

RAC AGENDA – May 2025



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|-----|---|----------------------|
| 1. | Welcome, RAC Introductions and RAC Procedure
- RAC Chair | |
| 2. | Approval of Agenda and Minutes
- RAC Chair | |
| 3. | Wildlife Board Meeting Update
- RAC Chair | INFORMATIONAL |
| 4. | Regional Update
- DWR Regional Supervisor | INFORMATIONAL |
| 5. | Dedicated Hunter Rule Amendments – Banking Hours
- Bryan Christensen, Dedicated Hunter Program Coordinator | ACTION |
| 6. | Conservation Permit Program Rule Amendments – R657-41
- Covy Jones, Wildlife Section Chief | ACTION |
| 7. | Outfitters, Guides and Spotters Rule Amendments – R657-72
- Chad Bettridge, Division of Law Enforcement | ACTION |
| 8. | CWMUs with Public Land Variance Requests
- Chad Wilson, Private Lands/Public Wildlife Coordinator | ACTION |
| 9. | Changes to R657-28 – WMA Exemptions from License Requirement
- Chelsea Duke, Wildlife Lands Coordinator | ACTION |
| 10. | Sage grouse translocation
- Heather Talley, Upland Game Coordinator | ACTION |
| 11. | Possession and Release of Pen-reared Game Birds Rule Amendments
- Heather Talley, Upland Game Coordinator | ACTION |
| 12. | Election of RAC Chair and Vice Chair
- Regional Supervisors | ACTION |

Regional Presentations - Informational Only

Sevier/Piute Big Game Winter Range WMA Habitat Plan – SR Only
- Gary Bezzant, Habitat Program Manager

CR RAC – May 13th, 6:00 PM
Wildlife Resources Conference Room
1115 N. Main Street, Springville
<https://youtube.com/live/T61g0zsUld0>

NR RAC – May 14th, 6:00 PM
Weber County Commission Chambers
2380 Washington Blvd. Suite #240, Ogden
<https://youtube.com/live/m8hmBICkbdY>

SR RAC – May 20th, 6:00 PM
DNR Richfield City Complex
2031 Industrial Park Rd., Richfield
<https://youtube.com/live/Pil2aplMY54>

SER RAC – May 21st, 6:00 PM
John Wesley Powell Museum
1765 E. Main St., Green River
<https://youtube.com/live/cHH0ysQ4BZY>

NER RAC – May 22nd, 6:00 PM
Wildlife Resources NER Office
318 North Vernal Ave., Vernal
<https://youtube.com/live/OBnnjahtK4w>

Board Meeting – June 12th, 9:00 AM
Eccles Wildlife Education Center, Farmington
<https://youtube.com/live/GvQgqWjiicw>



State of Utah
DEPARTMENT OF NATURAL RESOURCES
JOEL FERRY
Executive Director
Division of Wildlife Resources
RILEY PECK
Division Director

MEMORANDUM

TO: Wildlife Board and Regional Advisory Committee Members
FROM: Bryan Christensen, Dedicated Hunter Program Coordinator
DATE: April 24, 2025
SUBJECT: 2025 Dedicated Hunter Program Rule changes (R657-38)

The following is a summary of the recommended rule amendments to the Dedicated Hunter program rule R657-38.

Establishing the opportunity for program participants to earn service credit prior to joining the program, within specified criteria:

- The service must be completed on Division-approved projects
- The person must register for service projects through the Division's project website
- The pre-program service occurs during the time period from January 1, up until the drawing results release date, in the same year an application is submitted to join the program.
- Service performed outside of an enrollment period is not extended or accumulated for future years or enrollments beyond the year of the application to join the program.
- Service hours performed or purchased in excess of program requirements do not accumulate for use in future enrollments.

Other Administrative clarifications

- Provide additional direction in the situation where a hunt is canceled or a hunt unit is discontinued.
- Add clarity that purchased service hours and performed service hours are non-refundable and non-transferable.

BC

R657. Natural Resources, Wildlife Resources.

R657-38. Dedicated Hunter Program.

R657-38-1. Purpose and Authority.

(1) Under the authority of Section 23A-2-305, this rule provides the standards and requirements for qualified deer hunters to participate in the Dedicated Hunter Program by obtaining a certificate of registration.

(2) The Dedicated Hunter Program is a program that:

- (a) provides expanded hunting opportunities;
- (b) requires participation in wildlife conservation projects; and
- (c) provides educational training in hunter ethics and wildlife management principles.

R657-38-3. Dedicated Hunter Certificates of Registration.

(1)(a) To participate in the Dedicated Hunter Program, a person must apply for, and be issued, ~~and sign~~ a certificate of registration as prescribed by the division.

(b) Certificates of registration for a designated hunt area are issued by the division through a drawing as prescribed in the guidebook of the Wildlife Board for taking big game and Rule R657-62.

(c) Certificates of registration are valid for three consecutive years, except as provided by Sections R657-38-10 and R657-38-13, beginning on the date the big game drawing results are released and ending on the last day of the general season hunt for the third year of enrollment.

(d) The quantity of certificates of registrations for the Dedicated Hunter Program available in the big game drawing is limited to:

(i) 15% of the total annual general season buck deer quota for each respective hunt area, inclusive of those certificates of registration that are within active enrollments; or

(ii) one resident and one nonresident certificate of registration if the 15% total on that hunt area is met or exceeded.

(e) Certificates of registration remaining unissued from the Dedicated Hunter portion of the big game drawing shall be redistributed as general single-season permits for their respective hunt areas in the general buck deer drawing.

(2) The division may deny issuance of a certificate of registration for the Dedicated Hunter Program for any of the reasons identified as a basis for suspension in Subsection 23A-4-1106 (7) and Section R657-38-15.

(3)(a) A certificate of registration for the Dedicated Hunter Program conditionally authorizes the participant to obtain a Dedicated Hunter permit, which may be used to hunt deer within the area listed on the permit, during the general archery, general muzzleloader and general any legal weapon buck deer seasons according to the dates and boundaries established by the Wildlife Board.

(b) When available, the certificate of registration may also authorize the Dedicated Hunter permit to include the general deer archery extended area during the extended season dates.

(c) The person must use the appropriate weapon type specified by each season and boundary.

(4) The participant may not change to a different hunt area during the enrollment.

(5)(a) The division may make changes including, season opportunity, season length, boundaries, allowable weapon types, or other special restrictions to all or any portion of a hunt area or management unit, when in the interest of the wildlife resource or as necessary for the division to accomplish its management objectives, and may not guarantee each hunt area remains unchanged during the Dedicated Hunter's enrollment period.

(b) Dedicated Hunters shall be subject to any changes subsequently made to this or other rules pertaining to the hunt area they have drawn.

(6) The Division may change a hunt area designation if the Division cancels the hunt or the unit is discontinued, and if there is another hunt unit with available Dedicated Hunter permit quota.

R657-38-7. Refunds.

(1) A refund for the Dedicated Hunter certificate of registration may not be issued, except as provided in Sections 23A-4-207 and 301 and R657-42.

(2) Any eligible refund of a certificate of registration fee may be issued pro rata, based on the number of years in which any portion of a hunt may have occurred during the enrollment period.

(3) Drawing application fees are nonrefundable.

(4) A refund shall not be issued under any circumstance if a participant's harvest record indicates two program harvests.

(5) Purchased service hours are non-refundable and non-transferrable.

R657-38-9. Service Hour Requirement.

(1)(a) A participant must complete the minimum annual required service hours as a volunteer on division -approved wildlife conservation projects to obtain a Dedicated Hunter permit.

(b) A participant must complete a minimum of 6 service hours before receiving a Dedicated Hunter permit in the first year of the program.

(c) A participant must complete a minimum total of 22 service hours before receiving a Dedicated Hunter permit in the second year of the program.

(d) A participant must complete a minimum total of 32 service hours before receiving a Dedicated Hunter permit in the third year of the program.

(e) If the participant has two program harvests, the full 32 hours must be completed before the expiration of the certificate of registration.

(f) If a participant having two program harvests fails to complete the required hours of service before expiration of the certificate of registration, the participant is ineligible to apply for or obtain any Utah hunting license or permit until the remaining service hours have been completed.

(g) After a certificate of registration has expired, incomplete service hours may be completed through division approved projects or by payment at the established purchase rate.

(2) A participant who has not been issued any Dedicated Hunter permits during the enrollment may not be required to complete the service hour requirement.

(3)(a) Residents and nonresidents may complete service hour requirements through service, purchase, or a combination of the two options.

(b) Wildlife conservation projects may be provided by the division, or any other individual or entity, but must be pre-approved by the division.

(c) Goods or services donated to the division by a participant may be, at the discretion of the division, substituted for service hours based upon current market values or comparative state contract rates for the goods or services, and the approved service hour purchase rate.

(d) The division shall publicize the dates, times, locations and description of approved wildlife conservation projects and activities on the division's Website.

(4)(a) Service hours performed before an enrollment may ~~not~~ be accepted as service credit if:

(i) the service is completed through the Division's approved project opportunities;
(ii) the person registered for the service project through the Division's website; and
(iii) the service occurred in the time period from January 1 in the year of the application to join the Dedicated Hunter Program, up until the date of the results notifications for the annual Big Game Drawing in that same year.

(b) Approved service hour credit, which occurs prior to joining the program, is not extendable, accumulated or stored for future years or enrollments beyond the year of the application to join the program.

(b) Service hours exceeding the ~~minimum requirement may~~ program requirements are not ~~be~~ applicable beyond the enrollment period and may not be credited to any subsequent certificate of registration.

(5)(a) Participants are required to perform their own service hours.

(b) Service hours are not transferable to other participants or certificates of registration.

R657-38-14. Certificate of Registration Surrender.

(1) A participant may request to withdraw from the Dedicated Hunter Program by surrendering the Dedicated Hunter certificate of registration pursuant to Rule R657-42, provided the participant does not have two program harvests within the enrollment period.

(2) A participant who has two program harvests during the program enrollment may not withdraw from the program and shall complete the program minimum requirement of 32 service hours.

(3) The division may reinstate preference points for a participant successfully surrendering in the first year of the enrollment period, provided the surrender occurs before the start of the general deer season and meets all relating conditions set forth in Rule R657-42.

(4) Service hours which have been purchased or otherwise completed are non-refundable and non-transferrable.

KEY: wildlife, hunting, recreation, wildlife conservation

Date of Last Change: August 21, 2024

Notice of Continuation: September 8, 2020

Authorizing, and Implemented or Interpreted Law: 23A-2-305



SPENCER J. COX
Governor

DEIDRE M. HENDERSON
Lieutenant Governor

State of Utah

DEPARTMENT OF NATURAL RESOURCES

JOEL FERRY
Executive Director

Division of Wildlife Resources

RILEY PECK
Division Director

MEMORANDUM

TO: Wildlife Board and Regional Advisory Council Members
FROM: Covy Jones, Wildlife Section Chief
DATE: April 25, 2025
SUBJECT: **Overview of recommended changes to R657-41 the Conservation and Sportsmen Permit Rule**

Esteemed members of the RAC and the Utah Wildlife Board, the list below is a synopsis of the major recommended changes to R657-41. For the full list of changes, please review the rule, included in the RAC packet.

- Remove the language that allows bighorn unit permits to go through Dec. 31st
- Remove the requirement to have a conservation permit for every public permit on Antelope Island State Park
- Clarify that the Utah Wildlife Board approves the permits and season dates in the memorandum of understanding with State Parks on how we hunt Antelope Island
- Other minor changes

R657. Natural Resources, Wildlife Resources.

R657-41. Conservation and Sportsman Permits.

R657-41-1. Purpose and Authority.

(1) Under the authority of Sections 23A-2-304 and 23A-2-305, this rule provides the standards and procedures for issuing:

- (a) conservation permits to conservation organizations for auction to the highest bidder at fundraising events;
- (b) sportsman permits;
- (c) Special Antelope Island State Park Conservation Permits to a conservation organization for auction to the highest bidder at the annual wildlife exposition held pursuant to Rule R657-55; and
- (d) Special Antelope Island State Park Limited Entry Permits to successful applicants through a general drawing conducted by the division.

(2) The division and conservation organizations shall use all revenue derived from conservation permits under Subsections R657-41-9(4) and R657-41-9(5)(b) for the benefit of species for which conservation permits are issued, unless the division and conservation organization mutually agree in writing that there is a higher priority use for other species of protected wildlife.

R657-41-12. Miscellaneous Area Conservation Permit Provisions.

(1) Area conservation permits issued for limited entry units are not valid on cooperative wildlife management units authorized for the same species of wildlife as the area conservation permit.

(2) Notwithstanding Subsection R657-41-2(2)(a), area conservation permits issued for turkey are not valid during the youth general season hunt unless the holder qualifies as a youth.

~~(3) Area conservation permits for bighorn sheep will end on December 31st.~~

~~(4)~~

~~(3)~~ The Box Elder, Pilot Mountain Rocky Mountain bighorn sheep unit, is closed to both the Sportsman permit holder and the Statewide conservation permit holder.

R657-41-13. Special Antelope Island State Park Hunting Permits.

(1)(a) The Wildlife Board may authorize a hunt for bighorn sheep and buck mule deer on Antelope Island State Park, with one ~~or more permits~~ permit made available for each species and designated as a Special Antelope Island State Park Conservation ~~Permits~~ Permit and ~~an equal~~ may determine a number of public draw permits for each species made available as Special Antelope Island State Park Limited Entry Permits.

(b) The division and the Division of State Parks, ~~through their respective policy boards,~~ will enter into a cooperative agreement for purposes of establishing:

- (i) the number of permits issued annually for bighorn sheep and buck mule deer hunts on Antelope Island;
- (ii) season dates for each hunt;
- (iii) procedures and regulations applicable to hunting on Antelope Island;
- (iv) protocols for issuing permits and conducting hunts for antlerless deer on Antelope Island when populations require management; and
- (v) procedures and conditions for transferring a portion of Special Antelope Island State Park Conservation Permit revenue to the Division of State Parks.

(c) The cooperative agreement governing bighorn sheep and mule deer hunting on Antelope Island, and any subsequent amendment thereto, shall be presented to the Wildlife Board ~~and the Utah State Parks Board~~ for approval of the permits and season dates before holding a drawing or issuing hunting permits.

(2)(a) Special Antelope Island State Park Limited Entry Permits will be issued by the division through its annual bucks, bulls, and once-in-a-lifetime drawing.

(i) The mule deer Special Antelope Island State Park Limited Entry Permit is a premium limited entry buck deer permit and subject to the regulations governing such permits, as provided in this rule, Rule R657-5, and Rule R657-62.

(ii) The bighorn sheep Special Antelope Island State Park Limited Entry Permit is a once-in-a-lifetime Rocky Mountain bighorn sheep permit and subject to the regulations governing such permits, as provided in this rule, Rule R657-5, and Rule R657-62.

(b) To apply for a Special Antelope Island State Park Limited Entry Permit, the applicant must:

- (i) pay the prescribed application handling fee;
- (ii) possess a current Utah hunting license or combination license;
- (iii) not be subject to a waiting period under Rule R657-62 for the species of wildlife applied for; and
- (iv) otherwise be eligible to hunt the species of wildlife designated on the application;

- (c) A person that obtains a Special Antelope Island State Park Limited Entry Permit:
 - (i) must pay the applicable permit fee;
 - (ii) may take only one animal of the species and sex designated on the permit;
 - (iii) may hunt only with the weapon and during the season prescribed on the permit;
 - (iv) may hunt the specified species within the areas of Antelope Island designated open by the Wildlife Board and the rules of the Division of State Parks; and
 - (v) is subject to the:
 - (A) Title 23A, the Wildlife Resources Act, and the rules and guidebooks of the Wildlife Board for taking and pursuing wildlife; and
 - (B) statutes and rules of the Division of State Parks for hunting on Antelope Island.
 - (d) Bonus points are awarded and utilized in applying for and obtaining a Special Antelope Island State Park Limited Entry Permit.
 - (e) A person who has obtained a Special Antelope Island State Park Limited Entry Permit is subject to all waiting periods applicable to the particular species, as provided in Rule R657-62.
 - (f) A person cannot obtain a Special Antelope Island State Park Limited Entry Permit for a Rocky Mountain bighorn sheep or mule deer and any other permit for a male animal of the same species in the same year.
- (3) Special Antelope Island State Park Conservation Permits will be provided to the conservation group awarded the wildlife expo permit series, as provided in Rule R657-55, for auction to the highest bidder at the wildlife exposition.
 - (a) Conservation organizations shall obtain a certificate of registration and contract with the division to receive authorization to auction Special Antelope Island State Park Conservation Permits.
 - (b) The conservation organization receiving authority to auction the opportunity for Special Antelope Island State Park Conservation Permits must ensure the permits are marketed and distributed by lawful means.
 - (4)(a) When auctioning the Special Antelope Island State Park Conservation Permits, the conservation organization must:
 - (i) obtain the following information:
 - (A) full name of the successful bidder;
 - (B) date of the event where the permit opportunity is auctioned; and
 - (C) winning bid amount for that permit opportunity;
 - (ii) submit the information required in Subsection (4)(a)(i) to the division within 10 days of the event where the permit opportunity is auctioned to the highest bidder; and
 - (iii) identify the individual who is authorized to redeem the conservation permit voucher and submit it to the division before the individual attempting to redeem the voucher.
 - (b) The division will not issue a Special Antelope Island State Park Conservation Permit unless information on the winning bidder and authorized recipient of the voucher is first received by the division.
 - (c)(i) an absentee bidder may only use an agent or representative to bid on a conservation permit opportunity on their behalf if authorized by the conservation organization.
 - (ii) A winning bid offered by an agent or representative on behalf of an absentee bidder legally obligates the absentee bidder to satisfy the bid obligation submitted by the representative.
 - (iii) For the purposes of this rule, an absentee bidder is considered the successful bidder when the winning bid is offered by their agent or representative.
- (5)(a) If the successful bidder or the person designated by a successful bidder to receive a Special Antelope Island State Park Conservation Permit fails to pay the conservation organization the winning bid amount, the conservation organization may remarket the permit opportunity using any legal means and designate another person to receive the permit opportunity.
 - (b) Conservation Organization may award the conservation permit voucher to the runner-up bidder if:
 - (i) the runner-up bidder information is available;
 - (ii) the original value is collected by the conservation organization:
 - (A) receiving the difference between the runner-up bid from the original winning bidder; or
 - (B) the runner-up bidder is willing to match the original high bid
 - (6)(a) If, for any reason, the successful bidder elects not to personally use a Special Antelope Island State Park Permit opportunity, they may assign that opportunity to another person, provided:
 - (i) the conservation organization is notified of the assignment;
 - (ii) the original winning bid amount for the permit opportunity is received in full by the conservation organization and not decreased;
 - (iii) the conservation organization handles and otherwise uses the entire winning bid amount consistent

with the requirements in Subsection (9); and

(iv) the successful bidder executes an affidavit verifying they are not profiting from the assignment.

(A) For purposes of Subsection (iv), profiting does not include a reasonable fee for guiding services provided in conjunction with the assigned permit opportunity.

(b) If a person assigned a Special Antelope Island State Park Conservation Permit opportunity by the successful bidder or a person possessing the permit voucher cannot use the permit opportunity for any reason, including obtaining another Utah permit for the same species, the conservation organization may remarket the permit opportunity using any legal means and designate another person to receive the opportunity, provided:

(i) the conservation organization selects the new recipient of the permit opportunity;

(ii) the amount of money received by the division for the permit opportunity is not decreased;

(iii) the conservation organization relinquishes to the division all proceeds generated from the re-designated permit, as provided in Subsection (9);

(iv) the conservation organization and the holder of the permit opportunity execute an affidavit verifying neither is profiting from transferring the right to the permit; and

(v) the permit has not been issued by the division to the first designated person.

(7) Within 30 days of the exposition, but no later than May 1 annually, the conservation organization must submit to the division:

(a) a final report on the distribution of the Special Antelope Island State Park Conservation Permits;

(b) the total funds raised on each permit; and

(c) the funds due to the division.

(8)(a) Permits may not be issued until the applicable permit fees are paid to the division.

(b) If the conservation organization is paying the permit fees for the permit recipient, the fees must be paid from the 10% retained by the conservation organization as provided in Subsection (9)(b).

(9)(a)(i) Conservation organizations shall remit to the division 90% of the total revenue generated by the Special Antelope Island State Park Conservation Permit sales in that year.

(ii) Failure to remit 90% of the total permit revenue to the division by the August 15 deadline may result in criminal prosecution under Title 76, Chapter 6, Part 4, Theft.

(b) A conservation organization may retain 10% of the revenue generated by the permits for administrative expenses.

(c) Special Antelope Island State Park Conservation Permits will be issued under this section and will not be limited by the requirements of Sections R657-41-3 through R657-41-8.

(d) Upon receipt of the permit revenue from the conservation organization, the division will transfer the revenue to the Division of State Parks, as provided in the cooperative agreement under Subsection (1)(b) between the two divisions.

(10)(a) Except as otherwise provided under Subsections (5) and (6), neither the conservation organization, successful bidder, successful bidder's assignee, nor the holder of a Special Antelope Island State Park Conservation Permit voucher may offer for sale, sell, or transfer the rights to that designation to any other person.

(b) A person cannot obtain a Special Antelope Island State Park Conservation Permit for a Rocky Mountain bighorn sheep or mule deer and any other permit for a male animal of the same species in the same year.

(c) The person designated to receive a Special Antelope Island State Park Conservation Permit must possess or obtain a current Utah hunting or combination license before being issued the permit.

(11) Antelope Island is not an open unit for hunting any species of wildlife authorized by a conservation or sportsman permit, except for the Special Antelope Island State Park Conservation Permits and the Special Antelope Island State Park Limited Entry Permits.

KEY: wildlife, wildlife permits

Date of Last Change: August 21, 2024

Notice of Continuation: September 8, 2020

Authorizing, and Implemented or Interpreted Law: 23A-2-304; 23A-2-305



State of Utah

SPENCER J. COX
Governor

DEIDRE M. HENDERSON
Lieutenant Governor

Department of Natural Resources

JOEL FERRY
Executive Director

Division of Law Enforcement

TODD ROYCE
Chief

MEMORANDUM

DATE: April 28, 2025

TO: Wildlife Board and Regional Advisory Council Members

FROM: Chad Bettridge, Major DNR Law Enforcement

SUBJECT: Overview of Rule 657-72, the Outfitter, Guide, and Spotter Rule

Esteemed members of the RAC and Utah Wildlife Board, the list below is a synopsis of the new rule R657-72. The entire rule will be included in the RAC packet.

