



Certification Page Regular and Emergency Rules

Revised September 2016

Emergency Rules (After completing all of Sections 1 through 3, proceed to Section 5 below)

Regular Rules

1. General Information

a. Agency/Board Name Wyoming Game and Fish Department		
b. Agency/Board Address 3030 Energy Lane	c. City Casper	d. Zip Code 82604
e. Name of Agency Liaison Mike Choma		f. Agency Liaison Telephone Number 307-473-3417
g. Agency Liaison Email Address mike.choma@wyo.gov		h. Adoption Date May 23, 2018
i. Program Game and Fish Commission - Regulations		

2. Legislative Enactment

For purposes of this Section 2, "new" only applies to regular rules promulgated in response to a Wyoming legislative enactment not previously addressed in whole or in part by prior rulemaking and does not include rules adopted in response to a federal mandate.

a. Are these rules new as per the above description and the definition of "new" in Chapter 1 of the Rules on Rules?

No. Yes. Please provide the Enrolled Act Numbers and Years Enacted: **See attached**

3. Rule Type and Information

a. Provide the Chapter Number, Title, and Proposed Action for Each Chapter.
(Please use the Additional Rule Information form for more than 10 chapters and attach it to this certification)

Chapter Number:	Chapter Name:	<input type="checkbox"/> New <input checked="" type="checkbox"/> Amended <input type="checkbox"/> Repealed
32	Regulation Governing Firearm Cartridges and Archery Equipment	<input type="checkbox"/> New <input checked="" type="checkbox"/> Amended <input type="checkbox"/> Repealed
68	Grizzly Bear Hunting Seasons	<input checked="" type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
		<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
		<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
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		<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
		<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed

3. State Government Notice of Intended Rulemaking

a. Date on which the Proposed Rule Packet (consisting of the Notice of Intent as per W.S. 16-3-103(a), Statement of Principal Reasons, strike and underscore format and a clean copy of each chapter of rules were:

- approved as to form by the Registrar of Rules; and
- provided to the Legislative Service Office and Attorney General:

4. Public Notice of Intended Rulemaking

a. Notice was mailed 45 days in advance to all persons who made a timely request for advance notice No. Yes. N/A

b. A public hearing was held on the proposed rules. No. Yes. Please complete the boxes below.

Date: See attached	Time:	City:	Location:
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c. If applicable, describe the emergency which requires promulgation of these rules without providing notice or an opportunity for a public hearing:

5. Final Filing of Rules


a. Date on which the Certification Page with original signatures and final rules were sent to the Attorney General's Office for the Governor's signature: May 25, 2018

b. Date on which final rules were approved as to form by the Secretary of State and sent to the Legislative Service Office: May 25, 2018

c. The Statement of Reasons is attached to this certification.

6. Agency/Board Certification

The undersigned certifies that the foregoing information is correct.

Signature of Authorized Individual	
Printed Name of Signatory	Mark Anselmi
Signatory Title	President
Date of Signature	May 23, 2018

7. Governor's Certification

I have reviewed these rules and determined that they:

1. Are within the scope of the statutory authority delegated to the adopting agency;
2. Appear to be within the scope of the legislative purpose of the statutory authority; and, if emergency rules,
3. Are necessary and that I concur in the finding that they are an emergency.

Therefore, I approve the same.

Governor's Signature	
Date of Signature	

2. Legislative Enactment

- a. 50 CFR Part 17; Docket No. FWS-R6-ES-2016-0042; FXES 111 30900000C6-178-FF 09E42000;
W.S. § 23-1-302, § 23-1-703, § 23-2-101, § 23 2-2014.

March 22, 2018	6:00 p.m.	Casper	Game and Fish Office
March 27, 2018	6:00 p.m.	Dubois	Headwaters Arts & Conference Center
April 2, 2018	7:00 p.m.	Sheridan	Game and Fish Office
April 2, 2018	6:00 p.m.	Laramie	UW Berry Biodiversity Conservation Center
April 3, 2018	6:00 p.m.	Green River	Game and Fish Office
April 10, 2018	6:00 p.m.	Cody	Holiday Inn
April 12, 2018	6:00 p.m.	Pinedale	Game and Fish Office
April 17, 2018	6:00 p.m.	Jackson	National Museum of Wildlife Art

STATEMENT OF REASONS

CHAPTER 32

REGULATION GOVERNING FIREARM CARTRIDGES AND ARCHERY EQUIPMENT

W.S. § 23-1-302 directs and empowers the Commission to promulgate such orders as the Commission deems necessary to carry out the intent of this act.

