



State of Utah

SPENCER J. COX
Governor

DEIDRE M. HENDERSON
Lieutenant Governor

Department of Natural Resources

JOEL FERRY
Executive Director

Division of Wildlife Resources

J. SHIRLEY
Division Director

August 12, 2023

J. Shirley, Director, Division of Wildlife Resources
Randy Dearth, Chairman, Utah Wildlife Board
Gary Nielsen, Vice Chairman, Utah Wildlife Board
Utah Wildlife Board Members

RE: 2023 Expo Permit Internal Audit – Rule 657-55

Dear Director Shirley and Wildlife Board Members,

In accordance with Rule R657-55, an audit of the Expo Permit program has been conducted. This audit is attached for your review and the results will be presented at the Utah Wildlife Board Meeting on August 17, 2023.

If you have any questions please contact me at 801-538-7437.

Sincerely,

Kenny Johnson
Administrative Services Chief
Utah Division of Wildlife Resources



Internal Audit of the 2023 Expo Permit Program

Dated August 12, 2023

Background

The Western Hunting and Conservation Expo was held in Salt Lake City from February 2 – 5, 2023. In accordance with Administrative Rule R657-55, an annual audit of the Expo permit program has been conducted. This audit was not performed using generally accepted auditing standards, but is an internal audit designed by the Utah Division of Wildlife Resources (Division) Administrative Services Section to ensure compliance with applicable rules and contractual obligations.

This audit report covers the 2023 Expo performance specifically, and uses historical data from the outset of the Expo permit program for some comparative items, as well as to ensure compliance with applicable rules and contractual terms.

Overview

As has been the case each year, the focus of this audit is to assist the Division and the Wildlife Board to ensure contract compliance. Our report focuses on verifying that data is protected and secure, and that the drawing procedure used is random for the permits being issued. Additionally, we reviewed data regarding the number of applicants, success rates, and programming code related to drawing procedures and issuance of permits. We reviewed revenue amounts retained by the contractor for use on Division-approved projects. We also reviewed the remainder of the revenue, which is to be used to benefit Utah conservation initiatives. In addition to verifying revenue totals, we look to verify that the funds designated for Division-approved projects, as well as the funds designated for other conservation initiatives, are kept separate from other funds in Federally insured bank accounts. Finally, we seek to verify that funds are appropriately spent on Division-approved projects, or are used to benefit Utah conservation initiatives, as required.

Review of handling personal and sensitive data

The Division considers the handling of personal data and information a top priority. Because the contractor conducting the draw is allowed limited access to DWR data for populating the hunt applications, we require adherence to protocols that will safeguard this data.

The contractor has typically had two process components regarding sensitive and confidential data from the applicants. For these purposes, sensitive and confidential data is defined as social security number, driver's license information, height, weight, gender, and hair/eye color.

Applications are 100% electronic now with no paper forms used to apply. Processing and shredding paper applications, along with the associated security concerns, have been eliminated.

The second process component is the handling of electronic data that is used in the electronic application process. Certain data elements are used during the application process for customer lookups into the Division database. This data transmission is through a secure socket layer using 128 bit encryption. Once the customer information is retrieved, no sensitive information is stored in the contractor database. The contractor cannot retrieve SSN or DL from the database at any time; only enter it as needed.

The Division monitored the processes of data collection and input, securing of personal and confidential data received, and performance of the actual draw process. The contractor completed a third party system scan, and Payment Card Industry (PCI) self-assessment questionnaire and attestation prior to the application period going live.

No compliance issues were identified by the Division in 2023 for securing personal data.

Review of the drawing process

Division of Wildlife/Division of Technology Services personnel completed an extensive review of the draw processes used by GraySky Technologies, the subcontractor selected by SFW to conduct the Expo permit drawing. The Division is represented by technical experts from the Utah Department of Government Operations, Division of Technology Services, who review the following:

- 1) The process of the draw is reviewed for its soundness.
- 2) The database structure is reviewed to make sure that a customer can't flood a certain hunt by making multiple entries for that hunt.
- 3) A review of the code is conducted to make sure that there is no chance that a seeded record could exist in the database prior to the assignment of random numbers. This is done to ensure that the result table is empty and no records can be inserted independently of the drawing code. This ensures that a record with an abnormally low random number isn't placed in the table thereby guaranteeing a permit to that record.
- 4) The code is reviewed to ensure that all records are treated equally in the process that assigns random numbers to the entries. Care is given to make sure that when the random numbers are being assigned, no records are identified to get a number other than a random number which is generated by the system.
- 5) The code is then reviewed for inserts that may occur after the drawing to make sure that a secured opportunity record is not placed in the result table after the assignment of random numbers takes place.

This was an exhaustive and thorough review; no compliance issues were identified in 2023.

Conducting the Draw

The actual drawing was conducted at the Division Office in Salt Lake City on February 7, 2023. We had essential staff from the Division, technical representatives from the Department of Government Operations, DNR, GraySky Technologies, MDF and SFW, and the public present in person. The draw was then conducted by GraySky Technologies where the following occurred:

- 1) An impromptu passphrase was given to the GraySky representative and was witnessed as typed into the code prior to beginning the draw process. Later this same passphrase was verified by all in attendance to display on the result page to ensure the code reviewed by the Division was the actual code used during the draw.
- 2) The draw was then run assigning random numbers to applicants hunt choice entries and then sorted in descending order.
- 3) The results of the draw were printed and immediately given to a Division representative to ensure that there were no edits to the results table.
- 4) This list was then given to the Division Law Enforcement and Licensing sections to validate eligibility before any results were posted.
- 5) Applicants selected through the draw to receive multiple permits were contacted by the Division and asked to select a single permit. The unclaimed permits were issued to alternates.

The passphrase was witnessed being added to the code, and the same passphrase was verified at the conclusion of the draw. Results were instantly printed and the process to validate began immediately.