- Moves enforcement authority from DOPL to DWR and DNR Law Enforcement
- Creates an application process for Outfitters, Guides, and Spotters
- Applications must be renewed each March 31.
- Creates field requirements for Outfitters, Guides, and Spotters
 - No more than two individuals may be assigned to a client while hunting or fishing protected wildlife.
 - No more than three individuals may be assigned to a client while hunting once in a lifetime species
- Lists of prohibited activities
- Lists suspension protocols if violation occur



R657-72. Licensing and Operation of Outfitters, Guides, and Spotters.

R657-72-1. Purpose and Authority.

Under Title 23A, the Wildlife Resources Act, this rule governs guiding, outfitting, and spotting protected wildlife on public land in Utah.

R657-72-2. Definitions.

- (1) Terms used for the purpose of this rule are defined in Sections 23A-1-101 and 23A-4-1202.
- (2) In addition:
 - (a) “Applicant” means an individual or entity applying to the division to operate as a guide, outfitter, or spotter, and, if applicable, has the legal authority to enter into contracts on behalf of the business.
 - (b) “Affiliate code” means a numerical code or QR code provided to outfitters that are unique to that outfitter’s certificate of registration and will be used to assign guides and spotters to a particular outfitter.
 - (c) “Client” means an individual:
 - (i) possessing a valid hunting, fishing, or combination license
 - (ii) possessing the necessary permits as required by Utah law or rule; and
 - (iii) who has retained the services of an outfitter, guide, and/or spotter.
 - (d) “Guide year” means the period of time from April 1 of a calendar year through March 31 of the subsequent calendar year.
 - (e) “Spotting” means locating or monitoring the location of protected wildlife on public land.

R657-72-3. Application Requirements and Approval.

- (1) An applicant must obtain a certificate of registration from the division to provide guiding, outfitting, or spotting services and to be compensated as a guide, outfitter, or spotter.
- (2) An application to operate as an outfitter must contain:
 - (a) the name of the applicant, and if the applicant is an entity, proof of registration with Utah Business Entities, Department of Commerce;
 - (b) a brief description of the services that will be provided;
 - (c) proof of possession of a hunting, fishing, or combination license relevant to services being provided;
 - (d) all necessary federal permits to operate on federal land;
 - (e) attestation that workers compensation insurance and commercial liability insurance to cover employees and clients has been obtained; and
 - (f) payment of the fee described in Section 23A-4-1202.
- (3)
 - (a) Guides and spotters must obtain a certificate of registration for each outfitter they intend to work for.
 - (b) An affiliate code to provide guide or spotter services with a particular outfitter can be obtained from the outfitter.

- (c) To operate as a guide or spotter, the applicant must acquire a guide or spotter certificate of registration from the division using the affiliate code obtained from each outfitter the guide or spotter intends to work for.
- (d) An applicant for guide must pay the annual fee described in 23A-4-1202(4) one time for each guide year, regardless of the number of outfitters the guide intends to work for.
- (e) An applicant for spotter must pay the annual fee described in 23A-4-1202(6) one time for each guide year, regardless of the number of outfitters or guides the spotter intends to work for.
- (4) In reviewing an application, the division shall consider:
 - (a) the completeness and accuracy of the application;
 - (b) any conviction of, a plea of no contest to, or a plea held in abeyance of Title 23A, the Wildlife Resources Act;
 - (c) any license suspension action that has been reciprocated pursuant to the Interstate Wildlife Violators Compact; and
 - (c) any conviction of, a plea of no contest to, or a plea held in abeyance to a crime of moral turpitude by the applicant or an applicant's employees, that when considered with the functions and responsibilities of a guide, outfitter, or spotter bears a reasonable relationship to the applicant's ability to responsibly operate as a guide, outfitter, or spotter.
- (6) A denial of an application for a certificate of registration is a final agency action and the applicant may appeal the denial by filing a Request for Agency Action with the division under Rule R657-2.
- (7)(a) Certificates of registration approved by the division will expire at the end of the guide year, on March 31, annually.

R657-72-4. Application Renewal.

- (1) Certificates of registration to operate as a guide, outfitter, or spotter must be renewed annually.
- (2) If an applicant has obtained a certificate of registration to operate as an outfitter, guide, or spotter during a guide year, they must submit an application for renewal in order to obtain a certificate of registration for the following guide year.
- (3) An application for renewal must contain:
 - (a)(i) verification of no change in the original application; or
 - (ii) any necessary amendments to the documents submitted in the original application; and
 - (b) an accounting of:
 - (i) clients hired and employees compensated by that client in order to ensure compliance with Subsection 23A-4-1204(2)(d); and
 - (ii) if an outfitter, a list of the guides and spotters retained; or,
 - (iii) if a guide, a list of the spotters retained.
- (4) payment of the fee described in Section 23A-4-1202.
- (5) Failure to provide all documentation and payment under this subsection shall result in the application being denied as incomplete.

R657-72-5. Field Requirements

(1) Pursuant to Section 23A-4-1204:

(a) no more than two registered outfitters, guides, and/or spotters may be assigned to a client at any given time while hunting protected wildlife; and

(b) no more than three registered outfitters, guides, and/or spotters may be assigned to a client at any given time while hunting moose, bison, bighorn sheep, or mountain goat.

(2) Outfitters, guides, and spotters must be able to produce, in the field, documentation of:

(a) the client; and

(b) the dates providing services to that client.

(3) Outfitters, guides, and spotters shall retain the records in Subsection (2) for at least two years.

R657-72-6. Prohibited Activities.

(1) In addition to those violations listed in Section 23A-4-1203, an outfitter, guide, or spotter shall not:

(a) intentionally obstruct, hinder, interfere, or attempt to obstruct, hinder or interfere lawful hunting, fishing, or trapping by a person who is not a client or an employee of the outfitter, guide, or spotter;

(b) fail to report to the division within 20 days any violation of a state or federal wildlife, regulations, or guiding statute by a client or by an employee of the outfitter, guide, or spotter;

(c) fail to report any serious injury or fatality of a client or outfitter staff to a federal, state, county, or local law enforcement authority;

(d) fail to comply with state or federal wildlife laws and rules;

(e) fail to produce documentation of outfitters, guides, and spotters assigned to a specific client;

(e) provide outfitter, guide, or spotter services to a person who is not properly licensed to hunt or fish for the species sought by that person;

(f) fail to conform to the generally accepted and recognized standards and ethics of the profession; or

(g) use the affiliate code of an outfitter with the permission of the outfitter or an agreement to work with the outfitter.

R657-72-7. Violations.

(1) A violation of Utah law, rule, or terms of a certificate of registration may result in:

(a) revocation of the certificate of registration; and

(b) suspension of the outfitter's, guide's, or spotter's privilege to hunt and/or fish.

(2) The suspension or revocation process will be administered pursuant to Rule R657-26.

KEY: wildlife, game laws, big game

Date of Last Change; New Rule

Notice of Continuation: New Rule

Authorizing, and Implemented or Interpreted Law: 23A-1-101; 23A-4-1202



SPENCER J. COX
Governor

DEIDRE M. HENDERSON
Lieutenant Governor

State of Utah

DEPARTMENT OF NATURAL RESOURCES

JOEL FERRY
Executive Director

Division of Wildlife Resources

RILEY PECK
Division Director

MEMORANDUM

TO: Wildlife Board and Regional Advisory Committee Members

FROM: Chad Wilson, Private Lands/Public Wildlife Coordinator

DATE: April 22, 2025

SUBJECT: 2025 Cooperative Wildlife Management Units (CWMUs) with public land renewals

The following is a summary of the 2025 CWMU recommendations for CWMUs with public land.

- The DWR received 4 applications for CWMUs with public land. All 4 were discussed at the CWMU advisory committee meeting and recommended for approval.
 - 2 renewal applications
 - Ingham Peak
 - TL Bar Ranch
 - 2 new applications
 - Blackhawk
 - Prohibition Springs

CW



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Department of Natural Resources

JOEL FERRY
Executive Director

Division of Wildlife Resources

RILEY PECK
Division Director

MEMORANDUM

Date: April 22, 2025

To: Wildlife Board and Regional Advisory Council Members

From: Chelsea Duke, Wildlife Lands Coordinator

Subject: R657-28 *Use of Division Lands*.

The DWR is recommending additions to Administrative Rule R657-28. This rule amendment is in response to the passage of House Bill 309, which requires adults to hold a valid hunting, fishing, or combination license on a wildlife management area located within a class 1 or class 2 county. Below is a summary of the proposed changes. If this recommendation passes, this would provide both DWR staff and the public with a clearer understanding of the exemptions for the new requirement, as well as add additional exemptions for lands not owned by DWR.

- Addition of two definitions for terms identified in Utah Code: educational program, and education or visitor center.
- Addition of an exemption from the requirement to hold a license for DWR employees, contractors, volunteers, and guests who are conducting official duties.
- Addition of an exemption from the requirement to hold a license while on sovereign lands, which are administered by the Division of Forestry, Fire, and State Lands for the public.
- Addition of an exemption from the requirement to hold a license while on Utah Reclamation Mitigation Conservation Commission lands, which are owned by the federal government for mitigation purposes.

See redline version of rule included in the RAC and Board packet.



R657. Natural Resources, Wildlife Resources.

R657-28. Use of Division Lands.

R657-28-1. Purpose and Authority.

(1) Pursuant to Title 23A, Chapter 21 Lands and Waters for Wildlife Purposes and Subsection 23A-2-203 (3), this rule defines:

(a) management objectives for division lands;
(b) unlawful uses and activities on division lands;
(c) application procedures and administration on division lands for special use permits; termed easements; leases; grazing permits; seed harvesting; wood products removal; water uses; and sand, gravel, and cinder extraction.

(2) The division may approve a land use only if, in the opinion of the division, such use:

(a) does not unreasonably conflict with the intended use or purpose of the property or is not detrimental to wildlife or wildlife habitat; or

(b) the impacts can be avoided, minimized, rectified, mitigated or compensated.

(3) The division may not authorize a land use under this rule without first obtaining the written approval of persons or entities, if any, holding contractual, funding or proprietary interests in the subject property.

(4) Notwithstanding Subsection 23A-6-401, nothing in this rule shall prevent the division from closing division lands to public use or activity if the division determines that the disturbance from the use or activity is detrimental to wildlife or wildlife habitat.

R657-28-2. Definitions.

(1) Terms used in this rule are defined in Section 23A-1-101, and 23A-6-101.

(2) In addition:

(a) "Christmas tree" means any pinyon or juniper tree; or other species that the division may so designate on a subject property; or any part thereof cut and removed from the place where it was grown, without the foliage being removed.

(b) "Commercial gain" means compensation in money, services, or other valuable consideration as part of a scheme or effort to generate income or financial advantage.

(c) "Cord" means a unit of cut firewood equal to a stack 4x4x8 feet or 128 cubic feet.

(d) "Division lands" means all land and water owned by the division, or managed by the division under contractual agreement. When lands or waters owned by other parties are managed by the division under contractual agreement, and the terms of the agreement conflict with this rule, the agreement shall govern.

~~(e)~~ (e) "Educational program" means a division sponsored or hosted event or activity that promotes or enhances the mission of the division through outreach, education, or public participation.

(f) "Education or visitor center" means a building, facility, trail network, or other area, whose purpose is outreach or education, which shall include the George S. and Dolores Doré Eccles Wildlife Education Center and Robert N. Hasenyager Great Salt Lake Nature Reserve.

~~(g)~~ (g) "Firewood" means any portion of a dead and fallen tree not included in any other definition of this section.

~~(h)~~ (h) "Grassbank" means forage reserved on a particular division property to be used as in-kind trade for conservation actions on public or private lands, emergency forage for division-approved grazing permittees, or any other purpose designated by the division.

~~(i)~~ (i) "In-kind compensation" means anything paid or given in goods, commodities, or services in lieu of monetary payment, that is done on, affixed to, invested in, or beneficial to division lands for wildlife habitat maintenance or improvement, or other wildlife-related projects.

~~(j)~~ (j) "Lease" means a legal agreement authorizing the right to occupy or use division lands for a specified purpose and period.

~~(k)~~ (k) "Motorized vehicles" means a vehicle capable of self-propelling, including cars, trucks, motorhomes, off-highway vehicles (OHV), and class II and III electric bicycles.

~~(l)~~ (l) "Organized event" means any event in which registration fees are collected, commercial gain may occur, prizes are awarded for competition, an enrollment or participation list is created, is advertised, or a group is assembled as part of a club or organizational activity.

~~(m)~~ (m) "Ornamental" means any coniferous or deciduous tree that is less than 20 feet in height and has a trunk of no more than 6 inches in diameter at breast height, which is removed from a natural setting, generally with roots attached, for transplant to a different location.

~~(n)~~ (n) "Post" means a portion of a tree or tree stem, generally a Utah juniper, which is less than 10 feet in length and 6 inches in tip diameter.

~~(o)~~ (o) "Sand, Gravel, Cinders, and Ornamental Rock" means common varieties of sand, gravel, volcanic cinder, or ornamental rock separate and distinct from the mineral estate on division lands.

~~(p)~~ (p) "Seed Harvesting" means the gathering of any seed on division property for any purpose.

~~(q)~~ (q) "Special use permit" means a temporary authorization for a specific, non-depleting land use including seismic or land surveys, research sites, or time-certain physical access to division lands. This contract vehicle is of a lesser order than a lease or termed easement, is generally associated with a temporary event of short duration, and does not convey any proprietary or other rights or the use to the holder other than those specifically granted in the permit authorization.

(pr) "Termed easement" means a legal right to construct on, cross, access, or otherwise use division lands for a limited, specified period, including rights-of-way.

(qs) "Wood product permit" means a temporary authorization for the harvesting of any tree, or portion of a tree, including Christmas trees, posts, ornamentals, and firewood.

R657-28-3. Management of Division Lands.

- (1) The division manages division lands and water rights to:
 - (a) directly or indirectly protect and improve wildlife habitats and watersheds;
 - (b) increase fish and game populations to meet wildlife management plan objectives and expand fishing and hunting opportunities;
 - (c) conserve, protect, and recover wildlife species in need of conservation and their habitats; and
 - (d) provide wildlife-related recreational opportunities.
- (2) It is not a primary objective for these properties to be managed for other non-wildlife uses.
- (3) Division lands Wildlife management areas are managed in accordance with the Habitat Management Plan (HMP) management plan requirements as outlined in Subsection 23A-6-301 (1-), and road closure restrictions as outlined in Subsection 63L-11-205.

R657-28-10. Closed Areas.

- (1) The following areas are closed to air, water, and land trespass as a conservation measure to protect colonial bird nesting areas:
 - (a) Gunnison and Cub islands, located in Sections 9, 10, 15 and 16, Township 7 North, Range 9 West, Salt Lake Base and Meridian; and
 - (b) Hat Island, located in Section 24, Township 4 North, Range 7 West, Salt Lake Base and Meridian.
- (2) This closure encompasses all of Gunnison, Cub, and Hat islands and the surrounding waters and beaches of the Great Salt Lake one mile in every direction from the 4200-foot mean sea level elevation shoreline of Gunnison, Cub, and Hat islands.
- (3) The provisions of this rule do not apply to division personnel while performing their official duties, or to certified peace officers and emergency personnel acting under their direction when engaged in exigent law enforcement activities or emergency rescue operations.

R657-28-11. WMA Exemptions from Hunting, Fishing, and Combination License Requirement.

- (1) Except as provided in subparagraph (2) below, in accordance with Subsection 23A-6-402(5)(a), all individuals who are 18 years or older must possess a valid hunting, fishing or combination license to enter a wildlife management area, or that portion of a wildlife management area, that is located within a county of the first or second class.
- (2) The following individuals are exempt from having to possess a hunting, fishing, or combination license to enter a wildlife management area, or portion of wildlife management area, located within a county of the first or second class:
 - (a) individuals who are division employees, volunteers, or contractors hired at the request of the division while participating in the course of their official duties, or invitees of a division hosted or sanctioned event;
 - (b) individuals on those portions of a wildlife management area which are sovereign and under the management authority of the Division of Forestry, Fire and State Lands; or
 - (c) individuals on those portions of a wildlife management area which are owned by the United States of America by and through the Utah Mitigation Reclamation Conservation Commission (URMCC), which were purchased as mitigation through the Central Utah Water Project.

KEY: wildlife, right-of-way, leases, land use, wood

Date of Last Change: October 1, 2023

Notice of Continuation: June 13, 2022

Authorizing, and Implemented or Interpreted Law: 23A-2-203

R657. Natural Resources, Wildlife Resources.

R657-61. Acquisition, Disposal, and Exchange of Real Property.

R657-61-1. Purpose and Authority.

Pursuant to Utah Code Sections 79-2-403, 23A-2-203, 23A-6-201, and 23A-6-205, this rule defines the process by which the division may acquire, dispose of, and exchange real property, and ensure that the value of the real property is congruent with the proposed price and other terms of the acquisition, disposal, or exchange.

R657-61-3. Acquisition of Real Property.

- (1) The division may acquire real property for authorized activities of the division, including:
 - (a) to protect and enhance wildlife populations;
 - (b) to provide the public the opportunity to hunt, trap, or fish; and
 - (c) to conserve, protect, and enhance wildlife habitat.
- (2) When acquiring real property, the division shall determine the fair market value in the form of an appraisal and an appraisal review assignment to verify the real property's value.
 - (a) The appraisal and appraisal review assignment shall be completed by a state-certified general appraiser, and ~~complaint~~compliant with the Uniform Standards of Professional Appraisal Practice (USPAP).
 - (b) The division may obtain an appraisal and appraisal review assignment compliant with the Uniform Appraisal Standards for Federal Land Acquisitions, commonly known as Yellow Book, if the division is utilizing federal funds for the acquisition.
- (3) Subsection (2) does not apply to the acquisition of real property if:
 - (a) the value of the real property is less than \$100,000, per Subsection 79-2-403(3)(b), as estimated by the division;
 - (b) the asking price for the real property is considerably below fair market value, as estimated by the division;
 - (c) the asking price for the real property is reasonable based upon a value estimated by the division and the division may lose the opportunity to acquire the real property if time is taken to conduct an appraisal and appraisal review assignment;
 - (d) an appraisal has been conducted on the real property within the past 12 months;
 - (e) the real property is a gift, contribution, or donation to the division; or
 - (f) the real property is a right-of-way, easement, lease, or other less-than-fee title acquisition, excluding the acquisition of a conservation easement.
- (4) If any exceptions listed in Subsection (3) are used, the division shall create and keep a memo-to-file describing:
 - (a) an explanation of which exceptions are being utilized for the acquisition and why;
 - (b) the division's estimation of value; and
 - (c) the decision made by the division.
- (5) When acquiring real property, the division may not compensate more than the fair market value for the real property.
- (6) When acquiring title to real property held in private ownership, the division shall comply with Sections 23A-6-202 and 23A-6-203.

R657-61-4. Disposal of Real Property.

- (1) The division may dispose of real property when the property no longer serves as wildlife habitat or for wildlife-related recreational opportunities, or when it is in the best interest of the division to do so. This Section does not apply to real property disposals of less-than-fee title interest such as easements and leases, which are subject to requirements under Rule R657-28.
- (2) If the real property is still serving as wildlife habitat or for wildlife-related recreational opportunities, but a disposal cannot be avoided, mitigation may be required in addition to compensation for fair market value. The division may require compensation for impacts of the disposal, based upon the following factors:
 - (a) number of acres impacted;
 - (b) species impacted;
 - (c) impacts to wildlife and wildlife habitat;
 - (d) impacts to public access; and
 - (e) impacts to public opportunities to engage in wildlife-related activities.
- (3) The division may not dispose of real property without first obtaining written approval of persons or entities, if any, holding contractual, funding or proprietary interests in the real property. Additional requirements may be necessary to obtain approval.
- (4) When disposing of real property, the division shall determine the fair market value in the form of an appraisal and an appraisal review assignment, to verify the real property's value.
 - (a) The appraisal and appraisal review assignment shall be completed by a state-certified general appraiser, and ~~complaint~~compliant with the Uniform Standards of Professional Appraisal Practice (USPAP).

(b) The division may obtain an appraisal and appraisal review assignment compliant with the Uniform Appraisal Standards for Federal Land Acquisitions, commonly known as Yellow Book, if the division utilized federal funds when the property was acquired.

(5) Subsection (4) does not apply to the disposal of real property if:

(a) The value of the real property is less than \$100,000, per Subsection 79-2-403(3)(b), as estimated by the division;

(b) The real property will be auctioned off or part of a bid process, in which the compensation will likely exceed the fair market value, as estimated by the division; or

(c) an appraisal has been conducted on the real property within the past 12 months;

(6) If any exceptions listed in Subsection (5) are used, the division shall create and keep a memo-to-file describing:

(a) an explanation of which exceptions are being utilized for the disposal and why;

(b) the division's estimation of value; and

(c) the decision made by the division.

(7) When disposing of real property, the division shall convey title through a quit claim deed.

(8) When disposing of real property, the division may not receive compensation less than the fair market value for the real property.

(9) When disposing of real property to private ownership, the division shall comply with Section 9-8a-404.

(10) When disposing of real property, the division shall comply with Subsection 63L-11-205(7)(d).