W.S. § 23-2-104 empowers the Commission to establish rules and regulation specifications for archery equipment used for taking big or trophy game animals.

W.S. § 23-3-111 empowers the Commission to establish rules and regulations governing firearms and ammunition specifications for taking big or trophy game animals.

In Section 4, edits have been incorporated to separate grizzly bears from other trophy game animals and to designate legal firearm calibers and muzzle-loading restrictions for the taking of grizzly bears. Edits have also been made to clarify that any muzzle-loading rifle or muzzle-loading handgun used for hunting big or trophy game animals shall use an expanding point bullet or lead ball.

Other grammatical and formatting edits have been incorporated to provide additional clarity but do not change the intent of the regulation.

CHAPTER 32

REGULATION GOVERNING FIREARM CARTRIDGES AND ARCHERY EQUIPMENT

Section 1. Authority. This regulation is promulgated by authority of Wyoming Statutes § 23-1-302, § 23-2-104, § 23-3-110 and § 23-3-111.

Section 2. Regulation. The Commission hereby adopts the following regulation governing firearm cartridges and archery equipment for the taking of big or trophy game animals and game birds. This regulation shall remain in effect until modified or repealed by the Commission.

Section 3. Definition. For the purpose of this regulation, definitions shall be as set forth in Title 23, Wyoming Statutes, and the Commission also adopts the following definition:

(a) “Archery Equipment” means crossbows, longbows, recurve bows, compound bows, arrows and bolts.

Section 4. Firearms, muzzle-loaders and cartridges that are legal for the taking of big or trophy game animals.

(a) For the taking of bighorn sheep, elk, moose, mountain goat or black bear by the use of a firearm, a hunter shall use:

(i) Any center-fire firearm of at least .24 caliber and firing a cartridge of at least two (2) inches in overall length, or any other cartridge of at least .35 caliber and at least one and one-half inches (1.5) in overall length, and using an expanding point bullet; or,

(ii) Any muzzle-loading rifle or any muzzle-loading handgun of at least .40 caliber and firing an expanding point bullet or lead ball and using a charge of at least fifty (50) grains of black powder or its equivalent; or,

(iii) Any shotgun firing “00” or larger buckshot, or a slug.

(b) For the taking of antelope, deer, mountain lion, or gray wolf where designated as a trophy game animal, a hunter shall use:

(i) Any center-fire firearm of at least .22 caliber (excluding .22 Hornet) and having a bullet weight of at least sixty (60) grains and firing a cartridge of at least two (2) inches in overall length, or any other cartridge of at least .35 caliber and at least one and one-half (1.5) inches in overall length, and using an expanding point bullet; or,

(ii) Any muzzle-loading rifle or any muzzle-loading handgun of at least .40 caliber and firing an expanding point bullet or lead ball and using a charge of at least fifty (50) grains of black powder or its equivalent; or,

(iii) Any shotgun firing "00" or larger buckshot, or a slug.

(c) For the taking of a grizzly bear by the use of a firearm, a hunter shall use:

(i) Any center-fire firearm of at least .27 caliber and firing a cartridge of at least two (2) inches in overall length and using an expanding point bullet of at least one hundred fifty (150) grains.

(ii) Any muzzle-loading rifle or any muzzle-loading handgun of at least .50 caliber and firing an expanding point bullet or lead ball and using a charge of at least one hundred (100) grains of black powder or its equivalent; or,

(iii) Any shotgun firing "00" or larger buckshot, or a slug.

Section 5. Firearms, cartridges and archery equipment that are legal for the taking of game birds and small game.

(a) For the taking of game birds, excluding wild turkey, blue grouse and ruffed grouse, a hunter shall use:

(i) Any center-fire or muzzle-loading shotgun not larger than a ten (10) gauge plugged to admit no more than one (1) shell in the chamber and two (2) shells in the magazine; or,

(ii) Any archery equipment.

(b) For the taking of wild turkey, a hunter shall use any shotgun, center-fire firearm, .17 HMR or larger rimfire firearm with an overall cartridge length greater than one (1) inch, any muzzle-loading firearm, or any archery equipment.

(c) Blue grouse, ruffed grouse and small game may be taken in any manner except as prohibited by Wyoming Statute.

Section 6. Archery equipment that is legal for the taking of big or trophy game animals.