Three applicants drew multiple permits in 2023; each had to choose which permit to keep and the other permits were reallocated to alternates. There were no issues with eligibility.

No compliance issues were identified by the Division in 2023.

Note about Random Drawings

In any truly random drawing there always seems to be a few “lucky” individuals. Random is not an assurance that an event will be spread evenly across a population, or distributed equally among participants. Statistically, when randomness is discussed it is always possible to view the final result and pick out certain trends. The key to these trends is that results cannot be predicted prior to the event or drawing. This is the very essence of randomness.

There were no abnormalities observed in the 2023 drawing.

Draw Related Information

The Division reviewed data from the Expo regarding attendance, application numbers, and success rates. The required attendance of 10,000 people was met in 2023, with nearly 63,000 being reported. There were 19,565 unique applicants in 2023, which was an increase from 2022.

There were no compliance issues with attendance in 2023.

Applicant data for years 2007-2023 is as follows:

Year	Applicants	Applications	Resident	Nonresident	Gross Revenue@ \$5 per app
2007	10,527	205,462	163,054	42,408	\$1,027,310
2008	8,745	138,988	116,465	22,523	\$694,940
2009	9,927	169,988	139,748	29,375	\$845,970
2010	9,700	165,866	139,920	25,946	\$847,285
2011	12,154	196,360	170,539	25,821	\$981,800
2012	13,388	207,870	179,077	28,793	\$1,039,350
2013	14,043	197,312	173,192	24,120	\$986,560
2014	14,148	206,506	178,250	28,256	\$1,032,530
2015	14,910	228,530	192,420	36,110	\$1,142,650
2016	15,507	233,210	195,973	37,237	\$1,166,050
2017	16,127	247,148	204,016	43,132	\$1,235,740
2018	17,399	280,472	230,155	50,317	\$1,402,360
2019	17,320	292,785	232,143	60,642	\$1,463,925
2020	17,945	306,612	236,661	69,951	\$1,533,060
2021	21,680	424,206	263,019	161,187	\$2,121,030
2022	17,255	374,935	291,050	83,885	\$1,874,675
2023	19,565	435,914	338,061	97,853	\$2,179,570

Resident versus Nonresident Success

Data was reviewed comparing the number of resident applications to nonresident applications. Success rates are as follows: 78% of the applications were submitted by Utah residents who drew 160 permits or 80% of the total. 22% of applications were submitted by nonresidents who drew 40 permits or 20% of the total.

There were no anomalies identified in 2023.

Draw Probability Statistics

The Expo offers a limited number of permits annually and attracts exponentially more applicants who compete for them through a secure and random draw process. It should be noted that this dynamic implies a statistically low probability of obtaining a permit. While the draw odds are not a controllable variable or concern of the Division, we appreciate and acknowledge the expediency with which this information is made available to the public.

License Sales

The Division requires that anyone applying for a permit at the Expo have a valid hunting or combination license at the time of application. To ensure compliance, the computer programming will not allow applicants to apply without a valid license in the system. For the Expo in 2023 all licenses were sold online.

There were no compliance issues with license sales in 2023.

Application Revenue

For 2023, the Expo accepted applications from December through the end of the Expo, which was held from February 2 - 5, 2023. The draw processed 435,914 applications, generating \$2,179,570 in gross application revenue.

Use of Application Revenue for Division-Approved Wildlife Projects (“\$1.50 Account”)

The retained portion of application revenue allowable for use on Division-approved projects is \$1.50 per application, or \$653,871.00 in 2023. This revenue was split 50/50 between SFW and MDF, with each organization receiving \$326,935.50. This initial deposit was verified in a federally insured bank account for both MDF and SFW. These funds will need to be spent on Division-approved projects, or transferred to the Division by August 1, 2025.

The Division tracks all funds spent on Division-approved projects or transferred to the Division to be able to report actual numbers each year. To meet the contractual obligation in 2023, all project revenue collected in 2021 must be spent or transferred to the division before August 1, 2023. The 2021 funds have been spent entirely as shown in the table below, with more project detail in attachment 1.

Groups should ensure DWR approved projects are paid from their intended source account. At closeout we identified a payment from the \$1.50 account that SFW intended from their \$3.50 source. Because it was already approved by the Division, the payment was preserved in situ.

Table 1 - Revenue and Expenditures Division-Approved Projects

Org	Carry Over Project Revenue	New Project Revenue 2023	Total Project Revenue Available	Project Expenditures During Current Audit Year	Projects Billed in FY23	Remaining Funds Verified Bank Balance
MDF	\$325,529.16	\$326,935.50	\$652,464.66	\$286,770.00	\$311,259.79	\$54,434.87
SFW	\$386,493.41	\$326,935.50	\$713,428.91	\$140,000.00	\$27,748.70	\$545,680.21
<i>Total</i>	<i>\$425,251.57</i>	<i>\$653,871.00</i>	<i>\$1,365,893.57</i>	<i>\$426,770.00</i>	<i>\$339,008.49</i>	<i>\$600,115.08</i>

MDF

Carry Over Revenue for Division-Approved Projects	\$325,529.16
New Project Revenue for Division-Approved Projects 2023	\$326,935.50
Project Expenditures During Current Audit Year	(\$286,770.00)
Projects Paid to DWR but not Cleared	<u>(\$311,259.79)</u>
Remaining Funds Adjusted Bank Statement Balance	\$54,434.87

SFW

Carry Over Revenue for Division-Approved Projects	\$386,493.41
New Project Revenue for Division-Approved Projects 2023	\$326,935.50
Project Expenditures During Current Audit Year	(\$140,000.00)
Projects Paid to DWR but not Cleared	<u>(\$27,748.70)</u>
Remaining Funds Adjusted Bank Statement Balance	\$545,680.21