KEY: wildlife, land sales, property values

Date of Last Change: December 2, 2024

Notice of Continuation: September 2023

Authorizing, and Implemented or Interpreted Law: 23A-6-201



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DEPARTMENT OF NATURAL RESOURCES

JOEL FERRY
Executive Director

Division of Wildlife Resources

RILEY PECK
Division Director

MEMORANDUM

TO: Utah Wildlife Board / Regional Advisory Council Members

FROM: Heather Talley

DATE: April 28, 2025

SUBJECT: 2025 Sage-grouse Translocations and Pen-reared Gamebird Rule Amendments

Summary of Recommended Changes:

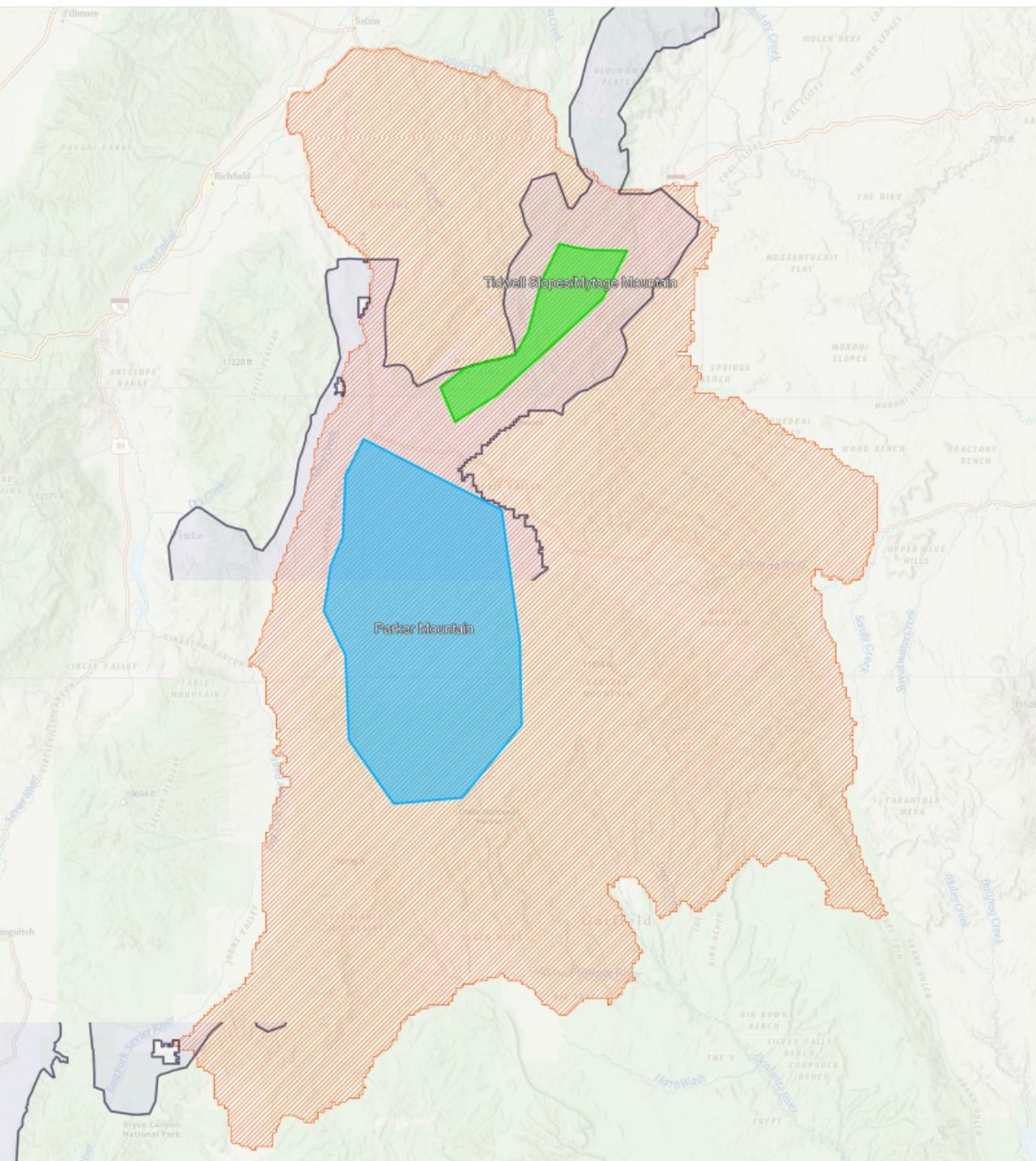
Sage-grouse Translocations

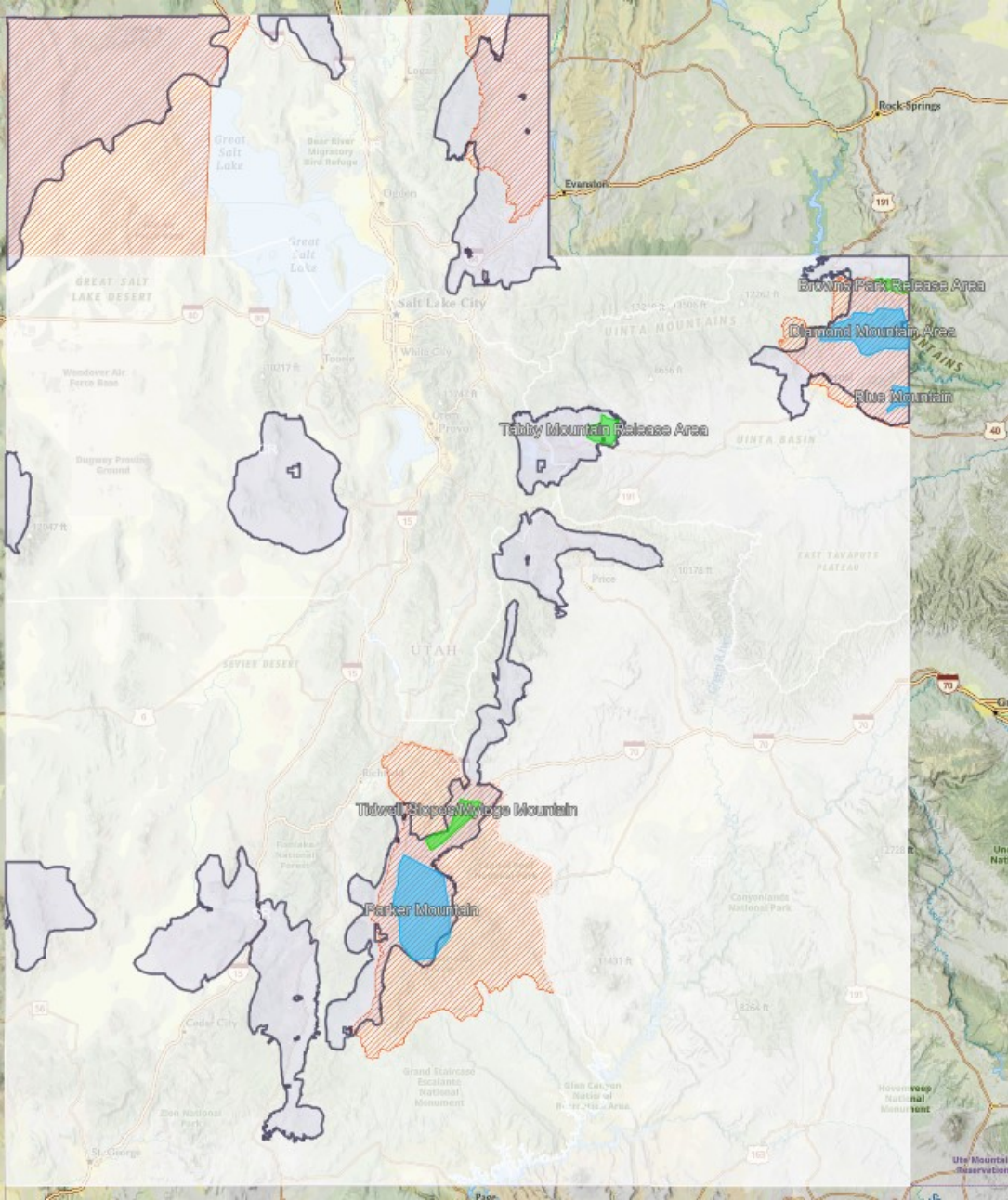
- Requesting approval for sage-grouse translocations to occur on Tabby Mountain, Browns Park, and the Tidwell Slopes/Mytoge Mountain areas. These areas fall within the Strawberry, Uintah and Parker Sage-grouse Management Areas. Translocated birds will be sourced from the Blue, Diamond, and Parker Mountains.

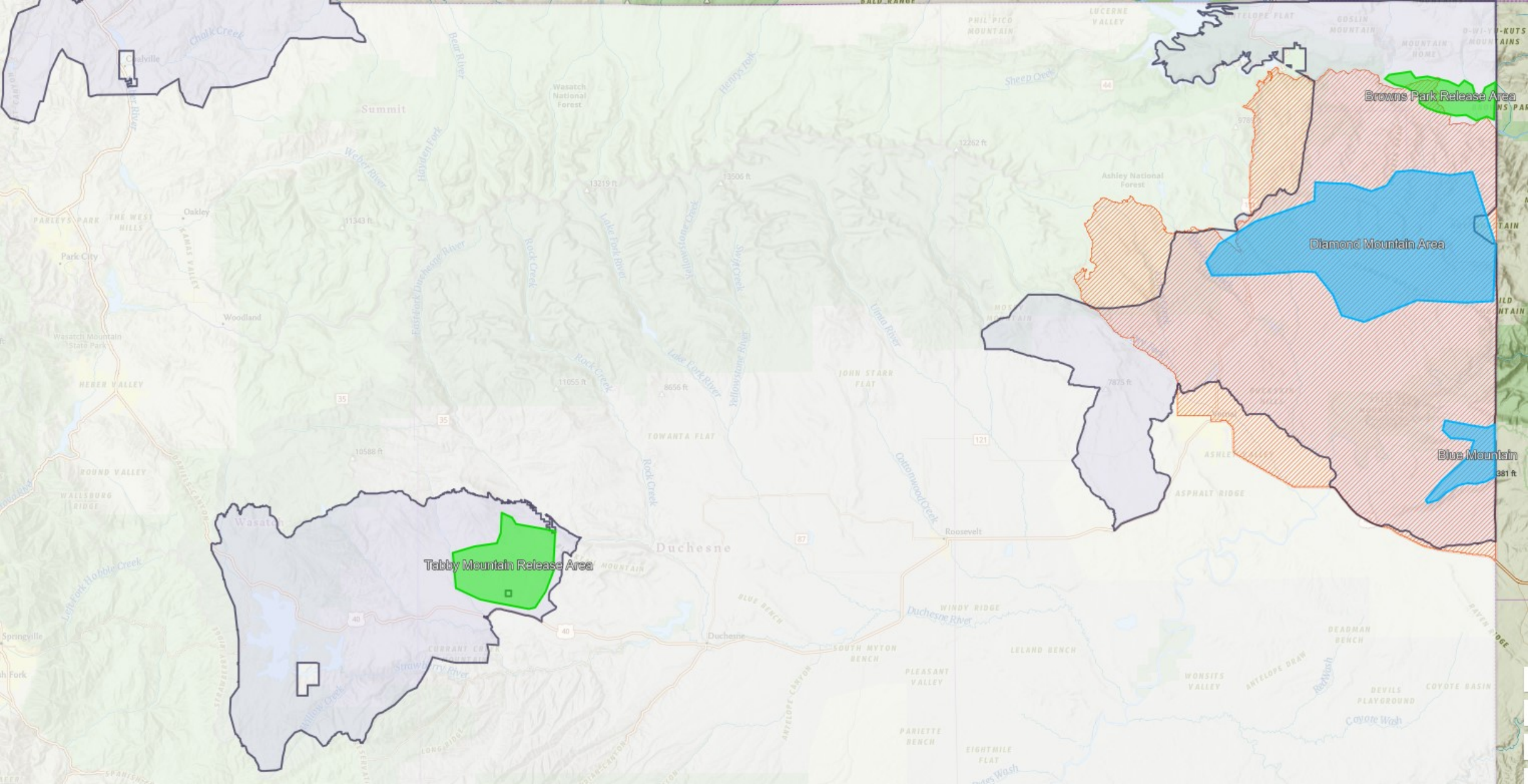
Possession and Release of Pen-reared Gamebirds

- **R657-4:** Minor updates, formatting, and clarifications to improve the clarity, without changing the meaning of the rule
- **R657-4-2: Definitions**
 - Defined "propagation"
- **R657-4-3: Prohibited Possession of Pen-reared Gamebirds**
 - Further clarified prohibited species
 - Prohibited poultry dealers, such as feed stores, from selling pen-reared gamebirds
- **R657-4-8: Records of Sale or Purchase of Live Pen-reared Gamebirds**
 - Added disease testing records to requirements of buyers and sellers
- **R657-4-9: Unlawful Release of Pen-reared Gamebirds**
 - Clarified that releasing birds from a flock showing clinical signs of disease is prohibited
- **R657-4-10: Disease General Provisions**
 - Added that the Division may conduct random disease testing
 - Further clarifies thresholds for Commercial Gamebird Facilities
- **R657-4-11: Disease Provisions for Release of Gamebirds**
 - Removes mandatory testing for mycoplasma gallisepticum and synoviae
 - Further clarifies Avian Influenza testing requirements
- **R657-4-15: Personal Use Pen-reared Gamebird Release**
 - Provides guidance on short-term, small volume releases











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DEPARTMENT OF NATURAL RESOURCES

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Division Director

MEMORANDUM

TO: Utah Wildlife Board / Regional Advisory Council Members

FROM: Heather Talley

DATE: April 28, 2025

SUBJECT: 2025 Sage-grouse Translocations and Pen-reared Gamebird Rule Amendments

Summary of Recommended Changes:

Sage-grouse Translocations

- Requesting approval for sage-grouse translocations to occur on Tabby Mountain, Browns Park, and the Tidwell Slopes/Mytoge Mountain areas. These areas fall within the Strawberry, Uintah and Parker Sage-grouse Management Areas. Translocated birds will be sourced from the Blue, Diamond, and Parker Mountains.

Possession and Release of Pen-reared Gamebirds

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 - Provides guidance on short-term, small volume releases



R657-4. Possession and Release of Pen-reared Gamebirds.

R657-4-1. Purpose and Authority.

(1) Under authority of Sections 23A-5-302, 23A-2-305, and 23A-2-304, the Wildlife Board has established this rule for the possession, importation, purchase, propagation, sale, barter, trade, release or disposal of live pen-reared gamebirds and their eggs.

(2) The provisions of Rule R657-3b do not apply to activities conducted by holders of a valid Wildlife Document to the extent those activities are covered by this rule.

R657-4-2. Definitions.

- (1) Terms used in this rule are defined in Section 23A-1-101.
- (2) In addition:
 - (a) "Authorized Species" means those species specifically authorized on a certificate of registration.
 - (b) "Commercial hunting area" or "CHA" means a parcel of land permitted to release pen-reared or propagated gamebirds more than five days per year.
 - (c) "Contiguous" means a piece of land that shares a boundary, including a single point at corners.
 - (d) "Director" means the director of the Division.
 - (e) "Disease free status" means a bird, or representative sample of a flock has tested negative for pathogens listed in Rule R58-6 and Sections R657-4-10, R657-4-11, R657-4-12, R657-4-13.
 - (f) "Division" means the Utah Division of Wildlife Resources.
 - (g) "Durable marking" means metal leg band, patagial tag, or other marking attached to an animal identifying it as a pen-reared bird that can reasonably be expected to remain attached for more than one year and is easily visible on inspection of a bird in hand.
 - (h) "Field trial" means an organized event where the abilities of dog handlers and their dogs are evaluated, including the ability of the dogs to hunt or retrieve gamebirds.
 - (i) "NPIP" means National Poultry Improvement Plan.
 - (j) "Operator" means a person, group, or business entity, including their agents, employees and contractors, that manages, owns, administers, or oversees the activities and operations of a facility or CHA. Operator further includes any person, group or business entity that employs or contracts another to serve or act as an operator.
 - (k) "Pen-reared Gamebird" means species of the following that were breed from legally acquired captive stock and hatched and raised in captivity:
 - (i) chukar partridge;
 - (ii) red-legged partridge;
 - (iii) gray (Hungarian) partridge;
 - (iv) pheasant (genus *Symaticus*, *Chrysolophus*, and *Phasianus*);
 - (v) Bobwhite quail;
 - (vi) California quail;
 - (vii) Gambel's quail; and
 - (viii) waterfowl (family Anatidae).
 - ~~(l)~~ (l) "Propagation" means to breed and hatch gamebirds from a parent stock.
 - ~~(m)~~ (m) "Train" or "training" means informal handling, exercising, teaching, instructing, and disciplining of dogs or falconry birds in the skills and techniques of hunting and retrieving gamebirds characterized by absence of fees, judging, or awards.
 - ~~(nn)~~ (nn) "Wildlife Document" means a certificate of registration, permit, license or other document issued by the Division granting permission for a possession of animals or a specific activity.

R657-4-3. Prohibited Possession of Pen-reared Gamebirds.

- (1) ~~(1) A person may not take any live gamebird or the egg of any gamebird from the wild, except as provided in Rules R657-3, R657-6, R657-9, the proclamation of the Wildlife Board for taking upland game and the proclamation of the Wildlife Board for taking waterfowl. Any permit or Wildlife Document granted in this rule does not give permission to take any wild birds or other animals, including species listed as pen-reared gamebirds.~~
- ~~(2) Except as provided in Section R657-4-14, a person may not possess, purchase, or dispose of a live pen-reared gamebird without first obtaining a Pen-reared Gamebird Personal Possession Wildlife Document from the Division or Commercial Gamebird Facility License from the Department of Agriculture and Food.~~
- ~~(2) Prohibited species include: forest grouse (dusky and ruffed), mountain quail, prairie chicken, sage-grouse, scaled quail, and sharp-tailed grouse. The stipulations pertaining to prohibited species can be found in Rule R657-3b.~~
- ~~(3) Except as provided in Section R657-4-14, a person may not import, propagate, sell, barter, trade, any live pen-reared gamebird, or the eggs of any pen-reared gamebird, without first obtaining a Personal Use Pen-reared Gamebird Possession Permit from the Division, or Commercial Gamebird Facility License from the Department of Agriculture and Food.~~
- ~~(4) Poultry dealers as defined in Rule R58-6 (such as feed stores) may not sell live pen-reared gamebirds or their eggs.~~

R657-4-4. Exhibit of Wildlife Document, License, Pen-reared Gamebirds, and Equipment.

(1) A conservation officer or any other law enforcement officer may request any person engaged in activities covered under this rule to exhibit:

(a) the person's license, permit, ~~health~~-certificate of veterinary inspection, bill of sale, Wildlife Document, or proof of ownership;

(b) any pen-reared gamebirds held in possession; and

(c) any device, apparatus, or facility used for activities covered under this rule.

(2)(a) Certificates of registration, permits, wildlife documents and licenses are issued upon the express condition that the operator agrees to permit the Division, the Division of Law Enforcement, and the Department of Agriculture and Food, ~~and public health and safety officials~~ to enter and inspect the premises, facilities, and all required records and ~~health~~-certificates of veterinary inspection to ensure compliance with this rule and other applicable laws.

(b) Inspections shall be made during reasonable hours.

R657-4-5. Penalty for Violation.

(1) The Division may suspend or revoke any license, permit or certificate issued by the Division related to pen-reared gamebird possession or release, as authorized under Section 23A-4-1106 and Rule R657-26, for violation of Utah Code, rule, or terms of the certificate of registration.

(2) ~~A~~Unless otherwise stated elsewhere in this rule, a violation of this rule is punishable as provided in Section 23A-~~65~~-301.

(3) The Division may dispose of pen-reared gamebirds, or their eggs held in possession in violation of this rule.

R657-4-6. Recapture.

(1) Recapturing pen-reared gamebirds that have been released or escaped is permitted only:

(a) within CHA release area boundaries for approved species listed on the CHA Wildlife Document as not established in the wild in the area; or

(b) to capture birds who escaped from a registered personal use pen-reared gamebird facility or commercial gamebird facility.

(2) Any pen-reared gamebird that exits a designated release area becomes the property of the state and may not be recaptured.

(3) Any pen-reared gamebirds recaptured may not be recounted or added to the total number of birds released for annual reporting purposes.

R657-4-7. Importation of Live Pen-reared Gamebirds and Eggs of Gamebirds.

All pen-reared gamebirds and hatching eggs imported into Utah must meet the requirements found in Rules R58-1 and R58-6.

R657-4-8. Records of Sale or Purchase of Live Pen-reared Gamebirds.

(1) Any person who sells, barter, trades, or disposes of a live pen-reared gamebird or the egg of a pen-reared gamebird to another person, including sale of birds released on commercial hunting areas or during high volume pen-reared gamebird releases, must provide a bill of sale that includes:

(a) the seller's Commercial Gamebird Facility License number or Pen-reared Gamebird Personal Possession Wildlife Document number and CHA or High Volume Pen-reared Gamebirds Release Wildlife Document number as applicable;

(b) the species;

(c) the number of pen-reared gamebirds;

(d) the sex of pen-reared gamebirds if plumages exhibit sexual dimorphism; ~~and~~

(e) the date of the transaction; and

(f) disease testing records

(2) Any person who possesses, imports, purchases, propagates, sells, barter, trades, or disposes of live pen-reared gamebirds must keep a record of each transaction that includes:

(a) the species;

(b) the number of pen-reared gamebirds;

(c) the sex of pen-reared gamebirds if plumages exhibits sexual dimorphism;

(d) the name and address of each party to the transaction;

~~(e)~~ (e) disease testing records;

(f) Commercial Gamebird Facility License number, Pen-reared Gamebird Personal Possession Wildlife Document number, CHA Wildlife Document number and High Volume Pen-reared Gamebirds Release Wildlife Document number as applicable; and

~~(fg)~~ the date of the transaction.

(3) The records required under Subsection (2) must be maintained for three years.

R657-4-9. Unlawful Release of Pen-reared Gamebirds.

(1) Except as provided in Section R657-4-~~17,15~~ it is unlawful and punishable under Section 23A-5-305 to release or abandon any live pen-reared gamebird without first obtaining written authorization from the Division in the form of a High Volume Pen-reared Gamebird Release Wildlife Document, Commercial Hunting Areas Wildlife Document, or written prior approval of the Division director or regional supervisor.

(2) The director of the Division may authorize the destruction of any escaped pen-reared gamebirds that may impact wildlife.

(3) A person may not restrict a pen-reared gamebird's ability to fly or run during hunting activities in any manner other than dizzying, tucking heads under wings before release or through the use of release mechanisms such as bird launchers and kick cages.

(4) Flocks with any proportion of birds exhibiting clinical signs of disease are prohibited. If any birds within a flock are showing clinical signs, disease testing must occur and Department of Agriculture and Food protocols must be followed.

R657-4-10. Disease General Provisions.