(a) For the taking of antelope, bighorn sheep, black bear, deer, mountain goat, mountain lion, or gray wolf where designated as a trophy game animal, a hunter shall use a longbow, recurve bow or compound bow of not less than forty (40) pounds draw weight and an arrow equipped with a fixed or expanding point broadhead that when fully expanded cannot pass through a seven-eighths (7/8) inch solid ring.

(b) For the taking of elk, grizzly bear or moose, a hunter shall use a longbow, recurve bow or compound bow of not less than fifty (50) pounds draw weight and an arrow equipped with a fixed or expanding point broadhead that when fully expanded cannot pass through a seven-eighths (7/8) inch solid ring.

(c) For the taking of any big or trophy game animal with a crossbow, a hunter shall use a crossbow having a peak draw weight of at least ninety (90) pounds and a bolt of at least sixteen (16) inches in length equipped with a fixed or expanding point broadhead that when fully expanded cannot pass through a seven-eighths (7/8) inch solid ring.

WYOMING GAME AND FISH COMMISSION

Mark Anselmi, President

Dated: May 23, 2018

WYOMING GAME AND FISH COMMISSION

CHAPTER 32

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WYOMING GAME AND FISH COMMISSION

By: ~~Charles C. Price~~Mark Anselmi, President

Dated: ~~January 29, 2016~~May 23, 2018

PUBLIC COMMENT SUMMARY

CHAPTER 68

GRIZZLY BEAR HUNTING SEASONS

Wyoming Game and Fish Department
Cheyenne, WY

Overview

The Department received 3,334 individual comment submissions during the public comment period on Chapter 68, Grizzly bear hunting seasons. We considered an individual comment submission as a comment or set of comments submitted directly to the Department by a person or organization. Many individuals, predominantly those opposed to hunting, submitted multiple comments under the same name and address. Where these could be identified, we combined and treated them as single comment submission. Eighteen “form letters” were also identified among the comment submissions. The most widely circulated form letter was submitted by 500 individuals opposed to a grizzly bear hunting season. Fourteen additional form letters opposed to hunting were collectively submitted by 80 individuals and 3 form letters in support of a hunting season were collectively submitted by 12 individuals. In so much as the signatories have expressed agreement with points raised by the original author, we counted all form letter submissions as individual comments in the comment tallies so long as they were submitted directly to the Department by the signatory individuals.

A number of organizations submitted comments “on behalf of their members.” Some claim memberships ranging into the millions and/or included lengthy lists of member names. Other organizations submitted CDs containing replicate copies of the same form letter and listed a member’s name next to each copy. Some organizations submitted a comment letter, but did not provide a membership estimate. In the comment tally, we considered all comments submitted by organizations as a single comment submission per organization irrespective of the claimed membership or number of members listed. For reference, Table 1 identifies the organizations that submitted comments, lists their claimed membership if provided, and notes whether the organization supports or opposes a grizzly bear hunting season. Specific points and issues raised in each organization’s comment letter were counted once in the summary tables.

The demographic distribution of comment submissions, and proportions supporting or opposing a hunt season, are based on the above conventions and summarized in Table 2

Table 1. Comment submissions by organizations supporting or opposing a grizzly bear hunt season in Wyoming.

Organization Name	Comment Type	Supports Hunt	Opposes Hunt	Claimed Membership or No. of Names Listed.
Center for Biological Diversity	Form Letter *		X	31,919 names listed
	Organization Letter		X	Claims 1.6 million members
Greater Yellowstone Coalition	Form Letter *		X	2,692 names listed
	Organization Letter		X	75,000 claimed membership
Sierra Club	Form Letter *		X	55 names listed
	Organization Letter		X	3.7 million claimed membership
	Petition		X	563 names listed
Natural Resource Defense Council	Form Letter *		X	58,139 names listed
National Parks Association	Organization Letter		X	Claims 1.3 million members & “supporters”
Coalition to Protect America’s National Parks	Organization Letter		X	Claims 1,500 members
Humane Society of the U.S.	Organization Letter		X	Annual Report Claims >11 million members & “supporters” worldwide
Northern Arapaho Elders Society	Organization Letter		X	Not provided
GOAL Tribal Coalition	Organization Letter		X	Not provided, 39 Tribal Nations listed online
Piikani Nation of Blackfoot Confederacy	Organization Letter		X	Not provided
Great Sioux Nation, Crow Creek Tribe	Organization Letter		X	Not Provided
Defenders of Wildlife – individual comment No. 2333 submitted from Missoula, MT	Organization Petition		X	Claims 14,982 signatories, names available on request
Wild Earth Guardians	Organization Letter		X	Claims 206,000 members
Rocky Mountain Elk Foundation	Organization Letter	X		Not provided,
Wyoming Outfitters & Guides Association	Organization Letter	X		Not provided
Western Bear Foundation	Organization Letter	X		Not provided
Utah Archery Association	Organization Letter	X		Not provided
Wyoming Wildlife Federation	Organization Letter	X		Not provided