Use of Application Revenue for Contractor-Approved Conservation Initiatives (“\$3.50 Account”)

The retained portion of application revenue allowable for support of contractor-approved policies, programs, projects, and personnel that support conservation initiatives in Utah is \$3.50 per application, or \$1,525,699.00 in 2023. Of these funds, \$422,451.04 were spent by SFW on expenses related to advertising expo permits, accepting expo permit applications, credit card fees, and conducting the actual expo permit draw, all in concert with the Western Hunting and Conservation Expo. The remaining \$1,103,247.78 of these funds were split 50/50 between MDF and SFW, with each organization receiving \$551,623.98. Bank records and project expenditures were reviewed. SFW has expended all 2021 and 2022 revenue, and has \$529,868.35 remaining of 2023 revenue for Utah conservation initiatives. MDF has expended all 2021 revenue and has \$731,901.88 remaining of 2022-2023 revenue for Utah conservation initiatives. A list of these conservation initiatives for both groups can be found in Attachment 2. The deposit and required balance were verified in a federally-insured bank account held separate from other funds for both SFW and MDF. See attachment 2 for additional expenditure detail.

Table 2 - Revenue and Expenditures Contractor-Approved Projects

Org	Carry Over Project Revenue	New Project Revenue 2023	Total Project Revenue Available	Project Expenditures During Current Audit Year	Remaining Funds Verified Bank Balance
MDF	\$823,606.91	\$551,623.98	\$1,375,230.80	\$643,329.01	\$731,901.88
SFW	\$539,529.81	\$551,623.98	\$1,091,153.70	\$561,285.44	\$529,868.35
<i>Total</i>	<i>\$1,363,136.72</i>	<i>\$1,103,247.78</i>	<i>\$2,466,384.50</i>	<i>\$1,204,614.45</i>	<i>\$1,261,770.23</i>

MDF

Carry Over Revenue for Contractor-Approved Initiatives	\$823,606.91
New Revenue for Contractor-Approved Initiatives 2023	\$551,623.98
Project Expenditures During Current Audit Year	<u>(\$643,329.01)</u>
Remaining Funds Verified Bank Statement Balance	\$731,901.88

SFW

Carry Over Revenue for Contractor-Approved Initiatives	\$539,529.81
New Revenue for Contractor-Approved Initiatives 2023	\$551,623.98
Project Expenditures During Current Audit Year	<u>(\$561,285.44)</u>
Remaining Funds Verified Bank Statement Balance	\$529,868.35

Conclusions

The measures in place to ensure that data are secure and that any unauthorized external access is prevented served to safeguard information once again in 2023. Third party penetration scans were completed which enhance system security. PCI self-assessments were completed and signed prior to the application system going live. With data being under constant threat, creating processes and systems that are up to the challenge of securing information remains critical. We believe that the measures set in place by SFW, MDF, and GraySky ensured data was properly secured. Our review of the programming code satisfied the Division that the drawing was conducted in a random, transparent, and consistent manner.

We saw applications and attendance increase in 2023.

Additional oversight and program requirements in recent years have increased the Expo's positive impact on the ground statewide. Project revenues for both Division-approved projects and contractor approved projects were verified by bank statements, and expenses were supported with the appropriate documentation. These process enhancements make reporting the balances and expenditures transparent.

Revenue from expo permit application fees has continued to fund numerous efforts that benefit wildlife habitat, wildlife species, and hunters in Utah. This funding is an important component of the conservation work that has improved our state's wildlife populations and made Utah an outstanding place to hunt. We look forward to more beneficial work into the future.

We would like to thank Sportsmen for Fish and Wildlife and the Mule Deer Foundation for their time, prompt responses, and their willingness to provide the information requested for the preparation of the audit. Their information was clearly presented and very much appreciated. If there are questions regarding this report, please contact me at 801-550-8349.

Kenneth Johnson
Administrative Services Chief
Utah Division of Wildlife Resources

cc: J. Shirley, Director
Randy Dearth, Board Chair
Gary Nielsen, Vice Chair
Utah Wildlife Board Members
Troy Justensen, Sportsmen for Fish and Wildlife
Joel Pedersen, Mule Deer Foundation

Attachments:

1. How Revenue has been spent Division-Approved Projects
2. How Revenue has been spent Contractor-Approved Projects
3. Draw Process Roll Sheet
4. Current Expo Rule R657-55

Attachment 1

How revenue from each year has been spent

Division Approved Projects Mule Deer Foundation

2021 Revenue \$ 318,155.00

5558 Thistle Creek Watershed Restoration Phase 2	2022	\$	13,243.21
5561 North Sheeprocks Watershed Restoration Phase 2	2022	\$	15,000.00
5568 Manti-La Sal Healthy Forest Restoration	2022	\$	15,000.00
5580 Sanpete Face NEPA Analysis (Formerly Skyline West)	2022	\$	15,000.00
5581 Upper Provo Watershed Restoration Phase 6	2022	\$	20,000.00
5613 Richard Mountain Fire Seeding	2022	\$	10,000.00
5621 Mill Hollow Aspen Restoration Phase II	2022	\$	15,000.00
5636 Petty Mountain Restoration Project	2022	\$	10,000.00
5647 Strawberry Ridge Vegetation Project - Stand Exams	2022	\$	10,000.00
5687 Bookcliffs East Water Developments Phase 2	2022	\$	8,412.50
5690 Bookcliffs West Water Developments Phase 2	2022	\$	2,671.87
5692 USFS Guzzlers	2022	\$	15,000.00
5699 Bull Pen water development	2022	\$	2,000.00
5722 Sevier plateau guzzlers	2022	\$	5,000.00
5727 East Fork Fire Seeding FY2022	2022	\$	10,000.00
5736 Northern Region Browse Scalping	2022	\$	35,000.00
5779 Fremont River Ranger District Ponds	2022	\$	7,500.00
5794 Utah Wildlife Migration Initiative	2022	\$	65,588.50
5800 FY22 DeerFawn/Adult Survival and Condition	2022	\$	43,738.92
		\$	<u>318,155.00</u>