(1) The Division may:

~~_____ (a) _____~~ (a) Conduct random testing for mycoplasma gallisepticum, mycoplasma synoviae, or other diseases with or without the Department of Agriculture and Food's assistance;

(b) Coordinate with the Department of Agriculture and Food and public health agencies as appropriate to investigate any reported disease and take any necessary action to control a contagious or infectious disease affecting domestic animals, wildlife, or public health; ~~or and~~

(b) Coordinate with the Department of Agriculture and Food to order a veterinarian or certified pathologist's report of a suspected disease, and ~~may~~ order quarantine, immunization, testing, or other sanitary measures.

(2)(a) The Division may order the destruction and disposal of any pen-reared gamebird found to have an untreatable disease which poses a potential threat or health risk to domestic poultry, humans, or wildlife, as determined by the Division, the Department of Agriculture and Food, or the Department of Health and Human Services.

(b) Actions taken pursuant to Subsection (a) may be at the operator's expense.

(c) Actions taken pursuant to Subsection (a) shall be accomplished by following procedures acceptable to the Division that ensure the disease is not transmitted to wildlife, domestic animals, or humans.

(3) Operators must take reasonable precautions to prevent and control the spread of infectious diseases among pen-reared gamebirds under their control.

(4) Commercial Gamebird Facilities holding 1,000 or more birds/eggs for 60 days or longer must be licensed through the Department of Agriculture and Food under Rule R58-6, and meet requirements outlined therein.

R657-4-11. Disease Provisions for ~~Holders of High Volume Gamebird Release and Commercial Hunting Area Release Wildlife Documents~~ Release of Gamebirds.

(1) Groups or individuals releasing pen-reared gamebirds through regional supervisor approval or under a High Volume Pen-reared Gamebird Release Wildlife Document or Commercial Hunting Area Pen-reared Gamebird Release Wildlife Document shall:

(a) Obtain pen-reared gamebirds from a Commercial Gamebird Facility within Utah licensed by the Department of Agriculture and Food, or a holder of a Pen-reared Personal Possession Wildlife Document;

(b) Import pen-reared gamebirds into Utah following Department of Agriculture and Food requirements in Section R58-1; ~~or and~~

~~_____ (c) Obtain pen-reared gamebirds~~ Verify negative tests from a holder of a pen-reared Gamebird Personal Possession Wildlife Document and the seller with documentation or test a representative sample prior to release and of birds not more than 30 days of acquisition prior to release for:

~~_____ (i) Mycoplasma gallisepticum;~~

~~_____ (ii) Mycoplasma synoviae;~~

~~_____ (iii) Avian Influenza virus; and~~

~~_____ (iv) Salmonella pullorum-typhoid; and~~

(A) ~~_____ (A) Salmonella pullorum-typhoid testing is only required if any other domestic birds are poultry or gamebirds on the facility or gamebirds did not originate from an NPIP source flock certified for Pullorum-Typhoid.~~

(B) Avian Influenza testing is provided by the Department of Agriculture for Commercial Gamebird Facility License holders and NPIP certified flocks. The operator is responsible for conducting and funding testing if they do not meet these requirements.

(v) Additional ~~Any additional~~ diseases identified by the Division or Utah Department of Agriculture and Food as threats to wildlife or domestic birds if the wildlife document holder has been notified of additional requirements.

(2) If any birds are kept longer than 30 days, or are housed in the same facility that has contained any birds for more than 30 days, operators must obtain a statement from a veterinarian within 30 days before release, or verification of quarterly testing done by the Department of Agriculture and Food that a representative sample of birds have tested negative for: the diseases listed in Section R657-4-11.

~~_____ (a) Mycoplasma gallisepticum;~~

- _____ (b) *Mycoplasma synoviae*;
- _____ (c) Avian Influenza virus; and
- _____ (d) *Salmonella pullorum* typhoid.
- _____ (i) *Salmonella pullorum* typhoid testing is only required if any other domestic birds are on the facility or if any gamebirds did not originate from an NPIP source flock certified as free from Pullorum Typhoid.
- _____ (e) Additional disease identified by the Division or Utah Department of Agriculture and Food as threats to wildlife or domestic birds if the wildlife document holder has been notified of additional requirements.

_____ (3) In the case of game birds testing positive for diseases listed in Subsection (2)(c) game birds shall not be brought into, out of, or released from any holding facilities before disease free status has been established.

_____ (a) Facilities are not considered to be disease free 60until 30 days after a negative testingtest result is received as specified in Subsection (2).

_____ (4) Testing ~~as~~ per Subsection (2) is additionally required before release after positive disease tests.

_____ (5) Additional measures may be applied as deemed appropriate by the Division; in coordination with the Department of Agriculture and Food, ~~or the Department of Health and Human Services.~~

_____ (6) ~~A holder of High Volume Pen-reared Gamebird Release Wildlife Documents or Commercial Hunting Area Pen-reared Gamebird Release Wildlife Documents~~ Any person possessing pen-reared gamebirds shall notify the Division of any large or unusual morbidity or mortality events affecting at least 25 percent of the flock due to infectious disease, diet, or unknown cause within 48 hours of the event.

R657-4-12. Disease Provisions for Holders of Pen-reared Gamebird Personal Possession Wildlife Documents.

_____ (1) Those holding Confirmed or propagating pen-reared gamebirds under a Pen-reared Gamebird Personal Possession Wildlife Document shall:

_____ (a) Obtain pen-reared gamebirds from a Commercial Gamebird Facility within suspected cases of diseases listed on the Utah licensed by the Department of Agriculture;

_____ (b) Import pen-reared gamebirds into List of Reportable Conditions for Animals must be reported to the Utah following Department of Agriculture and Food requirements in Section R58-1; or,

_____ (c) Test a representative sample within 30 days of acquisition for:

- _____ (i) *Mycoplasma gallisepticum*;
- _____ (ii) *Mycoplasma synoviae*;
- _____ (iii) Avian Influenza virus; and
- _____ (iv) *Salmonella pullorum* typhoid.

_____ (A) *Salmonella pullorum* typhoid testing is only required if any other domestic birds are on the facility or gamebirds did not originate from an NPIP source flock certified for Pullorum Typhoid.

_____ (v) Additional diseases identified by the Division or Utah Department of Agriculture and Food as threats to wildlife or domestic birds if the wildlife document holder has been notified of additional requirements.

_____ (2) In the case of gamebirds testing positive for diseases listed in Subsection (1)(c), game birds shall not be brought into, out of, or released from any holding facilities before disease free status has been established.

_____ (a) Facilities are considered disease free 60 days after negative testing as specified in Subsection (1)(c).

_____ (b) Additional measures may be applied as deemed appropriate by the Division, the Department of Agriculture and Food, or the Department of Health and Human Services.

_____ (3) Those holding or propagating pen-reared gamebirds under a Pen-reared Gamebird Personal Possession Wildlife Document shall notify the Division of any large or unusual mortality events due to infectious disease, diet, or unknown cause within 48 hours of the event.

R657-4-13. Disease Provisions for those possessing gamebirds under short term pen-reared gamebird possession provisions or releasing gamebirds under personal use pen-reared gamebird release provisions.

_____ (1) Those possessing or releasing pen-reared gamebirds under short term pen-reared gamebird possession provisions or personal use pen-reared gamebird release provisions shall:

_____ (a) Obtain pen-reared gamebirds from a Commercial Gamebird Facility within Utah licensed by the Department of Agriculture; or

_____ (b) Import pen-reared gamebirds into Utah following Department of Agriculture and Food requirements in Section R58-1; or

_____ (c) Test a representative sample within 30 days before release for:

- _____ (i) *Mycoplasma gallisepticum*;
- _____ (ii) *Mycoplasma synoviae*;
- _____ (iii) Avian Influenza virus; and
- _____ (iv) *Salmonella pullorum* typhoid.

_____ (A) *Salmonella pullorum* typhoid testing is only required if any other domestic birds are on the facility or gamebirds did not originate from an NPIP source flock certified for Pullorum Typhoid.

~~_____ (v) Additional diseases identified by the Division or Utah Department of Agriculture and Food as threats to wildlife or domestic birds if the wildlife document holder has been notified of additional requirements.~~

~~_____ (2) In the case of game birds testing positive for diseases listed in Subsection (1)(c) game birds shall not be brought into, out of, or released from of any holding facilities before disease free status has been established.~~

~~_____ (a) Facilities are considered disease free 60 days after negative testing listed in Subsection (1)(c).~~

~~_____ (b) Retesting as per Subsection (1)(c) is additionally required before release.~~

~~_____ (c) Additional measures may be applied as deemed appropriate by the Division, the Department of Agriculture and Food, or the Department of Health and Human Services.~~

~~_____ (e) Those possessing gamebirds under short term pen-reared gamebird possession provisions shall notify the Division of any large or unusual mortality events due to infectious disease, diet or unknown cause within 48 hours of the event.~~

R657-4-14.

R657-4-12. Short Term Pen-reared Gamebird Possession.

(1) A Wildlife Document is not required if:

- (a) a person has pen-reared gamebirds collectively in possession less than 60 days;
- (b) fewer than 50 birds are held;
- (c) pen-reared gamebirds were acquired in Utah or imported ~~as~~ per R657-4-7;
- (d) each pen-reared gamebird has a durable marking attached;
- (e) a bill of sale establishing proof of purchase from a legal source is in possession;
- (f) pen-reared gamebirds meet disease requirements specified in Section R657-4-~~10~~110 and R657-4-~~13~~11; and
- (g) the pen-reared gamebirds are used for dog training or falconry bird training.

(2) No registration is needed for holding pen-reared gamebirds in temporary storage while the pen-reared gamebirds are in transit through Utah provided the birds are identified as to their source and destination and are not removed from the shipping containers.

(3) Any person in possession of pen-reared gamebirds must comply with all state, federal, city, and other municipality laws, rules, and regulations pertaining to the possession of live pen-reared gamebirds.

R657-4-~~15~~13. Pen-reared Gamebird Personal Possession Wildlife Document.

(1) A Pen-reared Gamebird Personal Possession Wildlife Document is required for any of the following:

- (a) Pen-reared gamebirds are held 60 day or longer;
- (b) 50 or more ~~and but~~ less than 1,000 total birds and viable eggs are held in possession;
- (c) for import, propagation, sale, barter, trade of pen-reared gamebirds; or
- (d) for hatching of pen-reared gamebird eggs.

(2) A person who acquires live pen-reared gamebirds is not required to obtain a Pen-reared Gamebird Personal Possession Wildlife Document if they:

- (a) meet criteria in Section R657-4-~~14~~; ~~or~~ 12;
- (b) possess a Commercial Gamebird Facility License from the Department of Agriculture and Food as outlined in Rule

R58-6-; or

(c) possess a Commercial Hunting Area certificate of registration

(3) Pen-reared Gamebird Personal Possession Wildlife Documents:

- (a) are not transferable;
- (b) are valid for one year from the date of issuance; and
- (c) are limited to authorized pen-reared gamebird species or as indicated on the permit.

(4) Any person who has applied for and obtained a Pen-reared Gamebird Personal Possession Wildlife Document must comply with all state, federal, city, and other municipality laws, rules, and regulations pertaining to the possession of live pen-reared gamebirds.

(5) Holders of Pen-reared Gamebird Personal Possession Wildlife Documents shall:

- (a) construct facilities so as to prevent escape of birds;
- (b) construct facilities to preclude access to native waterways; and
- (c) meet other minimum facility standards as specified in Division pen-reared gamebird facility guidelines available at

<https://wildlife.utah.gov/gamebirds.html>.

(d) register the facility at: <https://wildlife.utah.gov/gamebirds.html>

(6) A facility inspection is not required to issue a Pen-reared Gamebird Personal Possession Wildlife Document.

(7) Pen-reared Gamebird Personal Possession Wildlife Document holders must comply with disease provisions as per Section R657-4-10 and R657-4-~~12~~11.

(8) Registration for a Pen-reared Gamebird Personal Possession Wildlife Document:

(a) A person may obtain a Pen-reared Gamebird Personal Possession Wildlife Document through the Division's online permitting system.

(b) If the applicant is under the age of 18, a parent or guardian must co-sign the application and is responsible for compliance with this rule and all other associated laws.

R657-4-~~16~~14. Commercial Gamebird Facility.

(1) A Commercial Gamebird Facility License from the Department of Agriculture and Food is required for importation propagation, sale, barter, or trade of gamebirds if:

- ~~_____ (a) more than at least~~ 1,000 total birds and viable eggs are held in possession; ~~and for 60 days or more.~~
- ~~_____ (b) for importation, propagation, sale, barter, trade of gamebirds.~~

~~_____~~ (2) A license requirements for a Commercial Gamebird Facility ~~must~~may be ~~licensed by the Department of Agriculture and Food under found in~~ Rule R58-6, Poultry and Captive-Raised Gamebirds.

(3) Commercial Gamebird Facilities shall ~~comply with Division pen-reared gamebird facility guidelines available at <https://wildlife.utah.gov> in addition to Department of Agriculture and Food Requirements.;~~

(a) ~~Commercial Gamebird Facilities shall~~ be constructed so as to prevent escape of birds.

(b) ~~Commercial Gamebird Facilities shall~~ prevent access to native waterways; and

(c) prevent ingress of wildlife.

(4) Any person in possession of pen-reared gamebirds must comply with all state, federal, city, and other municipality laws, rules, and regulations pertaining to the possession of live pen-reared gamebirds.

R657-4-~~17~~15. Personal Use Pen-reared Gamebird Release.

(1) A person may release legally acquired pen-reared gamebirds without wildlife documents or the approval of a division regional supervisor provided:

(a) the person or group of persons is not releasing more than ~~ten~~10 pen-reared gamebirds per day or three pen-reared gamebirds per dog or registered falcon per day, whichever is greater;

(i) If the group of persons or number of pen-reared gamebirds is more than 10 for two or fewer days in the same area within a 365 day period, division regional supervisor approval is required;

(b) the group releasing pen-reared gamebirds is less than or equal to ~~ten~~10 persons;

(c) the person or group is releasing legally acquired pen-reared gamebirds for training bird dogs or falconry birds;

(d) the person or group ~~birds~~ has an invoice or bill of sale in their possession showing lawful personal possession or ownership of the pen-reared gamebirds;

(e) each pen-reared gamebird must be marked with a durable marking;

(f) any pen-reared gamebird released in areas with wild populations of the same species must be marked with a visible streamer or tape at least 12 inches in length before being released, and must have the streamer or tape attached when killed; and

(g) the use of dogs complies with Rules R657-6. R657-9, and R657-54a and use of falconry birds complies with Rule R657-20.

(2) A person may only take the pen-reared gamebirds they or members of their group have released.

(3) Pen-reared gamebirds that are not recovered on the day of the training, released without permanent marking, or pen-reared gamebirds that escape shall become property of the state and may not be recaptured or taken except:

(a) as specified in Section R657-4-6; or

(b) during legal hunting seasons as specified in the Upland Game and Waterfowl proclamations of the Wildlife Board.

(4) Pen-reared gamebirds released must:

(a) meet requirements specified in Section R657-4-10 and R657-4-~~13~~11; and

(b) be healthy, capable of flight, free of disease and suitable for human consumption.

R657-4-~~18~~16. High Volume Pen-reared Gamebird Release (Field Trial).

(1) A High Volume Pen-reared Gamebird Release Wildlife Document is required for:

(a) groups larger than 10 people releasing pen-reared gamebirds in the same area on ~~5~~five or fewer days within a 365 day period;

(b) release of greater than ~~ten~~10 pen-reared gamebirds per day in the same area on ~~5~~five or fewer days within a 365 day period; or

(d) a field trial involving the pursuit of wild rabbits.

(2)(a) A person or group may conduct an event using pen-reared gamebirds provided that person or group applies for and obtains a Wildlife Document from the Division, except as provided in Subsection (b).

(b) A person or group may conduct a field trial using approved pen-reared gamebirds on a commercial hunting area without obtaining a Wildlife Document.

(3)(a) Up to 1,000 pen-reared gamebirds may be in possession for up to ~~ten~~10 days under a High Volume Pen-reared Gamebird Release Wildlife Document.

(b) Possession of pen-reared gamebirds must comply with Section R657-4-10, R657-4-11 and other applicable rule.

(4) Any person or group using pen-reared gamebirds must have an invoice or bill of sale available for inspection showing lawful personal possession or ownership of such birds as specified in Section R657-4-8.

(5)(a) Each pen-reared gamebird must be marked with a durable marking, except as provided in Subsection (c).

(b) The marking must remain attached to the pen-reared gamebird.

(c) The marking is not required for approved pen-reared gamebirds released in a field trial that is conducted on a commercial hunting area.

(6) Pen-reared gamebirds may be released only:

- (a) on the property specified in the Wildlife Document;
- (b) on the dates specified in the Wildlife Document;
- (c) after the release area has been cleared of wild gamebirds using trained pointing or flushing dogs; and
- (d) on public property with additional permission from the land management agency for the event.
- (7) After release, pen-reared gamebirds may be taken:
 - (a) on the property specified in the Wildlife Document;
 - (b) on the dates specified in the Wildlife Document; and
 - (c) by the person who released the pen-reared gamebirds, or by any person participating in the event.
- (8) Pen-reared gamebirds that leave the property where the event is held, and birds remaining at the end of the field trial except within commercial hunting area boundaries, shall become the property of the state and may not be taken, except during legal hunting seasons as specified in the Upland Game or Waterfowl proclamations of the Wildlife Board.
- (9) Pen-reared gamebirds released must:
 - (a) meet requirements specified in Section R657-4-10 and R657-4-11; and
 - (b) be healthy, capable of flight, free of disease and suitable for human consumption.
- (10) Wild rabbits may be used for field trials provided:
 - (a) the dog is tracking scent trails of wild rabbits;
 - (b) following initial contact with a wild rabbit the dog must stop pursuit;
 - (c) only during the dates of the field trial event as specified in the certificate of registration; and
 - (d) the dog, or the person training the dog, may not harass, catch, capture, kill, injure, or at any time, possess any wild rabbits, except during legal hunting seasons.
- (11) Wild rabbits may be taken only during legal hunting seasons as specified in the Upland Game or Waterfowl proclamations of the Wildlife Board.
- (12) Division of Wildlife designated dog training areas are exempt from High Volume Pen-reared Gamebird Release requirements for activities authorized by the area manager.

R657-4-~~1917~~. Application for a High Volume Pen-reared Gamebird Release (Field Trial) Wildlife Document.

- (1)(a) Applications for High Volume Pen-reared Gamebird Release Wildlife Documents must be submitted to the appropriate regional Division office where the field trial is being held.
- (b) Applications for High Volume Pen-reared Gamebird Release Wildlife Documents must be received at least 60 days before the date of the event.
- (2) The Division shall not approve any application for an area where, in the opinion of the Division, the release of pen-reared gamebirds and related activities interferes with wildlife, wildlife habitat, or wildlife nesting periods.
- (3) An application for a High Volume Pen-reared Gamebird Release Wildlife Document must include:
 - (a) operator's name, address and telephone number;
 - (b) detailed maps depicting boundaries of release areas and ownership of all parcels within the release area;
 - (c) large scale maps depicting the location of the release area relative to the nearest city or town;
 - (d) planned number and species of pen-reared gamebirds to be released;
 - (e) planned number of participants;
 - (f) outline of events;
 - (g) dates of events;
 - (h) written permission from landowner or land management agency, or evidence of ownership from the operator; and
 - (i) documentation that pen-reared gamebirds being used for the event meet requirements specified in Section R657-4-10, Section R657-4-11 and are healthy, capable of flight, free of disease and suitable for human consumption.
- (4) The Division may return any application that is incomplete, completed incorrectly, or that is not accompanied by the information required in Subsection (3).
- (5) In determining whether to allow the release of pen-reared gamebirds the Division shall consider:
 - (a) the potential release site and its relative impact on wildlife and wildlife habitat;
 - (b) the species or subspecies of pen-reared gamebirds to be released; and
 - (c) the activity for which the pen-reared gamebirds are to be released.

R657-4-~~2018~~. Commercial Hunting Area Pen-reared Gamebird Release.

- (1) A Commercial Hunting Area Pen-reared Gamebird Release Wildlife Document is required for:
 - (a) release of greater than ~~ten~~10 pen-reared gamebirds per day in the same area on more than ~~five~~five days within a 365 day period; or
 - (b) groups of any size releasing pen-reared gamebirds in the same area on more than ~~five~~five days within a 365 day period ~~—groups or individuals releasing birds under provisions in Section R657-4-17 on less than 5 consecutive days are exempt from Commercial Hunting Area requirements.~~
- (2) The Wildlife Document for CHA Pen-reared Gamebird Release is valid for three years from the date of issuance.
- ~~(3) The Wildlife Document for CHA Gamebird Release is void if annual report and annual fee are not received by the Division.~~
- ~~(4)~~

(3)(a) An operator, their employees, customers or volunteers may release pen-reared gamebirds as specified on their Wildlife Document within the designated commercial hunting area for hunting or training activities during established commercial hunting area season dates.

(b) An operator may conduct a field trial using approved pen-reared gamebirds on a commercial hunting area without obtaining an additional High Volume Pen-reared Gamebird Release Wildlife Document within season dates specified on their Wildlife Document.

~~(54)~~ CHA certificates of registration are effective from the date issued through June 30 of the third consecutive year, but are void if annual report and annual fee are not received by the Division.

~~(65)~~ The operator must have an invoice or bill of sale available for inspection showing lawful personal possession or ownership of such birds.

~~(76)~~ Pen-reared gamebirds may be released without a durable marking within designated commercial hunting area boundaries.

~~(87)~~ Pen-reared gamebirds may be released and subsequently taken only:

(a) on the property specified in the Wildlife Document; and

(b) on the dates specified in the Wildlife Document;

~~(9) After release, pen-reared gamebirds may be taken:~~

~~(a) on the property specified in the Wildlife Document; and~~

~~(b) on the dates specified in the Wildlife Document.~~

~~(10)~~ (8) Pen-reared gamebirds that leave the designated commercial hunting area boundaries shall become the property of the state and may not be taken outside of the designated commercial hunting area boundaries, except during legal hunting seasons as specified in the Upland Game or Waterfowl proclamations of the Wildlife Board.

~~(112)~~ Pen-reared gamebirds released must:

(a) meet requirements specified in Section R657-4-10 and Rule R657-11; and

(b) be healthy, capable of flight, free of disease and suitable for human consumption.