* Organizations submitted member names with copies of individual form letters or talking point comments in several cases, but comments were not submitted by those individuals through the State portal. All organization letters were treated as a single comment in the issues analysis.

Table 2. Demographic composition of comment submissions based on sender addresses.

TOTAL		WY Address		Non-WY U.S. Address		International Address	
3,334		407		2,796		131	
Support	Oppose	Support	Oppose	Support	Oppose	Support	Oppose
993	2,341	243	164	748	2,048	2	129
30%	70%	60%	40%	27%	73%	1.5%	98.5%

Summary of Representative Comments

Tables 3 and 4 display comments excerpted from submissions supporting and opposing a Wyoming grizzly bear hunt, respectively. Individual submissions often contain several comments covering a range of issues, so we tallied the number of times each comment issue was articulated in all the submissions in order to calculate the frequency each issue was mentioned. This is why the sum of all comment frequencies exceeds the number of submissions, and why the sum of the percentage breakdown exceeds 100%.

Table 3. Summary of comment submissions supporting a Wyoming grizzly bear hunt.

TOTAL COMMENTS SUPPORTING A HUNT SEASON 993

Comment	No.	%
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COMMENTS CONCURRING WITH THE NEED TO MANAGE GRIZZLY BEARS

Hunt is needed to manage/control population	650	65.3%
Too many bears, exceed objectives & suitable habitat capacity	195	19.6%
Condition bears to avoid human contact	182	18.3%
Reduce conflicts, depredation, damage	125	12.6%
Reduce or limit predation on ungulates	116	11.7%
State management will benefit conservation of bears & other species	115	11.6%
Generates funding to support conservation & management	107	10.8%
Hunt will promote tolerance & gives bears value to local residents	12	1.2%
Data obtained from hunting will support management	8	0.8%

COMMENTS ADDRESSING TECHNICAL ASPECTS OF MANAGEMENT

Manage bears based on science, not emotions	147	14.8%
Population size is sufficient to sustain harvest	141	14.2%
State wildlife agency is best qualified to manage bears	112	11.3%
Sustainable hunting will not jeopardize bears	42	4.2%
Season is appropriately conservative	27	2.7%
Opposes emotional, anthropomorphic ideologies influencing management	3	0.3%
Population is underestimated by current method	1	0.1%

COMMENTS ADDRESSING HUNT OPPORTUNITY

Opportunity to hunt a grizzly outside Alaska, Canada	61	6.1%
Reduce nonresident fee (currently \$6,000)	27	2.7%
Issue more tags, increase quotas, more liberal hunt season	18	1.8%
Limit length of time license is valid so hunter doesn't take entire season	15	1.5%
Limit tag to once in a lifetime	7	0.7%
Establish a preference point system	7	0.7%
Advocate a spring hunt season	6	0.6%
Allow nonresidents to hunt grizzlies	6	0.6%
Issue a quota of tags similar to other big game	5	0.5%
Reduce resident fee (currently \$600)	5	0.5%
Increase license fees	5	0.5%
Limit of 2 hunters at a time will preempt other hunting opportunities	3	0.3%
Special archery or primitive weapons hunt	3	0.3%
No nonresident hunting or reduce N/R quota	3	0.3%
Auction nonresident tags to increase revenue	2	0.2%
Difficult for nonresidents on wait list to schedule hunt, retain guide	1	0.1%
Specify a minimum Age of 18 to hunt grizzly bear	1	0.1%

COMMENTS ADDRESSING POSSIBLE INTERFERENCE BY ANTI-HUNTERS

Concerned anti-hunters will flood applications	21	2.1%
Charge full price at application to ensure serious hunters	18	1.8%
Only accept applications from persons who have SP IDs a minimum of 3 years	1	0.1%

COMMENTS ADDRESSING HUNT METHODS & REGULATIONS

Increase minimum distance from road, increase applicable road types	9	0.9%
Remove minimum distance from road	2	0.2%
Chapter 68 regulation is confusing	6	0.6%
Require larger caliber to hunt grizzlies	4	0.4%
Allow smaller caliber to hunt grizzlies	2	0.2%
Don't stipulate legal calibers, just list suggested calibers	1	0.1%
Salvage edible portions	4	0.4%
No N/R guide requirement	3	0.3%
Allow baiting in more areas	1	0.1%
Add DMA boundary to GPS chip	1	0.1%

Table 4. Summary of comment submissions opposed to a Wyoming grizzly bear hunt.

