

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.

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