport" means to ship, export, import or receive or deliver for shipment.

(m) "Waterfowl" means ducks, mergansers, geese, brant and swans.

(n) "Waterfowl blind" means any manufactured place of concealment, including boats, rafts, tents, excavated pits, or similar structures, which have been designed to partially or completely conceal a person while hunting waterfowl.

(o) "Waterfowl Management Area" means the following properties owned or managed by the division primarily for the conservation, production, or recreational harvest of ducks, mergansers, geese, brant, swans, and other waterfowl:

- (i) Bicknell Bottoms
- (ii) Brown's Park
- (iii) Blue Lake
- (iv) Clear Lake
- (v) Desert Lake
- (vi) Farmington Bay
- (vii) Fitzgerald
- (viii) Howard Slough
- (ix) Harold Crane
- (x) Locomotive Springs
- (xi) Mallard Springs
- (xii) Manti Meadows
- (xiii) Mills Meadows
- (xiv) Ogden Bay
- (xiv) Public Shooting Grounds
- (xv) Powell Slough
- (xvi) Redmond Marsh
- (xvii) Rock Island
- (xviii) Salt Creek
- (xix) Stewart Lake
- (xx) Timpie Springs
- (xxi) Topaz
- (xxii) Warm Springs
- (xxiii) Willard Spur

#### **R657-9-9. Use of Weapons on State Waterfowl Management Areas.**

(1) A person may not discharge a firearm, crossbow, or archery tackle on the Bicknell Bottoms, Blue Lake, Brown's Park, Clear Lake, Desert Lake, Farmington Bay, Harold S. Crane, Howard Slough, Locomotive Springs, Mills Meadows, Ogden Bay, Powell Slough, Public Shooting Grounds, Salt Creek, Stewart's Lake, Timpie Springs and Topaz Waterfowl Management areas or Utah Lake Wetland Preserve during any time of the year, except:

- (a) the use of authorized weapons as provided in Utah Admin. Code R657-9-7 during waterfowl hunting seasons for lawful hunting activities;
- (b) as otherwise authorized by the Division in special use permit, certificate of registration, administrative rule, proclamation, or order of the Wildlife Board; or
- (c) for lawful purposes of self-defense.

#### **R657-9-28. Use of Dogs.**

(1) An individual may not use or permit a dog to harass, pursue, or take protected wildlife unless otherwise allowed for in the Wildlife Code, administrative rules issued under Wildlife Code, or a guidebook of the Wildlife Board.

(2) Dogs may be used to locate and retrieve turkey during open turkey hunting seasons.

(3) Dogs are generally allowed on state wildlife management and waterfowl management areas, subject to the following conditions.

(a) Dogs are not allowed on the following state wildlife management areas and waterfowl management areas between March 10 and August 31 annually or as posted by the Division:

- (i) Annabella;
- (ii) Bear River Trenton Property Parcel;
- (iii) Bicknell Bottoms;
- (iv) Blue Lake;
- (v) Browns Park;
- (vi) Bud Phelps;
- (vii) Clear Lake;
- (viii) Desert Lake;
- (ix) Farmington Bay;
- (x) Harold S. Crane;
- (xi) Hatt's Ranch
- (xii) Howard Slough;
- (xiii) Huntington;
- (xiv) James Walter Fitzgerald;
- (xv) Kevin Conway;
- (xvi) Locomotive Springs;
- (xvii) Manti Meadows;
- (xviii) Mills Meadows;
- (xix) Montes Creek;
- (xx) Nephi;
- (xxi) Ogden Bay;
- (xxii) Pahvant;
- (xxiv) Public Shooting Grounds;
- (xxv) Redmond Marsh;
- (xxvi) Richfield;
- (xxvii) Roosevelt;
- (xxviii) Salt Creek;
- (xxix) Scott M. Matheson Wetland Preserve;
- (xxx) Steward Lake;
- (xxxi) Timpie Springs;
- (xxxii) Topaz Slough;
- (xxxiii) [Utah Lake Wetland Preserve](#);
- (~~xxxiv~~) Vernal; and
- (~~xxxiv~~) Willard Bay.