TOTAL COMMENTS OPPOSED TO A HUNT SEASON 2,341

<u>Comment</u>	<u>No.</u>	<u>%</u>
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COMMENTS EXPRESSING EMOTIONAL OR PHILOSOPHICAL OPPOSITION

Emotional basis or criticism	875	37.4%
Oppose "trophy" or "sport" hunting	693	29.6%
Oppose baiting	579	24.7%
Concerned cubs will be orphaned or pregnant female shot	77	3.3%
Famous or "Celebrity" bears, Park bears could get shot	50	2.1%
Fair chase issues	50	2.1%
Religious, symbolic basis, Native Americans	41	1.8%

COMMENTS ADVOCATING ALTERNATIVE MANAGEMENT OPTIONS

Manage for tourism/ecotourism	869	37.1%
Protect, account for bears outside DMA	506	21.6%
Manage based on majority (U.S.) values (presumed)	169	7.2%
"Special interests" should not drive hunt decision	134	5.7%
Allow population to increase, occupy more historic range, establish connectivity	73	3.1%
Increase Park buffers	55	2.3%
Trap & relocate "surplus" bears to other regions	9	0.4%
Use trained professionals to remove problem bears	7	0.3%

COMMENTS EXPRESSING MANAGEMENT CONCERNS

Hunt quota is too high	592	25.3%
Hunt season should be more conservative	524	22.4%
Place a 5 year moratorium on hunting	504	21.5%
Not enough bears to justify hunting	119	5.1%
Conduct additional monitoring before a hunt is considered	54	23.1%
Don't trust WGFD to manage grizzlies	20	8.5%
Collared research bears could get killed, lose scientific data	3	0.1%

COMMENTS EXPRESSING ECOLOGICAL CONCERNS

Believes hunting will jeopardize the population, bears need protection	412	17.6%
Believes hunting will disrupt ecosystem, predator/prey balance	237	10.1%
Believes hunting will compound other factors impacting bears	179	7.6%
Mentions declining food sources	96	4.1%
No science basis for hunting bears	135	5.8%
Hunting will serve no conservation or management purpose or benefit	124	5.3%
Believes hunting threatens genetic viability	30	1.3%
Hunting access will adversely affect secure habitat	9	0.4%

COMMENTS ADDRESSING LITIGATION ASPECTS

Believes grizzlies are still threatened, should remain under ESA protection	110	4.7%
Delay hunt until all litigation over delisting decision is resolved	3	0.1%



WYOMING GAME AND FISH DEPARTMENT

5400 Bishop Blvd. Cheyenne, WY 82006

Phone: (307) 777-4600 Fax: (307) 777-4699

wgfd.wyo.gov

GOVERNOR
MATTHEW H. MEAD

DIRECTOR
SCOTT TALBOTT

COMMISSIONERS
MARK ANSELMINI – President
DAVID RAEI – Vice President
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PATRICK CRANK
KEITH CULVER
PETER J. DUBE
MIKE SCHMID

May 25, 2018

MEMORANDUM

TO: David Dewald, Senior Assistant Attorney General

FROM: Mike Choma, Wildlife Law Enforcement Supervisor

COPY TO: Brian Nesvik, Scott Edberg, Doug Brimeyer and Terri Weinhandl

SUBJECT: Regulation Changes Subsequent to Public Comment Period: Chapter 32, Regulation Governing Firearm Cartridges and Archery Equipment, and Chapter 68, Grizzly Bear Hunting Seasons

The Wyoming Game and Fish Department (Department) conducted eight (8) public meetings across the state to address draft regulation proposals for Chapters 32 and 68. Draft proposals were also available for viewing and public comment through the Department website.

The Department received five (5) written and 699 online comment submissions for Chapter 32. The vast majority of these comments (689) were directly related to either opposition or support of grizzly bear hunting seasons. Eight (8) comments were related to Chapter 32 in general, but did not address any portion of the proposed regulation changes. Seven (7) comments suggested various changes to the proposed firearm caliber recommendations proposed in the draft regulation. The Commission made no changes to the draft Chapter 32 regulation subsequent to these comments.