All 2021 Funds Expended

2022 Revenue \$ 281,201.25

5800 FY22 DeerFawn/Adult Survival and Condition	2022	\$	714.08
5748 Church Hills Pipeline and Water Enhancement Project	2022	\$	7,500.00
5899 Logan Canyon/Left hand fork Juniper Project - Phase 1	2023	\$	27,000.00
6171 FY23 Deer Fawn/Adult Survival and Condition	2023	\$	30,000.00
6056 Utah Wildlife Migration Initiative	2023	\$	73,750.00
5893 Burnt Beaver Phase V	2023	\$	80,000.00
5939 Stansbury Mountains Big Game Habitat Improvement FY23	2023	\$	23,478.01
5918 Eastern La Sals Watershed Restoration Phase II	2023	\$	38,759.16
		\$	<u>281,201.25</u>

All 2022 Funds Expended

2023 Revenue \$ 326,935.50

5918 Eastern La Sals Watershed Restoration Phase II	2023	\$	6,240.84
5920 Salina Creek Ecosystem Restoration Phase 4	2023	\$	40,000.00
6043 Upper Price River Watershed	2023	\$	10,000.00
6626 Resource Analysis and Data Discovery Tool (RADD Tool)	2024	\$	25,000.00
6095 North Grouse Creek Habitat Restoration	2024	\$	20,000.00
6520 Bear River Watershed Resilience Phase 4	2024	\$	14,380.00
6694 Anthro/Avintaquin Lop and Scatter	2024	\$	15,000.00
6530 Eagle Mountain Wildlife Migration Corridor Preservation FY24	2024	\$	98,000.00
6537 Central Mountains (Nebo) Big Game Winter Habitat Restoration	2024	\$	25,000.00
6709 North Hills BLM #1 Big Game Guzzler	2024	\$	18,879.79
		\$	<u>272,500.63</u>

Remaining Balance 2023 \$ 54,434.87

Remaining Balance \$ 54,434.87

Division Approved Projects Sportsmen for Fish and Wildlife

	2021 Revenue	\$ 318,155.00	
5504 Jensen Property Purchase	2021	\$	52,364.69
5634 Mount Pleasant Twin Creek Habitat Improvement Project	2022	\$	6,885.00
5784 Quichapa Lake Hydrology and Vegetation Enhancement (Phase 2)	2022	\$	56,983.00
5641 Upland Habitat Enhancement, Vegetation Management and Wildlife	2022	\$	15,000.00
5793 Purchase Pheasants for Youth Hunt FY22	2023	\$	10,000.00
5859 Book Cliffs Bighorn Sheep Disease Protection	2023	\$	24,000.00
5887 Herbert Institute Wildlife Research Project	2023	\$	50,000.00
5809 Bighorn Sheep Specialist	2023	\$	8,468.00
5875 FY22 CA Quail Trap and Transplant	2022	\$	3,250.00
5784 Quichapa Lake Hydrology and Vegetation Enhancement (Phase 2)	2022	\$	55,748.77
5651 OBWMA Upland/Wetland enhancement FY22	2022	\$	17,000.00
5763 OBWMA Water control structure replacement	2022	\$	10,000.00
5714 Richfield Upland Game and Waterfowl Management Project Phase VIII	2022	\$	8,455.54
			<u>\$ 318,155.00</u>

All 2021 Funds Expended

	2022 Revenue	\$ 281,201.25	
5714 Richfield Upland Game and Waterfowl Management Project Phase VIII	2022	\$	10,544.46
5701 FY22 Northern WMA Carp control	2022	\$	4,000.00
6209 FY23 Bighorn Sheep Specialist (SFW)	2023	\$	47,912.08
			<u>\$ 62,456.54</u>

Remaining Balance 2022 \$ 218,744.71

2023 Revenue \$ 326,935.50
 Remaining Balance 2022 \$ 326,935.50

Remaining Balance \$ 545,680.21

Attachment 2

How revenue from each year has been spent

Contractor Approved Projects Mule Deer Foundation

	2021 Revenue	\$ 595,141.86
5897 Cinnamon Creek Acquisition	2022	\$ 191,161.31
NAWEOA Law Enforcement Conference Sponsorship	2023	\$ 10,000.00
4819 Burnt Beaver Phase II	2023	\$ 82,319.00
6597 West Emery County Watershed Restoration	2023	\$ 50,000.00
6474 Mahogany Ridge Bullhog Phase II	2024	\$ 100,000.00
6536 Twelve Mile Watershed Restoration Project FY 24	2024	\$ 100,000.00
6539 Thistle Creek Watershed Restoration - Phase 3	2024	\$ 30,000.00
6617 Eastern La Sals Watershed Restoration Project phase III	2024	\$ 31,661.55
		\$ 595,141.86

All 2021 Funds Expended

	2022 Revenue	\$ 419,626.36
6617 Eastern La Sals Watershed Restoration Project phase III	2024	\$ 37,348.46
6541 Wasatch (Sheepcreek) Big Game Winter Habitat Restoration FY24	2024	\$ 12,000.00
6568 North Sheeprocks Watershed Restoration FY 24	2024	\$ 25,000.00
6496 Lost Creek Collaborative Phase 2	2024	\$ 100,000.00
6499 Lou Springs Wet Meadow and Sage Brush Habitat Restoration	2024	\$ 20,000.00
6543 Zion Migration Corridor Habitat Improvement Phase IV	2024	\$ 20,000.00
6563 Thousand Lakes Habitat Improvement Phase III	2024	\$ 25,000.00
		\$ 239,348.46