~~(1210)~~(a) Operators may not allow the harvest of more than 85% of each species released, except as provided in Subsection (b).

(b) There is no limit to the percentage of pen-reared gamebirds that may be harvested that are not, in the opinion of the Division, established as a wild population in the vicinity of the CHA. Any variance to Subsection (a) shall be indicated on the CHA Wildlife Document.

~~(1311)~~ The Division may include more restrictive conditions on approval of CHAs to protect wildlife and wildlife populations.

~~(1412)~~ Division of Wildlife designated dog training areas are exempt from Commercial Hunting Area Pen-reared Gamebird Release requirements for activities authorized by the area manager.

R657-4-~~24~~19. Commercial Hunting Area Application.

(1)(a) Commercial Hunting Area Applications must be submitted to the appropriate regional Division office where the proposed CHA is located.

(b) Review and processing of the application may require up to 60 days.

(c) More time may be required to process an application if the applicant requests authorization from the Wildlife Board for a variance to this rule.

(2) The Division may not approve an application for an area where the release of pen-reared gamebirds and related activities may ~~interfere~~interfere with wildlife, wildlife habitat or wildlife nesting periods.

(3) An application for a CHA Wildlife Document must include:

(a) operator's name, address, and telephone number;

(b) detailed maps depicting boundaries, pen-reared gamebird holding facilities and ownership of all parcels within the CHA;

(c) large scale, digital maps depicting the location of the CHA relative to the nearest city or town;

(d) planned number and species of pen-reared gamebirds to be released;

(e) evidence of ownership of the property, such as a copy of a title, deed, or tax notice that provides evidence the applicant is the owner of the property described; and

(f) the annual CHA Wildlife Document fee for the first year of operation.

(4) If an applicant is not the owner of the property, in lieu of Subsection (2)(e), the applicant may provide a lease agreement showing the applicant is the lessee of the hunting or shooting rights for the property described for the period of the CHA Wildlife Document that includes the name, address, and telephone number of the lessor.

(5)(a) Any application that does not clearly and legibly verify ownership or lease by the applicant as required in Subsection (3), of all property for which the application applies shall be returned to the applicant.

(b) Discovery of property after issuance of the CHA Wildlife Document, which is not approved by its owner or lessee to be included in the CHA, shall immediately void the CHA Wildlife Document.

(6) The Division may return any application that is incomplete, completed incorrectly, or that is not accompanied by the information required in Subsection (3).

(7) Applications are not accepted for a CHA that is within 1/4 mile of any existing state wildlife or waterfowl management area without requesting a variance from the Wildlife Board.

- (8) The Division may deny any application or impose provisions on the CHA Wildlife Document that are more restrictive than this rule:
- (a) if CHA operations may present unacceptable risk to wildlife populations or wildlife habitat; or
 - (b) if the applicant or operator, or any of its agents or employees:
 - (i) violated this rule, the Wildlife Resources Code, a CHA Wildlife Document, or the CHA application;
 - (ii) obtained or attempted to obtain a CHA Wildlife Document by fraud, deceit, falsification, or misrepresentation;
 - (iii) is employed, contracted through writing or verbal agreement, assigned, or requested to apply and act as the operator by a person, group, or business entity that will directly or indirectly benefit from the CHA, but would otherwise be ineligible under this rule or by virtue of suspension under Section 23-19-9 to operate a CHA if they applied directly as the operator; or
 - (iv) engaged in conduct that results in the conviction of, a plea of no contest to, a plea held in abeyance, or a diversion agreement to a crime of moral turpitude, or any other crime that when considered with the functions and responsibilities of a CHA operator bears a reasonable relationship to the operator's or applicant's ability to safely and responsibly operate a CHA.
- (9) If an application is denied, the Division shall state the reasons in writing.

R657-4-~~2220~~. Commercial Hunting Area Records and Reports.

- (1) The operator of a CHA shall maintain complete and accurate records of:
 - (a) the number, species, and source of any pen-reared gamebirds purchased or propagated;
 - (b) ~~health~~disease test results for birds in possession and certificates of veterinary inspection for all pen-reared gamebirds purchased from outside the state;
 - (c) the number, species and season the pen-reared gamebirds are released;
 - (d) the number, species and season of pen-reared gamebirds taken within the CHA boundary;
 - (e) the number and species and season of wild gamebirds taken within the CHA boundary;
 - (f) the number, species, and date of unusual mortality events due to sickness, disease, diet or unknown cause; and
 - (g) copies of the bill of sale issued to hunters and any other person who purchases gamebirds.
- (2) Each operator must submit an annual report on a form provided by the Division within 30 days of the close of the season or at the time of renewal, including:
 - (a) the number of pen-reared gamebirds by species that were released, and the total number of pen-reared gamebirds taken by hunters or sold;
 - (b) the date, source, and number of the pen-reared gamebirds purchased;
 - (c) the number of pen-reared gamebirds by species held in possession for carryover breeding stock at the close of the season; and
 - (d) annual fee.
- (3) All records must be maintained on the hunting premises or the principal place of business for three years and must be available for inspection by the Division.
- (4) Falsifying or fabricating any record or report is prohibited and may result in forfeiture of CHA wildlife documents.

R657-4-~~2321~~. Commercial Hunting Area Boundary Marking.

- (1) The CHA area must be posted:
 - (a) at least every 300 yards along the outer boundary of all hunted areas; and
 - (b) on all corners, streams, rivers, drainage divides, roads, gates, trails, rights-of-way, dikes, canals, and ditches crossing the boundary lines.
- (2) Each sign used to post the property must be at least 8-1/2 by 11 inches and must clearly state:
 - (a) the name of the CHA as designated on the CHA Wildlife Document;
 - (b) the words "No Trespassing"; and
 - (c) wording indicating the sign is located on the CHA boundary.
- (3)(a) If the CHA operator fails to renew a CHA Wildlife Document or a renewal application is denied, all signs shall be immediately removed by the operator.
- (b) The Division may remove and dispose of any signs that are not removed within 30 days after the termination of the CHA Wildlife Document.
- (4) Commercial hunting area activities may only be conducted on property properly posted and specifically authorized in the CHA Wildlife Document.
- (5) Commercial hunting area operators may not post or otherwise restrict public access on public roads, rights-of-way, inholdings, or easements within the CHA, including corner crossing to contiguous parcels of publicly owned lands.

R657-4-~~2422~~. Commercial Hunting Area Acreage Requirements.

- (1)(a) The minimum acreage accepted for a CHA is 160 acres in a single contiguous tract.
- (b) Non-contiguous areas may be included under a single CHA Wildlife Document if each area is 160 acres or larger and all areas can be contained within a circular area ten miles in diameter.
- (c) The maximum acreage accepted for a CHA is 5,760 acres.
- (2)(a) A CHA may not be established closer than 1/4 mile of a wildlife management area, waterfowl management area, or migratory bird refuge unless otherwise allowed by a variance of the Wildlife Board.

(b) a [newrenewal](#) application for the same area may be reapproved at the end of a three year Wildlife Document term without reauthorization by the Wildlife Board.

R657-4-~~25~~23. Commercial Hunting Area Season Dates.

- (1) Hunting on CHA areas is permitted from September 1 through March 31.
- (2) If September 1 falls on a Sunday, the season will open on August 31.
- (3) Extended season dates may be requested for hosting field trials.

R657-4-~~26~~24. Commercial Hunting Area Hunting Hours and Hunter Requirements.

- (1) Pen-reared gamebirds may be taken on a CHA only one-half hour before sunrise through one-half hour after sunset.
- (2) Any person hunting within the state on any CHA must meet hunter education requirements or possess a trial hunting authorization as provided in Section 23A-12-202.

KEY: wildlife, birds, game laws, aviculture

Date of Last Change: ~~October 8, 2024~~

Notice of Continuation: April 4, 2022

Authorizing, and Implemented or Interpreted Law: 23A-5-302; 23A-2-305; 23A-2-304

2025 HABITAT MANAGEMENT PLAN

Sevier and Piute Big Game Winter Range Wildlife Management Areas

Habitat



Prepared by the Utah Division of Wildlife Resources Southern Region



Sevier and Piute Big Game Winter Range Wildlife Management Areas

Habitat Management Plan

RDCC Project Number and Submission Date:

Habitat Council Review Date:

RAC Review Date:

Director's Approval:

Director

Date: _____

Habitat Management Plan for Sevier and Piute Big Game Wildlife Management Areas

Executive Summary – January 2025

PRIMARY PURPOSE OF SEVIER AND PIUTE BIG GAME WINTER RANGE WMAS

The primary purpose of the Sevier and Piute Big Game Winter Range WMAs is to provide winter range for big game species. In addition, there is vital, high-quality turkey habitat on some of the units. Allowed recreation uses include hunting, wildlife viewing, hiking, and horseback riding. Dispersed camping will also be allowed but not promoted. OHV use will be allowed on the WMAs only on designated right of ways and marked open roads. Destruction and/or degradation of wildlife habitat from any of these uses may result in further restrictions to protect the resource

WILDLIFE SPECIES

While the Sevier and Piute Big Game Winter Range WMAs were originally purchased to protect big game (deer and elk) winter range, they also provide habitat for many species of game and non-game wildlife. These species include but are not limited to turkey, upland game, and songbirds. A survey of City Creek through the WMA yielded no results for sportfish and other fish species in fall of 2024, but the creek is potential habitat for Bonneville Cutthroat trout and other fish species. An undetermined number of amphibian and reptile species also inhabit the WMA.

HABITAT IMPROVEMENT

- Pinyon and juniper will be managed to reduce encroachment and loss of sagebrush and herbaceous understory including the maintenance of previous treatments.
- Increase preferred browse by utilizing both seeding and seedling transplants.
- Manage invasive species such as cheatgrass, utilizing herbicides and other methods.
- Improve and enhance seasonal streams and associated riparian vegetation using low-tech erosion control structures.
- Explore use of existing water right on Monroe WMA to establish a 15 acre food plot.

ACCESS MANAGEMENT

Motorized access to the WMA is provided through a series of roads. Overland travel is limited to foot and horse traffic. The use of E-bikes is prohibited outside of the identified open roads.

Creation of new roads and trails is prohibited. In addition to the identified open roads, there are several additional administrative roads that serve as access for maintenance and management purposes.

MAINTENANCE ACTIVITIES

Typical annual maintenance actions include weed control, fence maintenance, road maintenance and signage. Fence maintenance will include walking the perimeter and interior fences as well as working with the DNR Division of Law Enforcement (DLE) and internally to identify fencing that is problematic to deer and replacing it with wildlife friendly fencing. Road maintenance and signage will involve working with the DLE to address illegal use of trails and roads on the WMA and keeping signage current and legible throughout the year. Water developments will also be maintained and improved to provide water for wildlife.

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Habitat Management Plan for Sevier and Piute Big Game Winter Range Wildlife Management Areas

January 2025

I. BACKGROUND INFORMATION

INTRODUCTION

This Habitat Management Plan (HMP) has been developed to guide management on lands owned and managed by the Utah Division of Wildlife Resources (DWR) for the primary purpose of providing big game winter range in both Sevier and Piute counties, Utah. These lands were acquired in various transactions from 1938 to 1977. The Sevier and Piute Big Game Winter Range Wildlife Management Areas (WMAs) HMP covers 4 different WMAs including Monroe (aka - Poverty Flat) WMA, White Horse Flat WMA, Marysvale (aka Deer Flat) WMA and City Creek WMA. While there are several other WMAs within Sevier and Piute counties, they will be addressed in separate HMPs due to differences in management objectives and strategies.

Public entities that have been given an opportunity to review and comment on this HMP include representatives from Sevier County Commission, Piute County Commission, Sportsmen for Fish and Wildlife (SFW), Mule Deer Foundation (MDF), Rocky Mountain Elk Foundation (RMEF), National Wild Turkey Federation (NWTF), United States Forest Service (USFS), Bureau of Land Management (BLM), Trust Lands Administration (TLA) and adjacent private landowners. Their feedback has been incorporated into this HMP where it is applicable.

PURPOSE OF DIVISION OWNERSHIP

The Sevier and Piute Big Game Winter Range WMAs were purchased to protect big game winter range but also provide seasonal and year-round habitat for upland game, turkey, sportfish and other game and non-game species. In addition, the WMAs provide access for hunters and anglers to enjoy these resources. The WMAs include borders along federal and state lands (BLM, USFS, and TLA) and often serve as an access point for those lands.

HISTORIC USES

All of these properties were used historically to graze sheep and cattle. Some portions of the Monroe WMA were also historically used for farming with alfalfa as the main crop; however, very little evidence of agricultural use remains today. Other historic uses may have included firewood gathering and post cutting.

PUBLIC RECREATION OPPORTUNITIES

PUBLIC ACCESS

The Sevier and Piute Big Game Winter Range WMAs are open to the public year-round with motor vehicle use restricted to identified open roads (See access maps Appendix B) and no motorized overland travel allowed. Parking areas and walk-through gates are provided at several locations allowing ease of access for walk in uses.

CAMPING

Dispersed camping is allowed on these properties for no greater than 10 days (see R657-28-4). There are no developed campgrounds or pads on the WMA. In the event that camping becomes detrimental to wildlife, DWR will consider action(s) to address the adverse effects.

KEY WILDLIFE SPECIES

While the Sevier and Piute Big Game Winter Range WMAs were originally purchased to protect big game (deer and elk) winter range, they also provides habitat for many species of game and non-game wildlife. These species include but are not limited to turkey, upland game, and songbirds. A 2024 survey of City Creek through the WMA yielded no results for sportfish and other fish species, but the creek is potential habitat for Bonneville cutthroat trout and other fish species. An undetermined number of amphibian and reptile species also inhabit the WMA.

GRAZING

The DWR may use domestic livestock grazing to manage vegetation on Division lands if the Division determines that such grazing is beneficial for the maintenance or improvement of wildlife habitat. In 2025 grazing is not permitted on any of the WMAs managed under this plan in an effort to preserve forage for wildlife and reduce neighboring depredation. However, they are all eligible for use as a grassbank property and can be made available for grazing as in-kind

trade for conservation actions on public or private lands, emergency forage for DWR grazing permittees or any other purpose designated by the DWR (see rule R657-28-5).

II. PROPERTY INFORMATION

PROPERTY DESCRIPTION

The Sevier and Piute Big Game Winter Range WMAs plan includes a complex of individual WMAs located within Sevier and Piute Counties in Utah (see appendix B-1). There are other WMAs in both Sevier and Piute Counties that are not covered by this plan. This plan covers approximately 1104 total acres, all of which are within the Sevier River drainage basin. WMAs covered under this plan were assembled from four transactions beginning in 1938, with the most recent occurring in 1977. Transactions included purchases from private and state owned sources.

The plan covers four individual WMAs.

The **Monroe WMA**, located in the south end of Sevier County, consists of two pieces of property totaling approximately 287 acres, located about 3.5 miles south of the town of Monroe (see appendix B-2). The northern property is located in Township 25 south, Range 3 west, section 33. The southern property is located in Township 26 south, Range 3 west, section 4.

The next WMA moving southward is the **White Horse Flat WMA**. It is an approximately 161 acre WMA located about 9 miles south of Monroe and 4.5 northeast of Marysvale and is located in Piute County on the east side of US Highway 89 near the Sevier and Piute County line (see appendix B-3). The WMA is located in Township 27 south, Range 3 west, section 2.

The **Marysvale WMA** is approximately 521 acres located approximately 4.5 miles southwest of Marysvale in Piute County (see appendix B-4). It is located in Township 27 south, Range 4 west, section 36.

Lastly, the **City Creek WMA** is 135 acres in Township 29 south, Range 4 west, section 26. This WMA is located approximately 4 miles northwest of the town of Junction (see appendix B-5).

LAND ACQUISITION HISTORY

These properties were purchased from both state funds (Monroe, White Horse and City Creek) and a federal Pittman-Robertson grant (Marysvale).

The first purchase of 135 acres makes up the City Creek WMA and was purchased on August 29, 1938, from Edwin E. and Ida Bell Bay (see appendix C).

On January 7, 1944, 287 acres were purchased from James H. Skougaard to create what is known today as the Monroe WMA (see appendix C).

In another transaction on January 7, 1944, 161 acres were purchased from Genevieve B. and Joseph I. Callahan. That purchase became the WMA known today as White Horse Flat (see appendix C).

The last transaction covered under this plan took place on January 18, 1977. In this purchase 521 acres were sold by the Utah Division of Forestry, Fire and State Lands to the Utah Division of Wildlife Resources to create the Marysvale WMA (see appendix C).

ENCUMBRANCES

WATER RIGHTS/DEVELOPMENTS

On the Monroe WMA there are four springs on or near the boundary of the southern property that are owned privately and by the BLM (Water Rights 63-1995, 63-3131, 63-3130 and 63-3133). The DWR owns a decreed water right (Water Right 63-3132) from Birch Springs in section 4. This right is to irrigate 15 acres or equivalent livestock or domestic units (see appendix D). This decreed water right does not require proof but could be lost if it is not used for the purposes described.

The Marysvale WMA has a pond and ditch flowing into and out of the pond onto private land. The easement and water right (Water Right 63-2855) associated with the pond and ditches are held privately.

There are no known water rights or water developments associated with the White Horse Flat or City Creek WMAs.

MINERAL DEVELOPMENT

On the White Horse Flat WMA the Grantor (the Callahans) retained all oil, gas and mineral rights for the property.

All of the mineral rights on the Marysvale WMA are reserved to the Trust Lands Administration (TLA).

The Monroe and City Creek WMAs do not have any known mineral development encumbrances.

RIGHTS OF WAY

As discussed in the water rights section there is an easement held by the Kennedy's associated with a pond and ditch system in the northeastern part of the Marysvale WMA. Additionally, the State of Utah kept rights-of-way for any past, present and future canals, ditches, tunnels, telephone and transmission lines.

The City Creek property is bisected by SR 153. A partial disposal of this property to UDOT provides for this right-of-way.

There are no other known rights of way associated with the Monroe or White Horse Flat WMAs.

III. PROPERTY INVENTORY

EXISTING CAPITAL IMPROVEMENTS

ROADS

Three dirt roads cross the northern portion of the Monroe WMA from north to south. One is on the eastern border, the second crosses the middle of the property, and the third is near to the western border. The southern portion of the WMA includes a complex of unimproved dirt roads (see appendix B-2).

The White Horse Flat WMA has a single unimproved dirt road that crosses through the center of the property from north to south (see appendix B-3).

There is a single unimproved dirt road that crosses the Marysvale WMA from east to west near the northern border (see appendix B-4).

State Route 153 connects Junction to Beaver and bisects the City Creek WMA from east to west (see appendix B-5).

FENCING

Portions of these WMAs are fenced to manage livestock and maintain property boundary lines.

The southern property of the Monroe WMA is partially fenced, but the fence is in poor condition. The northern portion of the property is unfenced.

The White Horse Flat WMA is fenced in conjunction with the surrounding property owned by TLA on which DWR holds a grazing permit. This fence is in good condition.

The entire boundary of the Marysville WMA is fenced. A majority of the fence is net wire and all of it is old fence nearing a need for replacement.

The portion of the City Creek WMA north of SR 153 is fenced and includes parking areas and walk through gates to allow for walk-in-access to the property. The portion south of SR153 is not fenced.

PHYSICAL FACILITIES

There are no physical facilities on any of the WMAs covered in this plan.

HABITAT PROJECTS

Habitat projects have been conducted on the Sevier and Piute Big Game Winter Range WMAs since the 1960's, and likely earlier, though there are limited records of practices and dates.

Using the [USGS Land Treatment Digital Library](#) here are some of the historical treatments and disturbances:

- Monroe WMA was burned in the 1997 Flat Wildfire, which was reseeded. The fire was retreated again in 2005. The Poverty Flat areas was also chained and seeded in 1966.
- Marysville WMA was chained and seeded in 1977. A fuels reduction and seeding project also took place in 2002.

Since the creation of the Watershed Restoration Initiative (WRI) in 2006 approximately 1120 acres have been treated on these WMAs, primarily to enhance mule deer winter range. These

treatments (WRI projects 1995, 3775, 4060, 4084, 6656 and 7252) have included pinyon and juniper tree removal, seeding and cheatgrass control.

In fall of 2011, 42 acres of the City Creek WMA were treated with a skid steer mounted fecon head removing encroaching pinyon and juniper as part of a larger project also including adjacent USFS lands (WRI project 1995).

During the spring of 2017, 480 acres of the Marysvale WMA were treated as part of a larger lop and scatter project that also involved adjacent USFS lands (WRI project 3775).

The White Horse WMA had 323 acres treated by aerial seeding and chaining as part of a project involving adjacent TLA and BLM lands in the fall and winter of 2017-18 (WRI project 4084).

An additional 121 acres of the Monroe WMA have been treated twice. The first was an herbicide treatment using plateau in the fall of 2017 which was followed up with a shrub seeding in the fall of 2018 (WRI project 4060). These same acres were again treated in September of 2023 with a newer cheatgrass control herbicide called Rejuvra (WRI project 6656).

Lastly, the Marysvale WMA again saw treatment of 33 acres in the winter of 2024-25 when it was seeded and chained following it being burned in the Silver King Fire of 2024 (WRI project 7252).

Future projects may include browse planting, sagebrush restoration, fence removal and construction, as well as erosion control intended for improving mesic and riparian habitats.

IRRIGATION

While there is no active irrigation currently on the properties covered under this plan, this plan proposes to explore the possibility of utilizing the water right on the Monroe WMA to irrigate up to 15 acres.

CULTURAL RESOURCES

Very little of the Monroe WMA has seen previously archaeological survey. A single past survey dating to the early 2000s, associated with oil and gas seismic exploration, crosses the center of the WMA. This archaeological survey documented a single archaeological site – the historic Bertlesen Ditch. This ditch (or small canal) was recommended eligible for the National

Register of Historic Places for this contribution to the local economy and larger historic of irrigation in the West. One other small archaeological site on BLM land recorded in the 1970 may slightly cross onto the WMA, but was reportedly destroyed in the 70s by road construction.