The Department received 3,336 individual written/online comment submissions during the public comment period regarding Chapter 68, Grizzly Bear Hunting Seasons. A Public Comment Summary is attached.

The following changes (highlighted in yellow) were made to the grizzly bear hunting season regulation subsequent to the public comment period.

CHAPTER 68
GRIZZLY BEAR HUNTING SEASONS

Section 3. Grizzly Bear License Issuance Lists and Grizzly Bear Limited Quota License Drawing.

(a) The Department shall generate grizzly bear license issuance lists for hunt areas 1, 2, 3, 4, 5 and 6. Separate license issuance lists shall be generated based on the residency of applicants for a grizzly bear license. A computer random number selection shall be utilized to determine name placement on the grizzly bear license issuance lists. When a hunting opportunity exists for hunt areas 1, 2, 3, 4, 5 or 6, licenses shall be issued to individuals on the license issuance lists for a specified ten (10) day hunting period as designated and at the direction of the Department. The Department shall issue at least seventy-five percent (75%) of the available licenses to residents prior to issuing a nonresident license. Licenses shall be issued until mortality limits are reached or until the close of the season.

(e) After the drawings for the grizzly bear license issuance lists are completed, the Department shall contact applicants in the order of their ranking on the lists and advise them of the possible opportunity to hunt grizzly bears. The Department shall continue to contact applicants on the lists until ten (10) applicants accept the possible opportunity to hunt grizzly bears.

(i) Applicants contacted by the Department who have accepted the possible opportunity to hunt a grizzly bear shall be required to submit a cashier's check or money order for their license fee and to show proof of having earned a certificate of competency and safety in the use and handling of firearms, unless exempt by statute or otherwise authorized, to the License Section at Headquarters within ten (10) consecutive days from the date they are contacted by the Department.

(A) The Department shall also notify applicants who have accepted the possible opportunity to hunt a grizzly bear about the process to receive their grizzly bear hunting license when a hunting opportunity exists.

(ii) Applicants on the grizzly bear license issuance list who are offered and accept an opportunity to participate in the grizzly bear hunt shall be advised of a specified ten (10) day hunting period during which their license shall be valid. Licenses to hunt grizzly bears in hunt areas 1, 2, 3, 4, 5 and 6 shall be valid for a single ten (10) day hunt period as specified by the Department and shall not be subject to renewal or hunt period extension.

(iv) If a licensee harvests a male grizzly bear or fails to harvest a grizzly bear during their specified hunting period in hunt areas 1, 2, 3, 4, 5 or 6, the next individual on the grizzly bear license issuance list may be contacted in accordance with this section.

(vi) No applicant on the grizzly bear license issuance list is guaranteed a grizzly bear hunting license or opportunity to hunt a grizzly bear.

(vii) Applicants shall be notified by mail of their placement on the grizzly bear license issuance lists by the Department. Applicants on the grizzly bear license issuance list shall be notified by phone (including text message), or email in order of their random number placement when the Department determines a grizzly bear hunting opportunity **may** exist.

(E) If an applicant cannot be contacted by the Department as outlined above, or if an applicant declines participation in the grizzly bear hunt, or if an applicant fails to **submit a cashier's check or money order for their license fee and to show proof of having earned a certificate of competency and safety in the use and handling of firearms** within ten (10) consecutive days after notification by the Department, they shall no longer be eligible to participate in the current year grizzly bear hunting season.

(f) Applicants who paid for their license following notification of their placement on the grizzly bear license issuance list, but were not provided the opportunity to hunt based on the provisions of this section, shall be issued a refund of their license fee following the close of the current year grizzly bear hunting season.

Section 6. Open Hunt Areas, Season Dates and Limitations.

(a) Grizzly bear license issuance list hunt areas, season dates and limitations.