Remaining Balance 2022 \$ 180,277.90

2023 Revenue \$ 551,623.98

Remaining Balance 2023 \$ 551,623.98

Total Remaining Balance	\$ 731,901.88
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Contractor Approved Projects Sportsmen for Fish and Wildlife

	2021 Revenue	\$ 595,141.86
Teal Lake improvements	2022	\$ 19,044.24
Ogden Bay water pumps	2022	\$ 4,191.86
Wild Horse Bench Fence	2022	\$ 37,620.00
Predator Management	2022	\$ 65,292.54
WAFWA Sage Grouse conference	2022	\$ 1,000.00
Henry Mountain Water improvement	2022	\$ 1,400.00
Wheelchair in the Wild pheasant hunt	2022	\$ 1,320.00
Pheasant Facility	2022	\$ 265,424.79
Fish Lake Marina	2022	\$ 80,000.00
5908 Farmington Bay Dike-line Restoration	2023	\$ 28,750.00
6029 Ogden Bay WMA Upland/Wetland enhancement FY23	2023	\$ 1,352.21
6039 FY23 Northern Utah WMA Carp Control	2023	\$ 3,000.00
6064 Mitigation for Willard Spur WMA Parking lot expansion project	2023	\$ 17,500.00
6073 Harold Crane Center Dike Repair	2023	\$ 69,246.22
		\$ 595,141.86

All 2021 Funds Expended

	2022 Revenue	\$ 419,626.36
6073 Harold Crane Center Dike Repair	2023	\$ 12,003.78
6083 Ogden Bay WMA East dike restoration II	2023	\$ 40,000.00
6057 Richfield Upland Game and Waterfowl Management Project Phase VIII	2023	\$ 17,500.00
5945 Habitat Specialist Position	2023	\$ 7,427.13
6154 Purchase Pheasants for Youth Hunt FY23	2023	\$ 10,000.00
5976 Upland Habitat Enhancement, Vegetation Management and Wildlife Technicians Salt	2023	\$ 5,000.00

5908 Farmington Bay Dike-line Restoration	2023	\$	28,750.00
6029 Ogden Bay WMA Upland/Wetland enhancement FY23	2023	\$	18,000.00
6039 FY23 Northern Utah WMA Carp Control	2023	\$	3,000.00
6064 Mitigation for Willard Spur WMA Parking lot expansion project	2023	\$	17,500.00
6073 Harold Crane Center Dike Repair	2023	\$	81,250.00
6083 Ogden Bay WMA East dike restoration II	2023	\$	40,000.00
6057 Richfield Upland Game and Waterfowl Management Project Phase VIII	2023	\$	17,500.00
Wild Horse Bench Fence	2023	\$	30,096.00
Wheelchair in the Wild pheasant hunt	2023	\$	1,950.00
SFW Upland Game Program	2023	\$	85,861.96
Wasatch School Chukar Hunt	2023	\$	2,175.00
Steve Miller Veteran Hunt	2023	\$	1,612.49
		\$	<u>419,626.36</u>

All 2022 Funds Expended

	2023 Revenue	\$	551,623.98
KSL Outdoors Conservation Education	2023		<u>21,755.63</u>
			21,755.63
	Remaining Balance 2023	\$	529,868.35

Remaining Balance	\$	529,868.35
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Attachment 3



On Tuesday, February 7, 2023 the electronic random drawing for the 200 Expo permits will take place at the Utah Division of Wildlife Resources located at 1594 West North Temple, Salt Lake City, Utah. These permits were awarded to the Western Hunting & Conservation Expo by the Utah Wildlife Board.

The following are witnesses of the drawing and were present during the entire process. Once the successful applicants have been drawn, all names will be given to the Division of Wildlife Resources Law Enforcement. The names will be checked for any compact violations and will be deemed eligible by the Division of Wildlife and the successful applicants will be notified by mail.

Start Time: 10:09 am

End Time: 10:17 am

PASSCODE: Hunt with your kids

PRINT NAME	ATTENDANCE	
Lindy Varney	In-person	DWR
Greg Evans	In-person	DWR
Brian Swaner	In-person	DWR
Rob Gray	In-person	Grayskytech

PRINT NAME**ATTENDANCE**

Ashley Green	In-person	DWR
Cory Anderson	In-person	Public
Troy Justensen	In-person	SFW
Riley Peck	In-person	DWR
Kenny Johnson	In-person	DWR
Chris Carling	In-person	SFW
J shirley	In-person	DWR
Mike Canning	In-person	DWR
Jeremy Wither	In-person	Public

Attachment 4

Administrative rule R657-55

Wildlife Expo Permits

KEY: wildlife, wildlife permits

Date of Enactment or Last Substantive Amendment: November 9, 2020

Notice of Continuation: April 6, 2020

Authorizing, and Implemented or Interpreted law: 23-14-18; 23-14-19

R657-55-1. Purpose and Authority.

- (1) Under the authority of Sections 23-14-18 and 23-14-19 of the Utah Code, this rule provides the standards and requirements for issuing wildlife expo permits.
- (2) Wildlife expo permits are authorized by the Wildlife Board and issued by the division to a qualified conservation organization for purposes of generating revenue to fund wildlife conservation activities in Utah and attracting and supporting a regional or national wildlife exposition in Utah.
- (3) The selected conservation organization will conduct a random drawing at an exposition held in Utah to distribute the opportunity to receive wildlife expo permits.
- (4) This rule is intended as authorization to issue one series of wildlife expo permits per year to a qualified conservation organization.

R657-55-2. Definitions.