Three past archaeological surveys from the 1970s and 1980s barely clip the northwest corner of the White Horse Flat WMA. These surveys were associated with power line corridor suitability studies or development in the area. Another archaeological survey cross the northeast corner of the WMA in 2006 as part of an oil and gas seismic exploration project. No cultural resources were documented on the WMA through any of these past archaeological surveys. No other cultural resources are previously documented on the WMA.

Approximately 30 acres of the Marysvale WMA were archaeologically surveyed in 2024 as part of the Silver King Fire rehabilitation. These 30 acres were part of a much larger survey effort (903 acres) that resulted in documentation of a handful of archaeological sites on neighboring BLM and Forest Service lands. No archaeological sites were identified with the 30 acres of Silver King archaeological survey on the Marysvale WMA. Outside of this 2024 fire rehabilitation archaeological survey effort, no other archaeological surveys have been completed on the WMA. Likewise, no archaeological sites have been documented on the WMA.

The State Route 153 road corridor, which crosses through the City Creek WMA, was archaeologically surveyed by SWCA Environmental Consultants in 1995. At that time, UDOT had planned to widen and pave portions of the highway, and the archaeological survey documented three archaeological sites on the WMA . One site is a large Indigenous long-term camp that dates to the Fremont period. This site has been determined eligible for the National Register of Historic Places and has seen data recovery excavations. A second archaeological site along State Route 153 on the WMA is an Indigenous short-term camp with lithic and ceramic artifacts. It was determined not eligible for the National Register of Historic Places. A final archaeological site identified by this past archaeological survey is the historic State Route 153 alignment which was reportedly originally built in the 1930s. It was determined to be not eligible for the National Register of Historic Places. A second archaeological survey was completed in 2017 by DWR in advance of a planned vegetation management project being completed in partnership with the Utah Division of Forestry, Fire & State Lands. This 11-acre survey did not result in the identification of any cultural resources.

SPECIES OF GREATEST CONSERVATION NEED

The 2025 Utah Wildlife Action Plan is a “ten-year plan to help keep native Utah species off the Endangered Species List.” “The goal of the Utah Wildlife Action Plan is: *To manage native wildlife, fish, mollusk, crustacean, amphibian, reptile, insect, and plant species and their habitats, sufficient to prevent the need for additional listings under the Endangered Species Act.*” (Draft UWAP 2025). A query of the Utah Wildlife Habitat Analysis Tool generated a report (see appendix E) including up to 7 SGCNs and multiple notable other species identified within a 2-mile buffer of these WMAs. For many of these, very little is known about the species and surveys have not been conducted in this area. The most relevant are discussed below.

SGCN species:

Arizona mountain kingsnake (*Lampropeltis pyromelana*)

Historical records observed the Arizona mountain kingsnake within a half mile radius of the City Creek WMA. Habitat conditions on the WMA and nearby are suitable for kingsnakes.

Lewis’s woodpecker (*Melanerpes lewis*)

Lewis’s woodpecker has current records of observation within a half mile radius of the Marysville WMA. Suitable habitat for Lewis’s woodpecker is found near the pond and ditches within the WMA.

Pinyon jay (*Gymnorhinus cyanocephalus*)

There are current records of Pinyon jay within a 2 mile buffer of Marysville and City Creek WMAs . Suitable habitat for Pinyon jay is found throughout all of the WMAs covered by the plan.

Townsend’s big-eared bat (*Corynorhinus townsendii*)

There are historical records of Townsend’s big-eared bat within a 2 mile radius of both the White Horse and Marysville WMAs. Both of these WMAs contain suitable habitat for the bats that use a variety of habitats including sagebrush steppe and mountain shrub with nearby caves or mines.

Flammulated owl (*Psiloscoops flammeolus*)

Historical records observed the Flammulated owl within a two mile radius of the City Creek WMA. Habitat conditions on the WMA and nearby are suitable for Flammulated owls.

Northern leopard frog (*Lithobates pipiens*)

Northern leopard frog has current records of observation within a two mile radius of the Marysville WMA. Suitable habitat for Northern leopard frog is found in the pond on the WMA.

Other notable non-SGCN species:

Bald eagle (*Haliaeetus leucocephalus*)

There are historic records of bald eagle within a half mile radius of the City Creek WMA and within a two mile radius of both the Monroe and Marysville WMA. Wintering bald eagles are known to forage in the area and these WMAs provide adequate wintering habitat.

Bonneville cutthroat trout (*Oncorhynchus clarkii*)

There are historical records of Bonneville cutthroat trout within a two mile radius of the Marysville WMA. Additionally, City Creek which runs through the City Creek WMA is within the mapped habitat for Bonneville's and provides potential habitat for them even though they are currently undetected there.

IMPORTANT FISH AND WILDLIFE HABITATS

In addition to the SGCNs listed above, the Sevier and Piute Big Game Winter Ranger WMAs provide crucial habitat for mule deer, elk, turkey and several other upland game species as well as sportfish. The limited amount of quality big game winter range on both the east side of the Beaver Wildlife Management Unit (Unit 22) and west side of the Monroe Wildlife Management Unit (Unit 23) make the WMAs a critical component of the winter range for these 2 units.

GENERAL CONDITIONS OF HABITATS

HABITAT TYPES

A majority of the Monroe WMA was historically categorized as lowland sagebrush but after burning several times in recent history it has largely converted to annual invasive grasses

such as cheatgrass (*Bromus tectorum*). As noted elsewhere in this plan, significant efforts have been made to combat this conversion and restore it with shrubs such as Wyoming sagebrush (*Artemisia tridentata wyomingensis*) and forage kochia (*Bassia prostrata*) in an effort to improve mule deer habitat. A portion of the southern unit of this WMA which contains multiple springs and has a vegetative community dominated by Gambel's oak (*Quercus gambelii*).

The White Horse Flat WMA is an example of classic lowland sagebrush being invaded by Pinyon pine (*Pinus edulis*) and Utah Juniper (*Juniperus osteosperma*). Recent treatments on the WMA have helped keep that invasion in check and reset the system to an earlier successional class.

Similarly, the Marysville WMA is largely lowland sagebrush with recent pinyon and juniper removal treatments helping to combat conversion to later successional classes dominated by those trees. Additionally, the pond and ditch system provide a little variety with more riparian plants such as cottonwoods (*Populus* spp.) and willows (*Salix* spp.).

While small in size, the City Creek WMA is rich in habitat diversity. To the south of SR153 the WMA is much like the others listed above being predominantly lowland sagebrush. However when you move to the north of the highway there is a great diversity of vegetation. On the westernmost edge there is a stand of Ponderosa pine (*Pinus ponderosa*) which transitions as you move north and east through a stand of Gambel's oak (*Quercus gambelii*) on the way to a lush riparian system along City Creek with a solid cottonwood gallery (*Populus* spp.) and shrub understory including many riparian shrubs.

RANGE AND WATERSHED CONDITIONS

The Monroe WMA has one permanent range trend site on nearby BLM land and one WRI monitoring site also on nearby BLM land. While not directly on the property these sites are reflective of the transitioning conditions related to annual grass invasion subsequent to the recent fire history in the area. Deer winter range on the property is considered to be in poor condition with establishment of preferred browse while continuing to combat annual grass invasion identified as primary ways to improve conditions.

No formal range trend sites exist on or near the White Horse Flat WMA. As noted elsewhere recent treatments have converted the area to an earlier successional phase for lowland sagebrush sites and would be considered between fair and good for deer winter range.

There is a long term range trend site on the Marysville WMA (Range trend 22R-3). This site has vacillated between poor and fair deer winter range condition since establishment with the most recent reading in 2023 classifying it as fair. The report recommends increasing preferred browse species, diversifying and increasing cover of native perennial forbs, and reducing cheatgrass cover.

The City Creek WMA has a WRI monitoring site (Range trend 22R-24) associated with the 2011 treatment. Prior to treatment the site was characterized as pinyon and juniper invasion into mountain sagebrush and Gambel's oak in phase II and transitioning to phase III. Since treatment the site has maintained integrity as a mountain sagebrush/Gambel's oak phase I community and is categorized as in good condition for deer winter range.

RIPARIAN CORRIDORS AND WETLANDS

The Marysville WMA contains a pond and ditch system with associated riparian vegetation. Water is typically present in this pond and ditch year round.

The City Creek WMA has the perennial City Creek running through it and a robust riparian community associated with it.

HABITAT LIMITATIONS

Drought conditions have had negative effects on the Sevier and Piute Big Game Winter Range WMA properties. These WMAs have experienced a decline in plant vigor and poor production due to drought conditions. As drought conditions persist, the establishment of younger sagebrush and other browse may be negatively affected. Drought should be a consideration in the WMA management to promote healthy stands of sagebrush that continue to recruit new plants.

Invasive species management is critical for future management of these WMAs. Cheatgrass and other weeds will need to be managed to sustain or create the desired wildlife habitat values. As other invasive species are documented, rapid response strategies are needed to prevent further spread.

Increased fire cycles have also contributed to habitat conversion to invasive annual grasses as demonstrated most significantly on the Monroe WMA, which burned in 1997. Breaking these cycles will be key to restoring desired wildlife habitat.

HUMAN USE RELATED PROBLEMS

Allowed human uses include hunting, wildlife viewing, hiking, and horseback riding. OHV use will be allowed on the WMAs only on designated right of ways and marked open roads.

Destruction and/or degradation of wildlife habitat from any of these uses may result in further restrictions to protect the resources. Litter has not been a significant problem on these WMAs but there is always some associated with parking areas and roadsides. Creation and use of unauthorized roads is also a concern on the WMA. Winter road use causes unnecessary stress on wintering mule deer.

The creation of new roads and trails on these WMAs will be limited in an effort to continue to conserve and enhance habitat for wildlife in this area. New roads may only be allowed after considering the potential effects on wildlife and following DWR protocol. As per the Access Management Plan (see Appendix A) roads and trails that serve no purpose and damage wildlife habitat by deviating from designated open roads and reducing browse, forbs, and grass species will be permanently closed.

ADJACENT LAND USES AND POTENTIAL IMPACTS

BLM, USFS, TLA and private lands border the Sevier and Piute Big Game Winter Range WMAs. Livestock grazing occurs on most of the adjacent federal lands. Much of the private and SITLA land is grazed as well. In addition, many private lands adjacent to or near the WMAs are farmed, with alfalfa being the main crop. Fence maintenance is important to avoid livestock trespass. Habitat improvement is important to minimize wildlife depredation on surrounding agricultural lands and to counteract the loss of habitat in surrounding areas due to development.

ZONING AND LAND USE ORDINANCES

The Monroe WMA is situated in Sevier County and is zoned as Grazing/Recreation/Forestry/Seasonal, as is all of the public land surrounding it. The nearby private lands are zoned as Grazing/Recreation/Forestry/Residential. While there is some potential for residential growth on these nearby private lands, a majority of the adjacent properties are public lands with less potential for residential growth.

White Horse Flat, Marysville, and City Creek WMAs are situated in Piute county and are zoned as Agricultural. Similar to the Monroe WMA a majority of the adjacent lands are public lands with little potential for residential growth.

IV. MANAGEMENT GOALS AND OBJECTIVES

The management of the Sevier and Piute Big Game Winter Range WMAs considers the goals, objectives, and strategies of other DWR planning efforts, as well as county and state resource management plans. These plans include, but are not limited to, the DWR Strategic Plan, the Utah Wildlife Action Plan, and species-specific management plans. Some of these plans are briefly discussed below. *Note: this is not a comprehensive review of the listed plans, but a summary of relevant objectives and strategies contained within those plans.*

DWR STRATEGIC PLAN

The management of the Sevier and Piute Big Game Winter Range WMAs will be consistent with the goals and objectives of the DWR Strategic Plan:

- Agency goal: Create a culture of respect, innovation, efficiency and effectiveness within the Utah Division of Wildlife Resources.
 - Objective A6 - Increase our coordination with partners, including local, state and federal agencies; non-governmental organizations; universities and others.
- Constituency goal: Strengthen support for wildlife management by demonstrating the value and importance of wildlife to all Utahns.
 - Objective C1 - Increase participation in fishing, hunting, and other wildlife-related activities.
 - Objective C5 - Increase understanding of how the broader public views and values wildlife - and how it contributes to their quality of life - and take reasonable steps to address their needs, wishes, and priorities.
 - Objective C6 - Increase hunting and fishing opportunities.
- Resource goal: Conserve, enhance and actively manage Utah's protected wildlife populations.

- Objective R1 - Increase, decrease or maintain wildlife populations, as needed, to meet the objectives in our management plans.
- Objective R2 - Maintain existing wildlife habitat and increase the quality of critical habitats and watersheds throughout the state.
- Objective R4 - Decrease risks to species and their habitats through integrated implementation of the Wildlife Action Plan, species recovery plans, conservation agreements and other management plans.

Objective R7 - Decrease the number of wildlife – related incidents – including property damage, crop depredation and threaten or endanger species – that negatively affect private property owners.

WILDLIFE ACTION PLAN

The 2025 Utah Wildlife Action Plan (WAP) was created with the goal “to manage native wildlife, fish, mollusk, crustacean, amphibian, reptile, insect, and plant species and their habitats, sufficient to prevent the need for additional listings under the Endangered Species Act” (Draft UWAP 2025). The WAP identifies wildlife species most in need of conservation attention and the habitats they require for survival. The WAP includes a statewide threat assessment, which identifies threats to each key habitat and then ranks the impact of that threat according to the number of SGCN’s that could be affected. The Sevier and Piute Big Game Winter Range WMAs contain multiple key habitats listed in the WAP. The threats listed below are not a comprehensive list of statewide threats identified for these habitats but are those that may be most relevant on the WMAs. Management activities on the WMAs will attempt, to the extent possible, to address these priority threats, and will use the suggested strategies for management as outlined in the WAP.

DESERT GRASSLAND

Threats include:

- Improper Grazing – Livestock (current) (Medium)
- Inappropriate Fire Frequency and Intensity (High)
- Invasive Plant Species – Non-native (High)

Strategies for management include:

- Prioritize use of native grasses in restoration or rehabilitation projects.
- Promote and encourage policies that reduce inappropriate grazing by domestic livestock.
- Continue the use of appropriate methods for reducing the spread and dominance of invasive weeds and annual grasses, including early detection and rapid response (EDRR) programs.
- Continue the development of native plant materials suited to this habitat.
- Enhance the prevention and suppression of ignitions in areas that have burned once, which often retain a component of recovering native vegetation and are good candidates for otherwise-passive restoration.
- Support fire suppression during periods of extreme drought, when damage to perennial grasses is likely.

DESERT SHRUB

Threats include:

- Improper Grazing – Livestock (current) (Medium)
- Inappropriate Fire Frequency and Intensity (Medium)
- Invasive Plant Species – Non-native (Medium)

Strategies for management include:

- Create and maintain fuel breaks to prevent wildfire from reaching unburned acres, particularly in Great Basin communities where plant cover is higher and annual grass cover is problematic. In habitat still dominated by native plant communities, enhancing the prevention and suppression of ignitions in these unburned areas should be prioritized.
- Continue the search for herbicidal agents and biological controls to use against invasive annual grasses.

LOWER MONTANE MIXED CONIFER

Threats include:

- Improper Grazing – Livestock (current) (Medium)
- Inappropriate Fire Frequency and Intensity (High)
- Invasive Plant Species – Non-native (Medium)

Strategies for management include:

- Continue the use of appropriate methods to reduce the spread and dominance of invasive weeds, including EDRR programs.
- Continue the search for herbicidal agents and biological controls to use against invasive annual grasses.
- Continue the search for effective plant restoration materials and methods that can be affordably translated from the research plot scale to the operational project scale.
- Continue the development of new plant materials, especially native forbs, for understory habitat restoration or post-fire revegetation.
- Promote management that includes seeding a diversity of grasses, forbs, and shrubs that will lead to increased resiliency and resistance in the plant community.
- Promote and fund restoration that reduces monotypic or overstocked stand conditions, including cutting or mulching of pinyon and juniper trees and herbicide or mechanical treatment of non-native invasive species.

LOWLAND SAGEBRUSH

Threats include:

- Improper Grazing – Livestock (current) (Medium)
- Inappropriate Fire Frequency and Intensity (Very High)
- Droughts (High)
- Invasive Plant Species - Non-native (Very High)
- Problematic Plant Species – Native Upland (High)

Strategies for management include:

- Support federal and state land managers in aggressively suppressing wildfires in lowland sagebrush habitat. If wildfires do occur, ensure that revegetation seed mixes are appropriate, so as to not create additional issues, and ensure that seed mixes contain appropriate sagebrush seed.
- Research whether fuel breaks can help protect intact sagebrush areas.
- Continue with pinyon-juniper encroachment mitigation, where appropriate. Early treatment when trees are small is more cost effective and causes less disturbance.

MOUNTAIN SAGEBRUSH

Threats include:

- Housing and Urban Areas (Medium)
- Improper Grazing - Livestock (current) (Medium)
- Inappropriate Fire Frequency and Intensity (Medium)
- Invasive Plant Species – Non-native (Medium)
- Problematic Plant Species – Native Upland (High)

Strategies for management include:

- Although large-scale pinyon-juniper management is controversial, use of this technique to keep sagebrush from being overtaken by pinyon-juniper can be very effective and can benefit a number of sagebrush obligates. Early treatment when pinyon-juniper seedlings are small is more cost effective, has less of a visual impact, and creates less woody debris.
- Fuel breaks around and within large, intact stands of sagebrush can assist firefighters in managing large wildfires and can help reduce acreage of impacts from wildfires.
- Continue to research methods to improve sagebrush habitat.

MOUNTAIN SHRUB

Threats include:

- Housing and Urban Areas (Medium)
- Improper Grazing - Livestock (current) (Low)

- Inappropriate Fire Frequency and Intensity (Medium)
- Invasive Plant Species – Non-native (Medium)
- Problematic Plant Species – Native Upland (Low)

Strategies for management include:

- Promote policies and management that allow fire to return to a more natural regime.

RIPARIAN

Priority threats include:

- Housing and Urban Areas (Medium)
- Improper Grazing - Livestock (current) (High)
- Inappropriate Fire Frequency and Intensity (High)
- Post-fire Precipitation/Flooding (resulting water quality issues) (High)
- Presence of Dams (High)
- Presence of Diversions (High)
- Channelization / Bank Alteration (High)
- Dam / Reservoir Operation (Medium)
- Droughts (High)
- Water Allocation Policies (Very High)
- Agricultural / Municipal / Industrial Water Usage (Very High)
- Invasive Plant Species – Non-native (High)

Strategies for management include:

- Identify riparian habitat impacted by land use practices and continue to support funding for low-tech, process-based restoration (e.g., BDAs, one-rock dams). The use of these methods will restore Riparian Key Habitat by reconnecting floodplains, reducing soil erosion and controlling sediment, and increasing flood and wildfire resilience.
- Continue to support funding for weed treatment in riparian habitat, including Russian olive and tamarisk eradication. Use of mechanical treatment, herbicides, and prescribed fire are options to reduce non-native plant species; however, treatment must be followed up with management of other weeds, such as Russian knapweed and white top, which

can quickly expand in disturbed areas and negate any benefits of initial treatments. Securing funding and follow-up treatments can ensure that initial efforts are successful.

- Identify old water control structures (including levees) that channeled rivers and separated floodplains from streams. Remove obsolete structures where possible to help reconnect floodplains and re-establish riparian zones.
- Assist in revegetation and restoration of burn scars.
- Promote zoning, policies, and laws that lead to responsible human intrusion and development.
- Promote development of BDAs and post-assisted log structures.

SALT DESERT SHRUB

Threats include:

- Improper Grazing - Livestock (current) (Low)
- Inappropriate Fire Frequency and Intensity (High)
- Invasive Plant Species – Non-native (High)

Strategies for management include:

- Create and maintain fuel breaks to prevent fire from reaching remaining unburned acres, particularly in Great Basin communities where plant cover is higher and annual grass cover is problematic. Prioritize the enhanced prevention and suppression of ignitions in unburned areas in habitats dominated by native plant communities.
- Continue the search for herbicidal agents and biological controls to use against invasive annual grasses.
- Continue the search for effective plant restoration materials and methods that can be affordably translated from the research plot scale to the operational project scale.
- Continue the funding and support for weed abatement programs, including EDRR programs.
- Continue the development of new plant materials and restoration techniques suited to this habitat.
- Promote management that includes seeding a diversity of grasses, forbs, and shrubs that will lead to increased resiliency and resistance in the plant community.

WILDLIFE SPECIES MANAGEMENT PLANS

Unit management plans for deer and elk on Units 22 and 23 call for direct range improvements on winter range, working with partners through Utah's Watershed Restoration Initiative for fire rehabilitation, managing vehicle access on DWR lands to limit disturbance to wintering big game, and addressing pinyon and juniper encroachment through the use of proactive treatments. The State of Utah Turkey Management Plan places a high priority on winter habitat and medium priority on improving breeding and summer habitat. Similar to the unit management plans for deer and elk, the wild turkey plan addresses the need for maintaining range conditions, reducing disturbances, and proactive habitat improvements to support wild turkey populations. All these directives have historically been implemented and will continue to be implemented on the Sevier and Piute Big Game Winter Range WMAs.

LOCAL RESOURCE MANAGEMENT PLANS

In 2015, the Utah Legislature passed H.B. 323 which required each county to develop a Resource Management Plan (RMP) as part of the county's general plan. The State of Utah aggregated the land use decisions and directives that emerged from the county plans, and in 2018 published a RMP for the State of Utah. These local resource management plans were created to address and remedy a disconnect between local land use needs/desires and federal land use planning. The county and state RMPs are intended to provide a basis for coordinating with the federal government. Counties also utilize their RMP's as a basis for coordinating with State planning activities.

Under Utah State Code 63L-10-104, "State agencies and political subdivisions shall refer to and substantially conform to the statewide resource management plan when making plans for public lands or other public resources in the state."

Local RMPs applicable to the Sevier and Piute Big Game Winter Range WMAs include the statewide RMP and the Sevier and Piute County RMPs. Management of the WMAs will be consistent with these local resource management plans to the extent possible.