Hunt Area	Type	Season Dates	License	Hunt Area Mortality Limit	Limitations
1, 2, 3, 4, 5, 6	1	Sep. 15 - Nov. 15	Grizzly Bear License Issuance List		Collective female mortality limit – not to exceed one (1) Collective male mortality limit – not to exceed ten (10)
1	1	Sep. 15 - Nov. 15	Grizzly Bear License Issuance List	2	Any grizzly bear; See Section 6 (b) and (d)
2	1	Sep. 15 - Nov. 15	Grizzly Bear License Issuance List	1	Any grizzly bear; See Section 6 (b), (d) and (e)
3	1	Sep. 15 - Nov. 15	Grizzly Bear License Issuance List	2	Any grizzly bear; See Section 6 (b) and (d)
4	1	Sep. 15 - Nov. 15	Grizzly Bear License Issuance List	3	Any grizzly bear; See Section 6 (b) and (d)
5	1	Sep. 15 - Nov. 15	Grizzly Bear License Issuance List	3	Any grizzly bear; See Section 6 (b) and (d)

Hunt Area	Type	Season Dates	License	Hunt Area Mortality Limit	Limitations
6	1	Sep. 15 - Nov. 15	Grizzly Bear License Issuance List	2	Any grizzly bear; See Section 6 (b) and (d)

(b) Licensees for hunt areas 1, 2, 3, 4, 5 and 6 may hunt any of these hunt areas provided that individual hunt area is open. Hunt areas 1, 2, 3, 4, 5 and 6 shall have a collective female mortality limit of up to **one (1)** female grizzly bear and up to ten (10) male grizzly bears.

Individual Public Comments

Due to the number of individual public comments received for Chapter 32, Regulation Governing Firearm Cartridges and Archery Equipment, and Chapter 68, Grizzly Bear Hunting Seasons, the individual public comments have not been included in the final rules packet.

All of the individual public comments and the Department summary will be provided to Governor's Office, Legislative Service Office and the Attorney General's Office separate from this filing.

STATEMENT OF REASONS

CHAPTER 68

GRIZZLY BEAR HUNTING SEASONS

W.S. § 23-1-302 directs and empowers the Commission to fix seasons and bag limits, open, shorten or close seasons on any species or sex of wildlife except predatory animals, predacious birds, protected animals and protected birds; empowers the Commission to prescribe the requirements and form, including electronic licensing format, for the licenses, stamps and tags provided in the Game and Fish Act, and provides the Commission the authority to promulgate such orders as the Commission considers necessary to carry out the intent of this act.

W.S. § 23-1-705 provides that a person who is issued a grizzly bear license is ineligible to apply for or receive a grizzly bear license in any future year; provides for seventy-five percent (75%) of grizzly bear licenses to be reserved for residents; and provides for the reservation of a grizzly bear license for the immediately succeeding year if the licensee is unable to use the license for good cause as provided in Commission regulations.

W.S. § 23-2-101 provides license fees for resident and nonresident grizzly bear licenses.

W.S. § 23-2-104 provides for bow and arrow or crossbows to be used to take game animals.

This is a new regulation and is being promulgated in response to the U.S. Fish and Wildlife Service providing the States' authority to manage grizzly bear populations.

Section 1 provides for the authority to promulgate this rule.

Section 2 provides definitions specific to this regulation.

Section 3 (a, b, c, d, e and f) outlines procedures and rules for the Department to conduct a computer random number selection to determine name placement on the grizzly bear license issuance lists for all persons interested in a grizzly bear hunting opportunity in hunt areas 1, 2, 3, 4, 5, and 6. Rules also address the total allocation of available grizzly bear harvest in these hunt areas, an application period and application fee, and Department procedures for notifying eligible hunters.

Section 3 (g, h and i) address a limited quota drawing which shall be utilized to determine successful applicants to hunt grizzly bears in hunt area 7, license applicant limitations and the allocation of licenses for resident and nonresident applicants.

Section 4 addresses the bag limit and number of licenses permissible for one person.

Section 5 identifies specific hunting regulations for a licensed grizzly bear hunter and includes mandatory reporting of grizzly bear harvest, mandatory registration of harvested grizzly

bears, mandatory orientation and training for all licensed grizzly bear hunters and electronic harvest reporting devices.

Section 6 (a, b, c, and d) outlines information for hunt areas 1, 2, 3, 4, 5, and 6 and the grizzly bear license issuance list hunt, a female grizzly bear mortality limit and a separate male grizzly bear mortality limit proposed for these hunt areas. Section 6 (e, and f) address a limited quota grizzly bear hunt for hunt areas 7 and 8.

Section 7 allows the Department to issue grizzly bear baiting authorization permits if the Department determines it is necessary to meet management objectives, prevent grizzly bear depredation or to prevent grizzly/human conflicts.

Section 8 indicates it is the hunter's responsibility to confirm the grizzly bear hunt area the person intends to hunt is open by calling a twenty-four hour (24) hotline for hunt area closure information.