- (1) Terms used in this rule are defined in Section 23-13-2.
- (2) In addition:
 - (a) "Conservation organization" means a 26 U.S.C. § 501(c)(3) tax exempt, nonprofit chartered institution, corporation, foundation, or association founded for the purpose of promoting wildlife conservation.
 - (b) "Special nonresident expo permit" means one wildlife expo permit for each once-in-a-lifetime species that is only available to a nonresident hunter legally eligible to hunt in Utah.
 - (c) "Wildlife exposition" means a multi-day event held within the state of Utah that is sponsored by one or more wildlife conservation organizations, acting through a single conservation organization, as their national or regional convention or event that is open to the general public and designed to draw nationwide attendance of more than 10,000 individuals. The wildlife exposition may include wildlife conservation fund raising activities, outdoor exhibits, retail marketing of outdoor products and services, public awareness programs, and other similar activities.
 - (d) "Wildlife exposition audit" means an annual review by the division of the conservation organization's processes used to handle applications for expo permits and conduct the drawing, the protocols associated with collecting and using client data, the revenue generated from expo permit application handling fees, and the expenditure of designated expo permit application handling fee revenue on division-approved projects.
 - (e) "Wildlife expo permit" means a permit which:

- (i) is authorized by the Wildlife Board to be issued to successful applicants through a drawing or random selection process conducted at a Utah wildlife exposition; and
 - (ii) allows the permittee to hunt the designated species on the designated unit during the respective season for each species as authorized by the Wildlife Board.
- (f) "Wildlife expo permit series" means a single package of permits to be determined by the Wildlife Board for:
- (i) deer;
 - (ii) elk;
 - (iii) pronghorn;
 - (iv) moose;
 - (v) bison;
 - (vi) mountain goat;
 - (vii) desert bighorn sheep;
 - (viii) rocky mountain bighorn sheep;
 - (ix) wild turkey;
 - (x) cougar; or
 - (xi) black bear.
- (g) "Secured opportunity" means the opportunity to receive a specified wildlife expo permit that is secured by an eligible applicant through the exposition drawing process.
- (h) "Successful applicant" means an individual selected to receive a wildlife expo permit through the drawing process.

R657-55-3. Wildlife Expo Permit Allocation.

- (1) The Wildlife Board may allocate wildlife expo permits after May 1 of the year preceding the wildlife exposition.
- (2) Wildlife expo permits shall be issued as a single series to one conservation organization.
- (3) The number of wildlife expo permits authorized by the Wildlife Board shall be based on:
 - (a) the species population trend, size, distribution, and long-term health;
 - (b) the hunting and viewing opportunity for the general public, both short and long term; and
 - (c) a percentage of the permits available to nonresidents in the annual big game drawings matched by a proportionate number of resident permits.
- (4) Wildlife expo permits, including special nonresident expo permits, shall not exceed 200 total permits.
- (5) Wildlife expo permits designated for the exposition each year shall be deducted from the number of public drawing permits.

R657-55-4. Obtaining Authority to Distribute Wildlife Expo Permit Series.

- (1)(a) Except as provided in Subsection (b), the wildlife expo permit series is issued for a period of five years.
- (b) The original five-year term may be renewed for an additional period not to exceed five years, provided:
 - (i) the conservation organization, Division of Purchasing and General Services procurement officer, Wildlife Board, and division mutually agree in writing to the renewal term; and

- (ii) the procurement officer determines in writing pursuant to Section 63G-6a-1204(7) that the renewal term is in the division's best interest and places the writing in the conservation organization's procurement file.
- (2)(a) The wildlife expo permit series is available to eligible conservation organizations for distribution through a drawing or other random selection process held at a wildlife exposition in Utah open to the public.
- (b) The division may unilaterally discontinue or suspend issuing the wildlife expo permit series at:
 - (i) the conclusion of the original five-year contract term or renewal term described in Subsection (1) and prior to issuance of a contract under this rule; or
 - (ii) any time during the term of a contract when in the interest of wildlife conservation, management, or compliance with law.
- (3) Prior to expiration of a current wildlife exposition term or renewal term, the division may issue through the Division of Purchasing and General Services a request for proposal consistent with the Procurement Code in Title 63G, Chapter 6a of the Utah Code to solicit bids from conservation organizations desiring to distribute the wildlife expo permit series at a wildlife exposition.
- (4) The request for proposal will solicit information relevant to successfully conducting a wildlife exposition, competently distributing the expo permit series, protecting confidential personal information acquired in distributing permits, and generating revenue for wildlife conservation in Utah, including:
 - (a) the name, address and telephone number of the conservation organization;
 - (b) a description of the conservation organization's mission statement;
 - (c) documentation establishing the conservation organization meets the definitional criteria in R657-55-2(2)(a) and is eligible to submit a proposal;
 - (d) the name of the president or other individual responsible for the administrative operations of the conservation organization;
 - (e) a detailed business plan describing how the:
 - (i) proposed wildlife exposition will take place;
 - (ii) proposed wildlife exposition will satisfy the definitional criteria in R657-55-2(2)(c);
 - (iii) wildlife expo permit drawing procedures will be carried out; and
 - (iv) confidential personal information acquired in the drawing process will be safeguarded;
 - (f) the conservation organization and any partnering entities' ability, including past performance in marketing conservation permits under R657-41, to effectively plan and complete the wildlife exposition;
 - (g) the conservation organization's commitment to use expo permit handling fee revenue to benefit protected wildlife in Utah; and
 - (h) historical contributions of the conservation organization and any partnering entities to the conservation of wildlife in Utah.
- (5) Proposals submitted in response to a request for proposal under Subsection (4) will be processed, evaluated, and acted upon consistent with the procurement requirements set forth in Title 63G, Chapter 6a of the Utah Code.
- (6) The conservation organization receiving the wildlife expo permit series must:
 - (a) require each wildlife expo permit applicant to possess a current Utah hunting or combination license before applying for a wildlife expo permit;