V. STRATEGIES FOR PROPERTY MANAGEMENT

DEVELOPMENT AND ANNUAL MAINTENANCE ACTIVITIES

Several ideas have been developed for the Sevier and Piute Big Game Winter Range WMAs to improve conditions of the property for both wildlife and DWR constituents that use the properties and are outlined below. In addition to these ideas, typical annual maintenance duties include weed control, fence maintenance, road maintenance and signage:

- Work with law enforcement and wildlife biologists to identify fence(s) that are problematic to deer and replace with wildlife friendly fence(s).
- Work with law enforcement to address illegal use of trails and roads on the WMA. Keep signage current and legible throughout the year.
- Maintain and improve water developments to provide water for wildlife.
- Explore ways to utilize existing water rights to irrigate up to 15 acres on the Monroe WMA.
- Resolve known boundary discrepancy issues on the City Creek WMA with private inholdings.

VI. STRATEGIES FOR HABITAT IMPROVEMENT

HABITAT IMPROVEMENT PLAN

The following ideas have been developed as the habitat improvement plan and are outlined below:

- Pinyon and juniper will be managed to reduce encroachment and loss of sagebrush and herbaceous understory including the maintenance of previous treatments.
- Increase preferred browse by utilizing both seeding and seedling transplants
 - Plant bitterbrush seed using volunteers and division personnel using hand planters and the “bitterbrush planter”. Target plantings in areas that are in early successional states and or have recently burned.
 - Locate areas for planting sagebrush and bitterbrush seedlings in recently treated areas to increase the amount of available browse on the landscape.
- Manage invasive species such as cheatgrass, utilizing herbicides and other methods.

- Install low-tech erosion control structures, primarily hand-built rock, or wood structures (Zeedyk Structures), enhancing the seasonal stream and associated riparian woody species, and hand seed around these structures with forbs to increase the amount of forage on the landscape.
- Explore use of existing water right on Monroe WMA to establish a 15 acre food plot.

ACCESS MANAGEMENT PLAN

Motorized access to the WMA is provided through a series of roads. Some of which are seasonally closed. Overland travel is limited to foot and horse traffic. The use of E-bikes is prohibited outside of the identified open roads. Creation of new roads and trails is prohibited. In addition to the identified open roads, there are several additional administrative roads that serve as access for maintenance and management purposes (see appendix A).

FIRE MANAGEMENT PLAN

Fire suppression is the general practice on big game winter range WMAs. Protecting browse species for wintering wildlife is the highest priority due to the difficulty associated with restoring browse species.

In order to balance fire suppression practices on the WMAs, an aggressive and proactive habitat restoration program has been and will continue to be implemented on the WMAs. These restoration projects serve to reduce fire receptivity and behavior.

WOOD PRODUCTS

Cedar posts and firewood are the most likely available wood products available on these WMAs, with a little potential for Christmas trees. None of these are available in large enough quantities for commercial harvest, but individual use permits may be obtained through the Southern Region office.

VII. SUMMARY STATEMENT OF PROPOSED USES

The primary purpose of the Sevier and Piute Big Game Winter Range WMAs is to provide winter range for big game species. In addition, there is vital, high-quality turkey habitat on some of the units. Allowed recreation uses include hunting, wildlife viewing, hiking, and horseback

riding. Dispersed camping will also be allowed but not promoted. OHV use will be allowed on the WMAs only on designated right of ways and marked open roads. Destruction and/or degradation of wildlife habitat from any of these uses may result in further restrictions to protect the resource.

VIII. MONITORING AND EVALUATION

The district wildlife biologists in conjunction with the area habitat restoration biologist and other habitat staff will evaluate the habitat and prepare habitat improvement proposals. The district conservation officer will monitor human use of the Sevier and Piute Big Game Winter Range WMAs and propose management modifications if problems exist with input from habitat and wildlife staff. The Habitat Section of the Southern Region of DWR will present improvement projects to the Watershed Restoration Initiative, Habitat Council, and other sources for approval and funding.

IX. APPENDICES

APPENDIX A – SEVIER AND PIUTE BIG GAME WINTER RANGE WMAS ACCESS MANAGEMENT PLAN

Sevier and Piute Big Game Winter Ranger WMAs Access Management Plan

The Sevier and Piute Big Game Winter Range WMAs include crucial winter range for big game in the Monroe and Beaver herds (units 22 and 23). Due to the sensitive nature of wintering big game and the potential for human use to further stress animals the DWR has developed this access management plan to direct public access on the properties.

Road Designation

The roads on the Sevier and Piute Big Game Winter Range WMAs will be designated in one of two categories: Open roads and Permanently Closed Roads.

Open roads

These are roads that will be left open to the public year-round and are roads on established rights of way granted to counties and roads deemed necessary to provide access to the properties and adjacent lands.

Permanently Closed Roads

All roads that are damaging to wildlife habitat and are unnecessary for public access or WMA management will be permanently closed (Utah Code section 41-22-13). Any road found on the properties that is not identified as an open road on the associated maps is considered a closed road. The roads will be closed using signs, water bars, fencing and other obstructions. Restoration of closed roads may include plowing, seeding or allowing less disturbed areas to return to natural state on their own.

Carrying out Closures

The HMP creation process includes opportunities for counties to review planned road designations and share input. See appendix B for maps of road designations.

Upon approval by the Director of DWR of the Habitat Management Plan, DWR will carry out closures and signing.

OHVs (including E-bikes)

OHVs will be allowed on open roads. There are no existing legal OHV trails on the WMAs (Utah Code section 41-22-13), other than those established on existing county roads and right of ways.

Enforcement of Closures

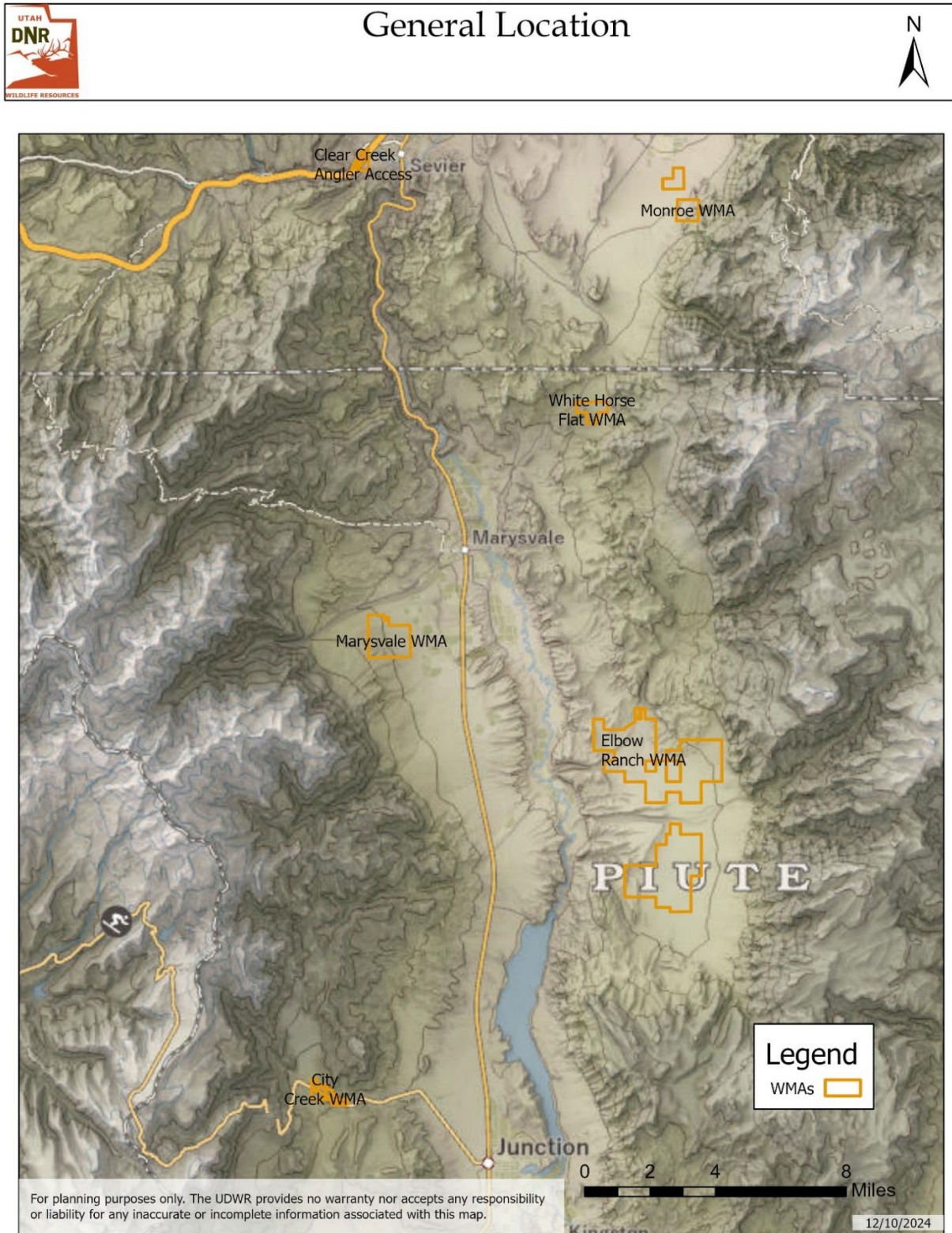
DWR Conservation Officers will carry out the enforcement of road closures. County Sheriff's Departments will also have jurisdiction (Utah Code Section 41-22-16). Trespass on closed roads is punishable as a class C misdemeanor and a monetary fine.

Informing the Public

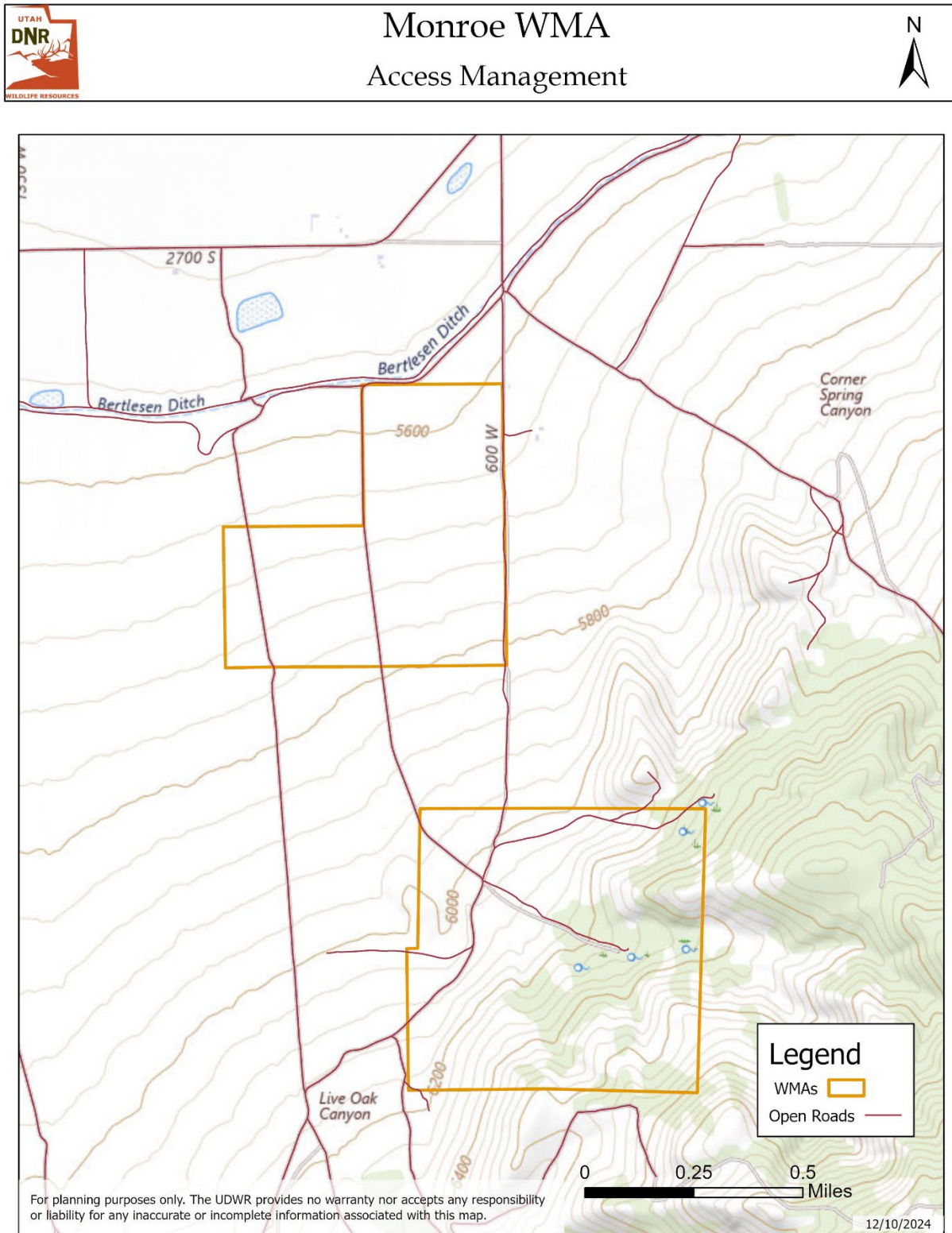
The public will be informed through signs at major access points, and on fence lines. The counties will also be notified of our intent to close roads and given a chance to provide input. Signage will be done as a courtesy to the public rather than being necessary for enforcement (Utah Code section 41-22-10.1).

APPENDIX B - MAPS

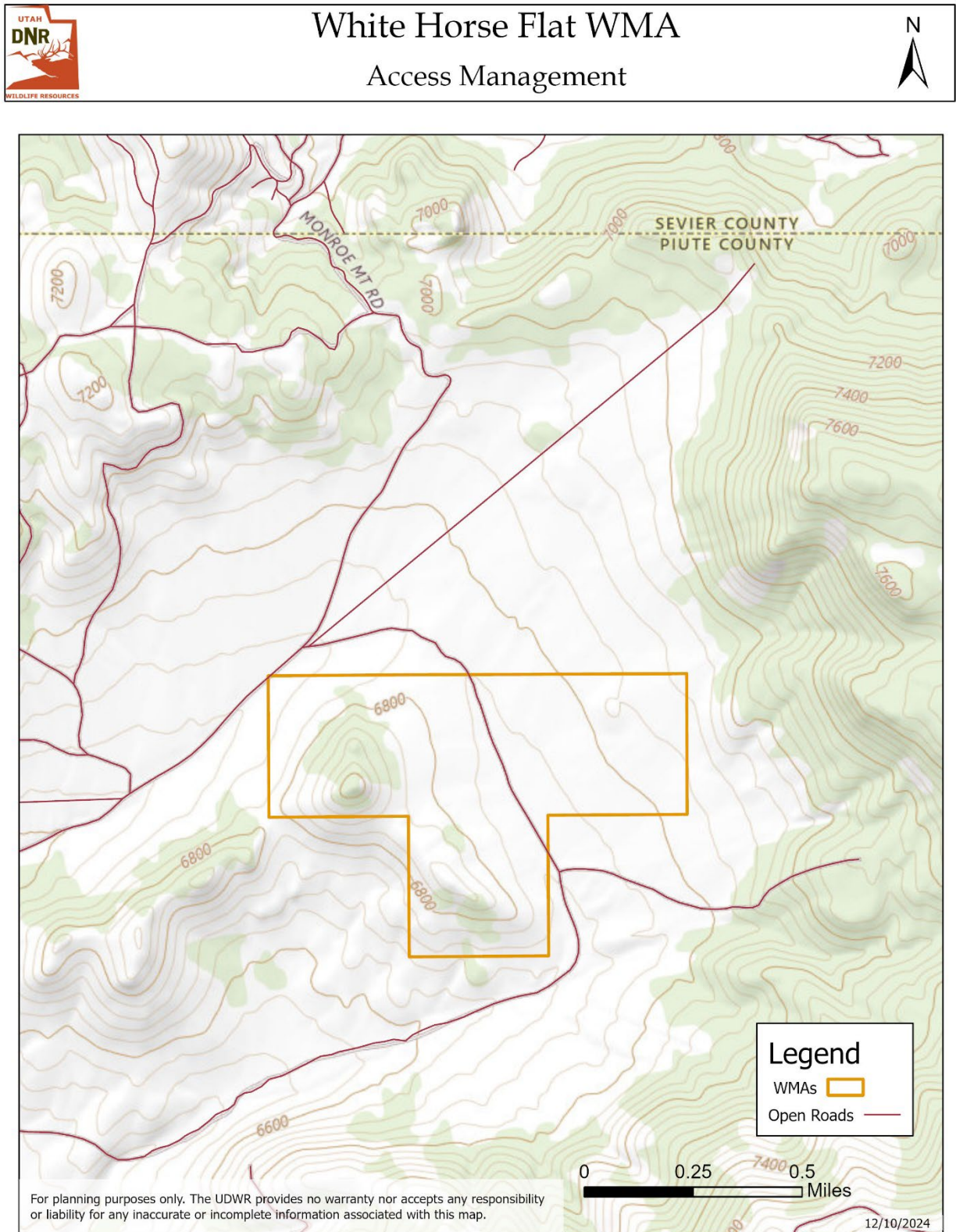
MAP 1 – GENERAL LOCATION MAP OF SEVIER AND PIUTE BIG GAME WINTER RANGE WMAS



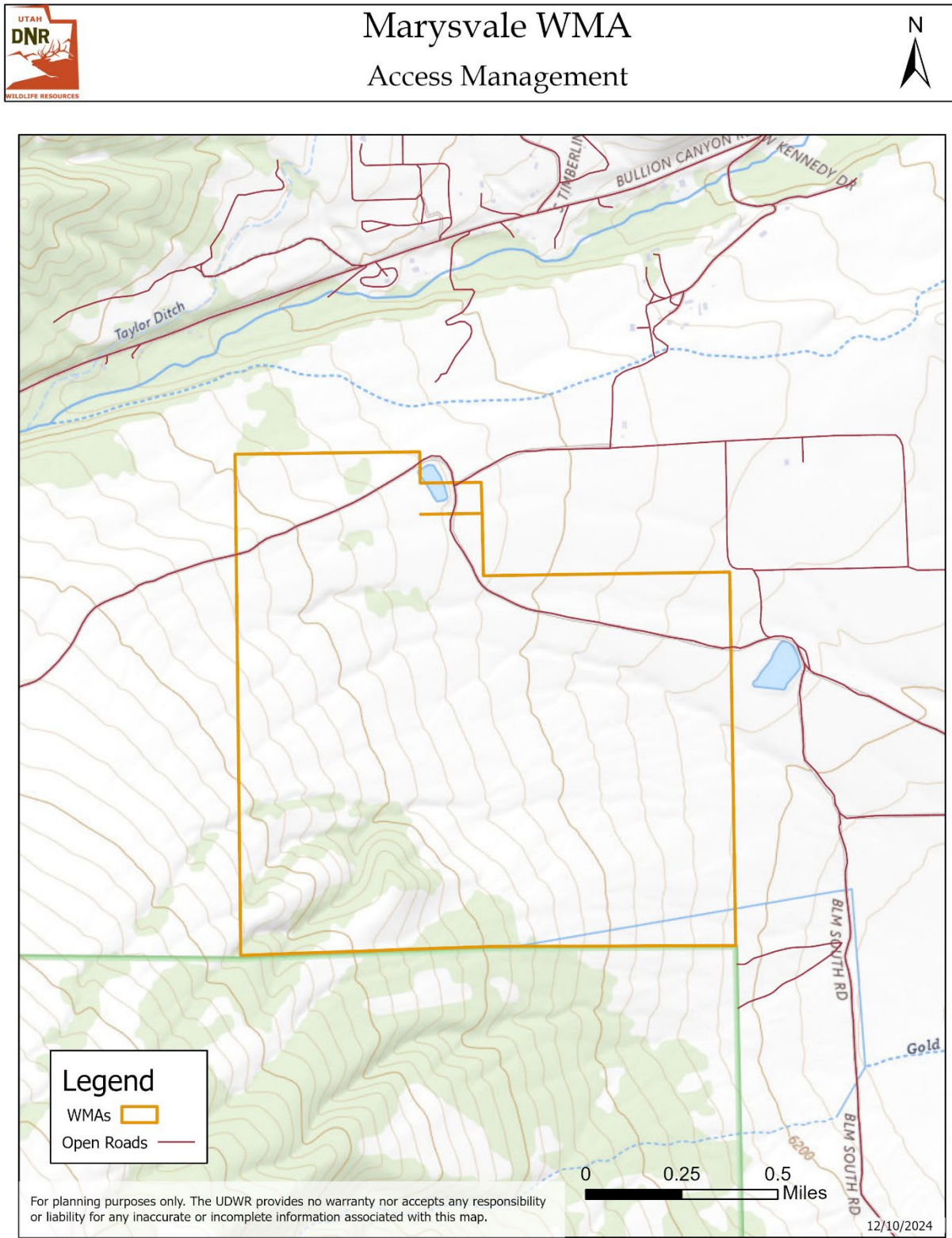
MAP 2 – MONROE WMA



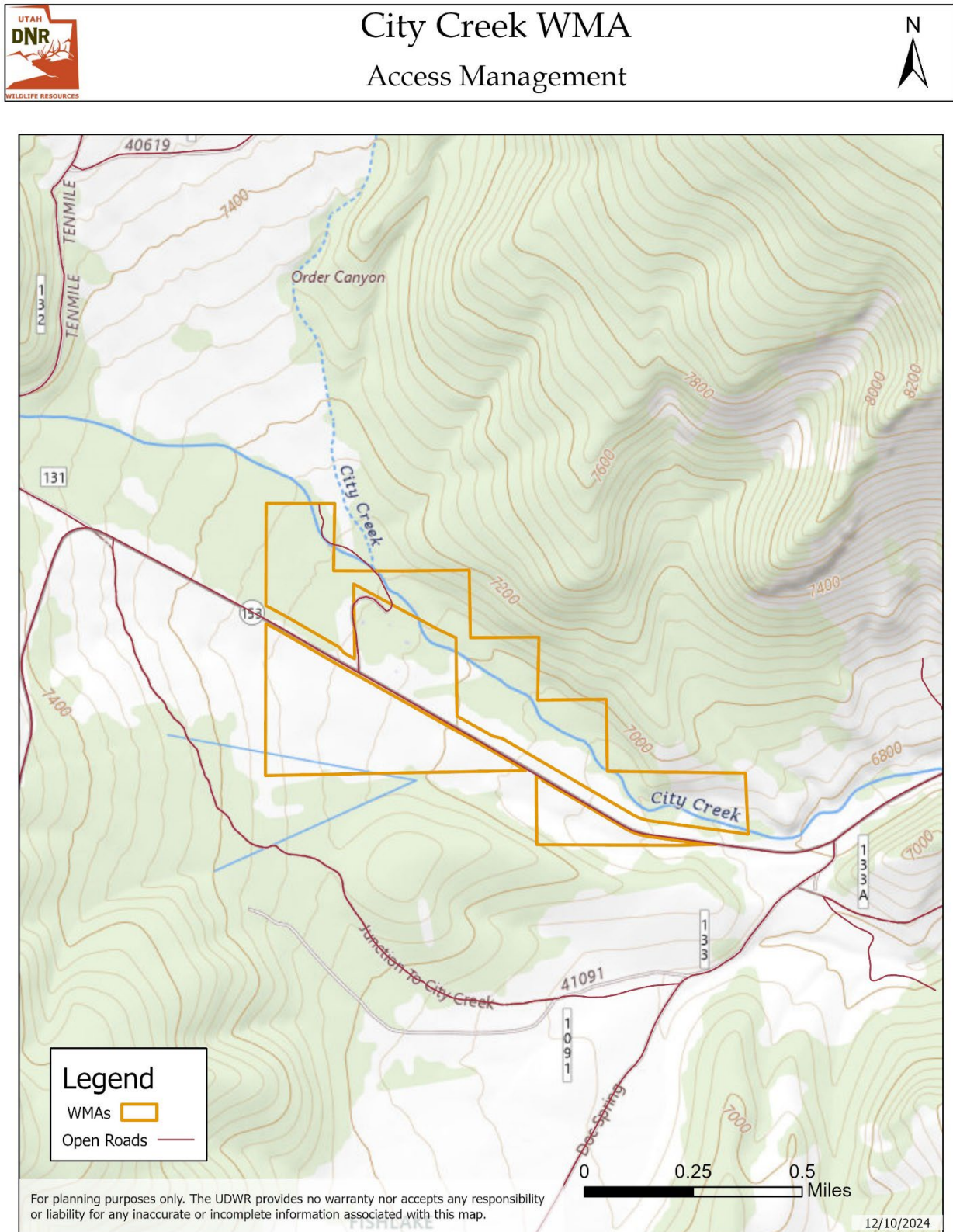
MAP 3 – WHITE HORSE FLAT WMA



MAP 4 – MARYSVALE WMA



MAP 5 – CITY CREEK WMA



APPENDIX C - DEEDS

Copies of deeds associated with the Sevier and Piute Big Game Winter Range WMAs can be found at the Southern Regional Office of the Utah Division of Wildlife Resources, 1470 North Airport Road, Cedar City, Utah 84721 or through the ULTRA database for those with login credentials.