(b) The Division may establish special restrictions for Division-managed properties, such as on-leash requirements and temporary or locational closures for dogs, and post them at specific Division properties and at Regional offices;

(c) Organized events or group gatherings of twenty-five (25) or more individuals that involve the use of dogs, such as dog training or trials, that occur on Division properties may require a special use permit as described in R657-28; and

(d) Dog training may be allowed in designated areas on Lee Kay Center and Willard Bay WMA by the Division without a special use permit.

#### **R657-9-34. Waterfowl Blinds on Waterfowl Management Areas**

(1) Waterfowl blinds on division waterfowl management areas may be constructed or used as follows:

(a) waterfowl blinds may not be left unattended overnight, except for blinds constructed entirely of non-woody, vegetative materials that naturally occur where the blind is located;

(b) trees and shrubs on waterfowl management areas that are live or dead standing may not be cut or damaged except as expressly authorized in writing by the division;

(c) excavating soil or rock on waterfowl management areas above or below water surface is strictly prohibited, except as expressly authorized in writing by the division;

(d) rock and soil material may not be transported to waterfowl management areas for purposes of constructing a blind; and

(e) waterfowl blinds may not be constructed or used in any area or manner, which obstructs vehicular or pedestrian travel on dikes.

(2) The restrictions set forth in Subsection (1)(a) through Subsection (1)(c) do not apply to the following waterfowl management areas:

(a) Farmington Bay Waterfowl Management Area - West and North of Unit 1, Turpin Unit, and Doug Miller Unit;

(b) Howard Slough Waterfowl Management Area - West and South of the exterior dike separating the waterfowl management area's fresh water impoundments from the Great Salt Lake;

(c) Ogden Bay Waterfowl Management Area - West of Unit 1, Unit 2, and Unit 3; and

(d) Harold Crane Waterfowl Management Area - one half mile North and West of the exterior dike separating the waterfowl management area's fresh water impoundments from Willard Spur.

(3)(a) The restrictions set forth in Subsection (1)(a) through Subsection (1)(c) do not apply to blinds on Willard Spur Waterfowl Management Area.

(b) The placement or use of any permanent blind on Willard Spur Waterfowl Management Area requires written permission from UDWR and FFSL.

(4) Waterfowl blinds constructed or maintained on waterfowl management areas in violation of this section may be removed or destroyed by the division without notice.

(5) Any unoccupied, permanent waterfowl blind located on state land open to public access for hunting may be used by any person without priority to the person that constructed the blind. It being the intent of this rule to make such blinds available to any person on a first-come, first-serve basis.

(6) Waterfowl blinds or decoys cannot be left unattended overnight on state land open to public access for hunting in an effort to reserve the particular location where the blinds or decoys are placed.

(7) A person may not construct a new permanent blind on a waterfowl management area after June 3, 2021.

**R657-9-35. Commercial Guiding and Outfitting on Waterfowl Management Areas**

(1) A commercial guide or outfitter may not perform guiding or outfitting services on a waterfowl management area.

(2) A commercial guide or outfitter must obtain a special use permit from the division before transporting clients across waterfowl management areas for the purpose of providing hunting guide services or outfitter services.

(3) A commercial guide or outfitter must follow the procedures provided in R657-28 to obtain a special use permit.

(4) In addition to the requirements in R657-28, a commercial guide or outfitter must:

(a) maintain minimum general liability insurance consistent with the requirements in R156-79-302;

(b) provide proof of a Passenger for Hire license as provided in R651-206; and

(c) not otherwise be on any active hunting or fishing license suspension or revocation recognized by the division.

**KEY:** wildlife, birds, migratory birds, waterfowl

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**Authorizing, and Implemented or Interpreted Law:** 23-14-19; 23-14-18; 50 CFR part

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