- (b) select successful applicants for wildlife expo permits by drawing or other random selection process in accordance with law, provisions of this rule, and orders of the Wildlife Board;
 - (c) allow applicants to apply for wildlife expo permits without purchasing admission to the wildlife exposition;
 - (d) notify the division of the successful applicant of each wildlife expo permit within 10 days of the applicant's selection;
 - (e) maintain records demonstrating that the drawing was conducted fairly; and
 - (f) submit to an annual wildlife exposition audit by a division appointed auditor.
- (7) The division shall issue the appropriate wildlife expo permit to the designated successful applicant after:
- (a) completion of the random selection process;
 - (b) verification of the recipient being eligible for the permit; and
 - (c) payment of the appropriate permit fee is received by the division.
- (8) The division and the conservation organization receiving the wildlife expo permit series will enter into a contract with terms that include the relevant provisions in this rule, the request for proposal, and the conservation organization's proposal.
- (9) If the conservation organization awarded the wildlife expo permit series withdraws before the end of the 5-year period or any extension period under R657-55-4(1)(b), any remaining co-participant with the conservation organization may assume the contract and distribute the expo permit series consistent with the contract and this rule for the remaining years in the applicable period, provided:
- (a) The original contracted conservation organization submits a certified letter to the head of the procurement unit, as defined in Section 63G-6a-103, and the division identifying that it will no longer be participating in the exposition;
 - (b) The co-participant conservation organization submits a request with the head of the procurement unit and the division for authorization to assume the remaining term of the contract ; and
 - (c) the head of the procurement unit, in consultation with the division and Wildlife Board, approves the application.
- (10) The division may suspend or terminate the conservation organization's authority to distribute wildlife expo permits at any time during the original five-year award term or any renewal period for:
- (a) violating any of the requirements set forth in this rule or the contract; or
 - (b) failing to bring or organize a wildlife exposition in Utah, as described in the business plan under R657-55-4(4)(e), in any given year.

R657-55-5. Wildlife Expo Permit Application Procedures.

- (1) Any person legally eligible to hunt in Utah may apply for a wildlife expo permit, except that only a nonresident of Utah may apply for a special nonresident expo permit.
- (2) The handling fee assessed by the conservation organization to process applications shall be \$5 per application submitted.
- (3)(a) Except as provided in Subsection (3)(b) and (9), an applicant must validate their application in person at the wildlife exposition to be eligible to participate in the wildlife expo permit drawing.
 - (i) No person may submit an application in behalf of another.

- (ii) A person may validate their wildlife expo permit application at the exposition without having to enter the exposition and pay the admission charge.
- (b) An applicant that is a member of the United States Armed Forces and unable to attend the wildlife exposition as a result of being deployed or mobilized in the interest of national defense or a national emergency is not required to validate their application in person; provided exposition administrators are furnished a copy of the written deployment or mobilization orders and the orders identify:
 - (i) the branch of the United States Armed forces from which the applicant is deployed or mobilized;
 - (ii) the location where the applicant is deployed or mobilized;
 - (iii) the date the applicant is required to report to duty; and
 - (iv) the nature and length of the applicant's deployment or mobilization.
- (c) The conservation organization shall maintain a record, including copies of military orders, of each applicant not required to validate their application in person pursuant to Subsection (3)(b), and submit to a division audit of these records as part of its annual audit under R657-55-4(8)(f) when requested by the division.
- (4) An applicant may apply for each individual hunt for which they are eligible.
- (5) An applicant may apply only once for each hunt, regardless of the number of permits for that hunt.
- (6) An applicant must submit an application for each desired hunt.
- (7) An applicant must possess a current Utah hunting or combination license in order to apply for a wildlife expo permit.
- (8) The conservation organization shall advertise, accept, and process applications for wildlife expo permits and conduct the drawing in compliance with this rule and other applicable laws.
- (9) Due to the serious public health threat posed by the COVID-19 pandemic and recommendations from the CDC, Utah, and local health departments to avoid public gatherings and to maintain social distancing, the 2021 exposition is modified as follows:
 - (a) a wildlife expo permit applicant will not be required to validate their application in-person at the expo permit drawing;
 - (b) the wildlife expo permit drawing may be conducted entirely in an electronic format, provided an in-person or electronic exposition is held;
 - (c) any exposition requirement in this rule and in contract related to holding an in-person exposition and meeting minimum in-person attendance objectives are waived.

R657-55-6. Drawing Procedures.

- (1) A random drawing or selection process must be conducted for each wildlife expo permit.
- (2) Preference and bonus points are neither awarded nor applied in the drawings.
- (3) Waiting periods do not apply, except any person who obtains a wildlife expo permit for a once-in-a-lifetime species is subject to the once-in-a-lifetime restrictions applicable to obtaining a subsequent permit for the same species through a division application and drawing process, as provided in R657-62 and the guide books of the Wildlife Board for taking big game.
- (4) No predetermined quotas or restrictions shall be imposed in the application or selection process for wildlife expo permits between resident and nonresident applicants, except that special nonresident expo permits may only be awarded to a nonresident of Utah.
- (5) Drawings will be conducted within five days of the close of the exposition.

- (6) Applicants do not have to be present at the drawing to be awarded a wildlife expo permit.
- (7) The conservation organization shall identify all eligible alternates for each wildlife expo permit and provide the division with a finalized list. This list will be maintained by the conservation organization until all permits are issued.
- (8) The division shall contact successful applicants, and the conservation organization shall post the name of all successful applicants on a designated website.

R657-55-7. Issuance of Permits.