APPENDIX D - WATER RIGHTS INFORMATION

TABLE 1- SEVIER AND PIUTE BIG GAME WINTER RANGE WMAS WATER RIGHTS

Water Right #	Source	Priority	Flow	Irrigated Acres	Stockwatering	Domestic #
63-3132	Birch Spring	1890	0.38 cfs	15.00	3 elu's	1 family – 3 persons

APPENDIX E – WILDLIFE HABITAT ANALYSIS TOOL REPORT



Utah Division of Wildlife Resources
1594 W. North Temple
Salt Lake City, UT 84116
(801) 538-4700, wildlife.utah.gov



Report Number: gar_16437

Report Date: 2024-12-16 12:19:20

Sevier/Piute Big Game WMAs

Location: Monroe, White Horse Flat, Marysville, and City Creek WMAs in Sevier and Piute County









Description: Drafting WMA Habitat Management Plan for Sevier/Piute Big Game Winter Range WMAs












Project Area of Interest with a half-mile and two-mile radius.

Half-Mile Radius











Species Name	Scientific Name	UWAP Status	ESA Status	Last Reported Date	SDHM
Toquerville Springsnail	<i>Pyrgulopsis kolobensis</i>	None	None	2013-09-18	
Wheeler Thistle	<i>Cirsium wheeleri</i>	None	None	2010-07-10 00:00:00	












Species Name	Scientific Name	UWAP Status	ESA Status	Last Reported Date	SDHM
Old-man Prickly-pear	<i>Opuntia erinacea</i> var. <i>utahensis</i>	None	None	2010-07-10 00:00:00	
Dusty Beardtongue	<i>Penstemon comarrhenus</i>	None	None	2010-07-10 00:00:00	
Arizona Mountain Kingsnake	<i>Lampropeltis pyromelana</i>	SGCN	None	2004-07-27	
Bald Eagle	<i>Haliaeetus leucocephalus</i>	SGCN	None	1989-12-02	
Northern Goshawk	<i>Accipiter atricapillus</i>	None	None	1966-07-01	
Brown Hive	<i>Euconulus fulvus</i>	None	None	1936-05-15	
Least Grape-fern	<i>Botrychium simplex</i>	None	None	1990-07-21 00:00:00	
Lewis's Woodpecker	<i>Melanerpes lewis</i>	SGCN	None	2004-02-16	




Two-Mile Radius

Species Name	Scientific Name	UWAP Status	ESA Status	Last Reported Date	SDHM
Toquerville Springsnail	<i>Pyrgulopsis kolobensis</i>	None	None	2013-09-18	
Bald Eagle	<i>Haliaeetus leucocephalus</i>	SGCN	None	1982-01-08	
American White Pelican	<i>Pelecanus erythrorhynchos</i>	SGCN	None	1978-09-29	
Needle-and-Thread	<i>Stipa comata</i>	None	None	2020-09-29 21:07:55	
Elsinore Buckwheat	<i>Eriogonum ostlundii</i>	SGCN	None	2005-12-31 00:00:00	
Townsend's Big-eared Bat	<i>Corynorhinus townsendii</i>	SGCN	None	1997-07-22	
Pinyon Jay	<i>Gymnorhinus cyanocephalus</i>	None	None	2020-03-12	 Full View
Long-legged Myotis	<i>Myotis volans</i>	None	None	1997-07-22	
Toquerville Springsnail	<i>Pyrgulopsis kolobensis</i>	None	None	2013-09-18	
Bald Eagle	<i>Haliaeetus leucocephalus</i>	SGCN	None	1988-12-19	

Species Name	Scientific Name	UWAP Status	ESA Status	Last Reported Date	SDHM
American White Pelican	<i>Pelecanus erythrorhynchos</i>	SGCN	None	1978-09-29	
Pennsylvania Cinquefoil	<i>Potentilla pensylvanica</i>	None	None	1988-10-04 00:00:00	
Dragon Wormwood	<i>Artemisia dracuncul</i>	None	None	2010-07-10 00:00:00	
Wheeler Thistle	<i>Cirsium wheeleri</i>	None	None	2010-07-10 00:00:00	
Dusty Beardtongue	<i>Penstemon comarrhenus</i>	None	None	2010-07-10 00:00:00	
King's Lupine	<i>Lupinus kingii</i> var. <i>kingii</i>	None	None	2010-07-10 00:00:00	
Utah Bird's-foot-trefoil	<i>Lotus utahensis</i>	None	None	2010-07-10 00:00:00	
Shaggy Fleabane	<i>Erigeron pumilus</i>	None	None	2010-07-10 00:00:00	
Old-man Prickly-pear	<i>Opuntia erinacea</i> var. <i>utahensis</i>	None	None	2010-07-10 00:00:00	
Watson's Beardtongue	<i>Penstemon watsonii</i>	None	None	2010-07-10 00:00:00	
Grizzly Bear Cactus	<i>Opuntia erinacea</i> var. <i>ursina</i>	None	None	2010-07-10 00:00:00	

Species Name	Scientific Name	UWAP Status	ESA Status	Last Reported Date	SDHM
Elsinore Buckwheat	<i>Eriogonum ostlundii</i>	SGCN	None	2005-12-31 00:00:00	
Mountain Cactus	<i>Pediocactus simpsonii</i>	None	None	2010-07-10 00:00:00	
Arizona Mountain Kingsnake	<i>Lampropeltis pyromelana</i>	SGCN	None	2004-07-27	
Bald Eagle	<i>Haliaeetus leucocephalus</i>	SGCN	None	1989-12-02	
Flammulated Owl	<i>Psilosops flammeolus</i>	SGCN	None	2022-07-22	
Northern Goshawk	<i>Accipiter atricapillus</i>	None	None	1966-07-01	
Brown Hive	<i>Euconulus fulvus</i>	None	None	1936-05-15	
Rocky Mountain Column	<i>Pupilla blandii</i>	None	None	1936-05-15	
Top-heavy Column	<i>Pupilla syngenes</i>	SGCN	None	1938-JUN	
Indecisive Vallonia	<i>Vallonia albula</i>	None	None	1938-Jun	

Species Name	Scientific Name	UWAP Status	ESA Status	Last Reported Date	SDHM
Suboval Ambersnail	<i>Catinella vermeta</i>	None	None	1938-Jun	
Tadpole Physa	<i>Physa gyrina</i>	None	None	1936-05-15	
Forest Disc	<i>Discus whitneyi</i>	None	None	1936-05-15	
Western Glass-snail	<i>Vitrina pellucida</i>	None	None	1936-05-15	
Mud Amnicola	<i>Amnicola limosa</i>	None	None	1936-05-15	
Least Grape-fern	<i>Botrychium simplex</i>	None	None	1990-07-21 00:00:00	
	<i>Symphyotrichum welshii</i>	None	None	1986-09-14	
Bald Eagle	<i>Haliaeetus leucocephalus</i>	SGCN	None	1989-01-16	
Northern Leopard Frog	<i>Lithobates pipiens</i>	SGCN	None	2021-07-18	
Townsend's Big-eared Bat	<i>Corynorhinus townsendii</i>	SGCN	None	1999-04-28	
Lewis's Woodpecker	<i>Melanerpes lewis</i>	SGCN	None	2004-02-16	

Species Name	Scientific Name	UWAP Status	ESA Status	Last Reported Date	SDHM
Pinyon Jay	<i>Gymnorhinus cyanocephalus</i>	None	None	2020-03-12	 Full View
Northern Flying Squirrel	<i>Glaucomys sabrinus</i>	None	None	1993-06	
Bonneville Cutthroat Trout	<i>Oncorhynchus clarkii utah</i>	SGCN	None	1995-04-14	

Definitions

State Status	
SGCN	Species of greatest conservation need listed in the Utah Wildlife Action Plan (UWAP) and also included in the Utah Field Guide
U.S. Endangered Species Act	
LE	A taxon that is listed by the U.S. Fish and Wildlife Service as "endangered" with the probability of worldwide extinction
LT	A taxon that is listed by the U.S. Fish and Wildlife Service as "threatened" with becoming endangered
LE:XXN	An "endangered" taxon that is considered by the U.S. Fish and Wildlife Service to be "experimental and nonessential" in its designated use areas in Utah
C	A taxon for which the U.S. Fish and Wildlife Service has on file sufficient information on biological vulnerability and threats to justify it being a "candidate" for listing as endangered or threatened
PT/PE	A taxon "proposed" to be listed as "endangered" or "threatened" by the U.S. Fish and Wildlife Service

Species Distribution and Habitat Suitability Models

Species distribution and habitat suitability models (SDHMs) can inform wildlife management decisions such as habitat protection, enhancement, and restoration. They may also help assess environmental impacts by identifying species' habitats. When reevaluating SDHMs with new information, they can help identify or track changes or trends in habitat

quality. SDHMs assess habitats' spatial arrangement and connectivity, identify crucial habitats, or describe the environmental conditions a species selects. SDHMs provide an understanding of the impacts of invasive species spread and identify suitable areas for species translocations/re-introductions.

SDHMs show a predicted suitable habitat for a species based on various biotic and abiotic environmental factors. These models may be useful for statewide evaluation but should not be considered verified species presence or absence. Field survey information should be utilized to verify the presence or absence of taxa when making species-specific decisions. Models produced by the Utah Division of Wildlife Resources (DWR) were conducted using a blend of Generalized Linear Models, Generalized Additive Models, Random Forest Models, Boosted Regression Tree Models, and Maximum Entropy Models.

Mitigation Strategies

Typical recommendations to consider and help guide project activities to avoid, minimize or mitigate impacts on wildlife and their habitats from project disturbances are displayed below for some wildlife species found within/near your project area.

Common Name	Strategy
Bald Eagle	Avoid disturbance within disturbance buffer (determined by activity, either 330 ft or 660 ft) from nest Jan. 1 - Aug. 15
Pinyon Jay	This species has been petitioned for federal listing, consideration of this species should be included in any project environmental analyses.
Elk	Avoid disturbance in crucial winter habitats Dec. 1 - Apr. 15. Avoid, minimize or mitigate impacts from large-scale development that occur within crucial elk habitats. Voluntary mitigation is recommended at a 4:1 ratio, meaning 4 acres of improved or conserved habitat for every 1 acre of disturbance.
mule deer	Avoid disturbance in crucial winter habitats Dec. 1 - Apr. 15. Avoid, minimize or mitigate impacts from large-scale development that occur within crucial elk habitats. Voluntary mitigation is recommended at a 4:1 ratio, meaning 4 acres of improved or conserved habitat for every 1 acre of disturbance.

The DWR understands that mitigation strategies might conflict. Please reach out to DWR staff to develop strategies to minimize impacts on wildlife while still achieving project goals. Your project is located in the following UDWR region(s):

DWR Region Full Name	Regional Phone	Impact Analysis Biologist	Email	Phone
Southern Region	435-865-6100	Jess Kinross	jessicavan@utah.gov	435-691-2372

Wildlife Action Plan

The [Utah Wildlife Action Plan](#) (UWAP) is Utah's guiding document for native species conservation. The DWR encourages parties to use the UWAP in their environmental planning, as it provides a conservation framework to prevent future listings under the ESA.

Disclaimer

The information provided in this report is based on data existing in the Utah Division of Wildlife Resources' central database at the time of the request. It should not be regarded as a final statement on the occurrence of any species on or near the designated site, nor should it be considered a substitute for on-the-ground biological surveys. Moreover, because the Utah Division of Wildlife Resources' central database is continually updated, any given response is only appropriate for its respective request.

The Utah DWR provides no warranty nor accepts any liability occurring from any incorrect, incomplete, or misleading data or from any incorrect, incomplete, or misleading use of these data.

The results include a query of species tracked by the Utah Natural Heritage Program and Utah Division of Wildlife Resources, which includes all species listed under the U.S. Endangered Species Act, species in the Utah Wildlife Action Plan, and other species. Other significant wildlife values might also be present on the designated site.

For additional information about species listed under the Endangered Species Act and their Critical Habitats that may be affected by activities in this area or for information about Section 7 consultation under the Endangered Species Act, please visit <https://ecos.fws.gov/ipac/> or contact the U.S. Fish and Wildlife Service Utah Ecological Services Field Office at (801) 975-3330 or utahfieldoffice_esa@fws.gov.

The "Not For Consultation" watermark is meant to inform users that this tool is not a substitute for the U.S. Fish and Wildlife Service (USFWS) environmental review process. While this tool provides courtesy information on ESA species for context, the U.S. Fish and Wildlife Service is the authority on Information for Planning and Consultation Endangered Species Act Reviews. Additionally, the Wildlife Habitat Analysis Tool provides information to assist in analysis but does not replace coordination and consultation with Utah Division of Wildlife Resource biologists who can often serve as an expert resource for site-specific information.

Supplemental Data

Migration Corridors

Species	Type
Mule Deer	high use
Mule Deer	low use
Mule Deer	medium use

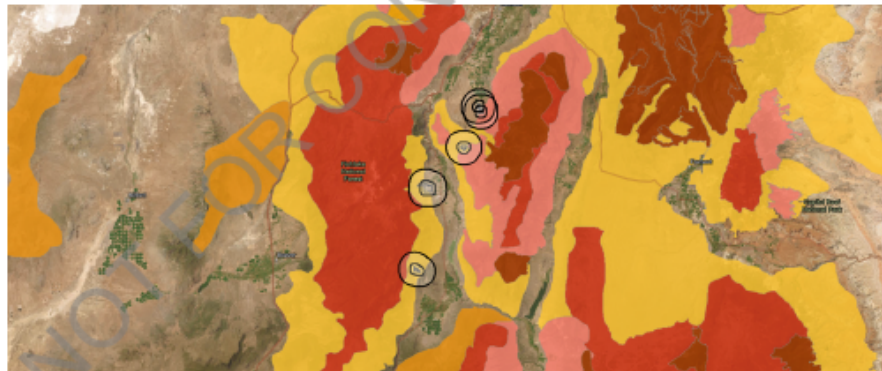
Unmapped Corridors

Unmodeled Corridors: Absent

Wildlife Habitat Information

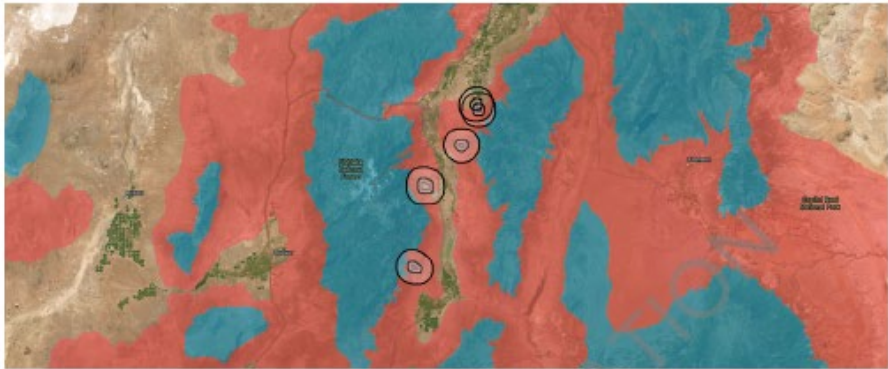
Species	Season	Value	Comments
Band-Tailed Pigeon	spring-fall	substantial	
Black Bear	year-long	crucial	
Elk	winter	crucial	
Elk	winter	substantial	
Mule Deer	winter	crucial	
Turkey	year-long	NA	
White-Tailed Jackrabbit	year-long		

Elk Habitat



Season	Species	Value	Comments
winter	Elk	crucial	
winter	Elk	substantial	

Mule Deer Habitat



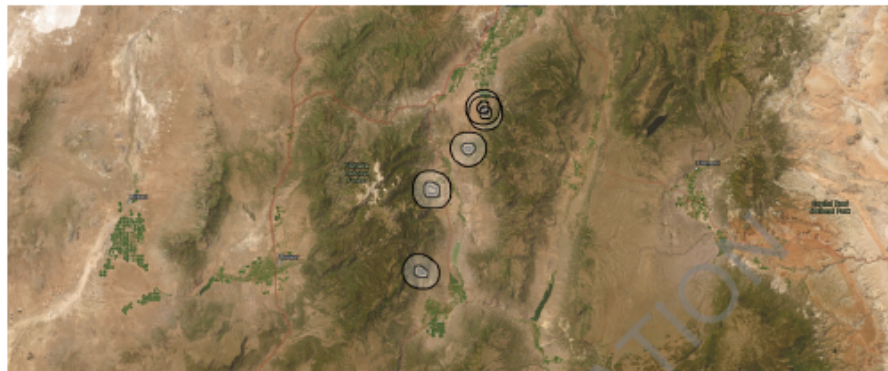
Comments	Season	Species	Value
	winter	Mule Deer	crucial

Migration Corridors



Herd Size	Species	Type
5200	Mule Deer	low use
5200	Mule Deer	medium use
5200	Mule Deer	high use

Terrestrial Key Habitat

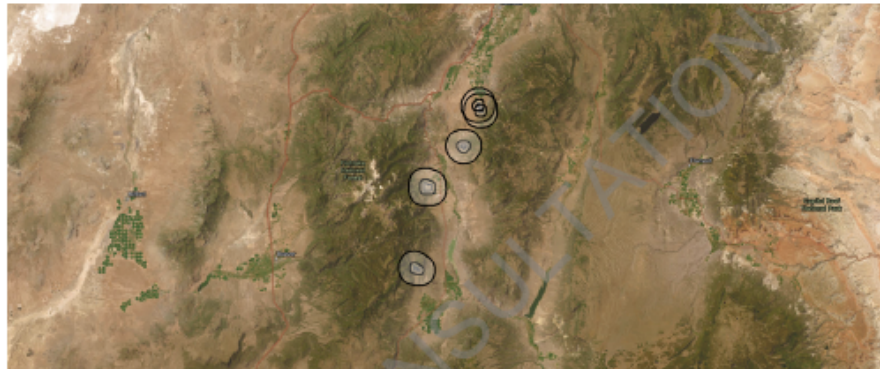


Description: These polygons representing 13 terrestrial key habitats have been generalized for web mapping applications, and often under-represent the presence of key habitats, particularly small areas of discontinuous habitat.

Habitat Name
Lower Montane Mixed Conifer
Lowland Sagebrush
Lowland Sagebrush
Mountain Sagebrush
Desert Shrub
Desert Shrub
Lowland Sagebrush
Desert Shrub
Lower Montane Mixed Conifer
Salt Desert Shrub
Desert Grassland
Lower Montane Mixed Conifer
Mountain Shrub
Lowland Sagebrush

Habitat Name
Riparian
Desert Shrub

Springs



Site Description	Site Name	Site Classification	Ssi Global Id
Imported in 2013 from NHD Database	79787617 NHD_ID	None	284a6804-4474-4ca2-9e90-d2fde769ba99
Imported in 2013 from NHD Database	79787705 NHD_ID	None	3db391e5-a5cf-4b6d-8bf9-9f61db49daec
Imported in 2013 from NHD Database	79787675 NHD_ID	None	28c9e15b-68c5-4ccb-bf41-e49cc707ee13
Imported in 2013 from NHD Database	79787735 NHD_ID	None	71463f50-ceeb-446a-8e4e-dd090744e92a

Report Generated For

Name: Gary J Bezzant
Organization: Utah Division of Wildlife Resources
Email: garybezzant@utah.gov
Phone: (435)-691-2357

End of Report

Thank you for using the Utah Wildlife Habitat Analysis tool. Feel free to reach out to the department for additional information or assistance.

APPENDIX F – LIST OF HMP REVIEWERS

SFW

MDF

RMEF

NWTF

Sevier County

Piute County

USFS

BLM

Trust Lands Administration

Private Landowners

Utah Division of Wildlife Resources Personnel