- (1) The division shall provide a wildlife expo permit to the successful applicant, as designated by the conservation organization.
- (2) The division must provide a wildlife expo permit to each successful applicant, except as otherwise provided in this rule.
- (3) The division shall provide each successful applicant a letter indicating the permit secured in the drawing, the appropriate fee owed the division, and the date the fee is due.
- (4)(a) Successful applicants must submit the permit fee payment in full to the division before receiving the permit.
 - (b) Subject to the limitation in Subsection (8), the division will issue the designated wildlife expo permit to the successful applicant.
- (5) Residents will pay resident permit fees and nonresidents will pay nonresident permit fees.
- (6) Beginning in 2019, applicants are eligible to obtain only one expo permit each year, regardless of species.
- (7) If an applicant is selected for more than one expo permit, the division will contact the applicant to determine which permit the applicant selects.
 - (a) The applicant must select the permit of choice within 2 days of receiving notification.
 - (b) If the division is unable to contact the applicant within 2 days, the division will issue to the applicant the permit with the most difficult drawing odds based on drawing results from the division's big game drawing for the preceding year.
 - (c) Permits not issued to the applicant will go to the next person on the alternate drawing list for that permit, provided the person is legally eligible to receive the permit and does not have a secured opportunity for any other expo permit.
- (8) Any successful applicant who fails to satisfy the following requirements will be ineligible to receive the wildlife expo permit and the next drawing alternate for that permit will be selected:
 - (a) The applicant fails to remit the appropriate permit fee in full to the division by the date provided in Subsection (3);
 - (b) The applicant does not possess a valid Utah hunting or combination license at the time the expo permit application was submitted; or
 - (c) The applicant is legally ineligible to possess the permit.

R657-55-8. Surrender or Transfer of Wildlife Expo Permits.

- (1)(a) A person selected to receive a wildlife expo permit that is also successful in obtaining a Utah once-in-a-lifetime or limited entry permit for the same species in the same year or successful in obtaining a general permit for a male animal of the same species in the same year, may not possess both permits and must select the permit of choice.

(b) In the event a secured opportunity is surrendered before the permit is issued, the next eligible applicant on the alternate drawing list for that permit will be selected to receive the permit, provided the person is legally eligible to receive the permit and does not:

- (i) have a secured opportunity for any other expo permit; or
- (ii) possess any other expo permit valid in the same year.

(c) In the event the wildlife expo permit is surrendered, the next eligible applicant on the alternate drawing list for that permit will be selected to receive it, provided the person satisfies the eligibility requirements in Subsection (b).

(d) The permit fee on a surrendered expo permit may be refunded, as provided in Sections 23-19-38, 23-19-38.2, and R657-42-5.

(2) A person selected by a conservation organization to receive a wildlife expo permit, may not sell or transfer the permit, or any rights thereunder to another person in accordance with Section 23-19-1.

(3) If a person is successful in obtaining a wildlife expo permit but is legally ineligible to hunt in Utah, the next eligible applicant on the alternate drawing list for that permit will be selected to receive it, provided the person satisfies the eligibility requirements in Subsection (1)(b).

R657-55-9. Using a Wildlife Expo Permit.

(1) A wildlife expo permit allows the recipient to:

- (a) take only the species and sex printed on the permit;
- (b) take the species only in the area and during the season specified on the permit; and
- (c) take the species only with the weapon type specified on the permit.

(2) The recipient of a wildlife expo permit is subject to all the provisions of Title 23, Wildlife Resources Code, and the rules and guidebooks of the Wildlife Board for taking and pursuing wildlife.

R657-55-10. Wildlife Expo Permit — Application Handling Fee Revenue.

(1)(a) All wildlife expo permit application handling fee revenue generated by the conservation organization under R657-55-5(2) will be deposited in a separate, federally insured account to prevent commingling with any other funds.

(b) Interest earned on the portion of application handling fee revenue retained by the conservation organization for administrative expenses under Subsection (2) may be retained and used by the conservation organization.

(c) Interest earned on the portion of application handling fee revenue committed to fund wildlife conservation projects under Subsection (3) shall be used by the conservation organization to fund approved wildlife conservation projects.

(2) The conservation organization may retain up to \$3.50 of each \$5.00 application handling fee for administrative expenses, unless the conservation organization pledges a greater percentage of the application handling fee to wildlife conservation in:

- (a) its response to the request for proposal; or
- (b) the expo contract with the division.

(3) The remaining balance of each \$5.00 application handling fee and accrued interest, less standard banking fees assessed on the account where the funding is deposited, will be used by the conservation organization to fund projects advancing wildlife interests in the state, subject to the following:

- (a) project funding will not be committed to or expended on any project without first obtaining the division director's written approval;
 - (b) cash donations to the Wildlife Habitat Account created under Section 23-19-43 or Division Species Enhancement Funds are authorized projects that do not require the division director's approval; and
 - (c) application handling fee revenue dedicated to funding projects must be completely expended on approved projects or transferred to the division by August 1st, two years following the year in which the application handling fee revenue is collected.
- (4) Application handling fee revenue committed to division-approved projects will be transferred by the conservation organization to the division within 60 days of being invoiced by the division.
- (a) If the division-approved project to which funds are committed is completed under projected budget or canceled, funds committed to the project that are not used will be kept by the division and credited back to the conservation organization and made available for the group to use on other approved projects during the current or subsequent year.
- (5) All records and receipts for projects under Subsection (3) must be retained by the conservation organization for a period not less than five years, and shall be produced to the division for inspection upon request.
- (6) The conservation organization shall submit a report to the division and Wildlife Board each year by August 1st that accounts for and documents the following:
- (a) gross revenue generated from collecting \$5 wildlife expo permit application handling fees;
 - (b) total amount of application handling fee revenue retained for administrative expenses; and
 - (c) total amount of application handling fee revenue set aside and dedicated to funding projects, including bank statements showing account balances.
- (7) A partner organization that individually receives application handling fee revenue from the expo permit drawing pursuant to a co-participant contract with the conservation organization, is subject to the provisions in Subsections (1) through (6).