Section 9 identifies individual hunt area boundary descriptions for hunt areas 1, 2, 3, 4, 5, 6, 7 and 8.

Section 10 outlines withdrawal or modification procedures for grizzly bear license applicants and license fee refund procedures.

Section 11 indicates the procedure to reserve a grizzly bear license shall be in accordance with Commission Regulation Chapter 44, Regulation for Issuance of Licenses, Permits, Stamps, Tags, Preference Points and Competitive Raffle Chances.

Section 12 provides that grizzly bear licenses are not included as an option for Super Tag License or Super Tag Trifecta License drawings.

CHAPTER 68

GRIZZLY BEAR HUNTING SEASONS

Section 1. Authority. This regulation is promulgated by authority of Wyoming Statute § 23-1-302, § 23-1-703, § 23-2-101 and § 23-2-104.

Section 2. Definitions. For the purpose of this regulation, definitions shall be as set forth in Title 23, Wyoming Statutes, Commission regulations and the Commission also adopts the following definitions:

- (a) “Baiting” means placing or utilizing a processed bait or an unprocessed bait as a lure or attractant for the purpose of taking a grizzly bear.
- (b) “Baiting Authorization Permit” means a Department issued permit which authorizes the use of bait for taking a grizzly bear if the Department determines it is necessary to meet management objectives, prevent grizzly bear depredation or prevent grizzly bear/human conflicts.
- (c) “Demographic Monitoring Area” (DMA) means the area depicted in the map in Appendix I of Chapter 67, Grizzly Bear Management Regulations, revised as of July 8, 2016, and which does not include any later amendments or additions of the incorporated matter.
- (d) “Dependent young” means any grizzly bear cub of the year, yearling grizzly bear or any grizzly bear offspring traveling with an adult female grizzly bear.
- (e) “Grizzly Bear License Issuance List” means separate randomly generated lists of resident and nonresident applicants for a license to hunt grizzly bears during the current year in hunt areas 1, 2, 3, 4, 5 and 6.
- (f) “Mortality” means any legal or illegal grizzly bear harvest by a licensed grizzly bear hunter during an open grizzly bear hunting season.
- (g) “Processed bait” means a nontoxic biodegradable substance.
- (h) “Prohibited bait” means big game animals, small game animals, game birds, game fish, protected animals, protected birds or parts thereof placed for the purpose of attracting a grizzly bear.
- (i) “Unprocessed bait” means livestock or livestock parts that have not been processed for human consumption, or wildlife or wildlife parts that are not otherwise prohibited in Section 2 (h).

Section 3. Grizzly Bear License Issuance Lists and Grizzly Bear Limited Quota License Drawing.

(a) The Department shall generate grizzly bear license issuance lists for hunt areas 1, 2, 3, 4, 5 and 6. Separate license issuance lists shall be generated based on the residency of applicants for a grizzly bear license. A computer random number selection shall be utilized to determine name placement on the grizzly bear license issuance lists. When a hunting opportunity exists for hunt areas 1, 2, 3, 4, 5 or 6, licenses shall be issued to individuals on the license issuance lists for a specified ten (10) day hunting period as designated and at the direction of the Department. The Department shall issue at least seventy-five percent (75%) of the available licenses to residents prior to issuing a nonresident license. Licenses shall be issued until mortality limits are reached or until the close of the season.

(i) Nonresident license issuance shall only be permitted in hunt areas 1, 2, 3, 4, 5 or 6 when twenty-five percent (25%) of the total annual mortality limit equals or exceeds one (1) license.

(b) The total allocation of available grizzly bear harvest for hunt areas 1, 2, 3, 4, 5, and 6 shall be determined annually by the Department in accordance with the Tri-State Memorandum of Agreement (MOA).

(c) The application period for the grizzly bear license issuance lists and limited quota drawing shall be July 2, 2018 through July 16, 2018. Completed applications shall only be submitted through the Department Electronic Licensing Service.

(d) A nonrefundable application fee for the grizzly bear license issuance list and the grizzly bear limited quota license drawing shall be five dollars (\$5) for residents and fifteen dollars (\$15) for nonresidents.

(e) After the drawings for the grizzly bear license issuance lists are completed, the Department shall contact applicants in the order of their ranking on the lists and advise them of the possible opportunity to hunt grizzly bears. The Department shall continue to contact applicants on the lists until ten (10) applicants accept the possible opportunity to hunt grizzly bears.

(i) Applicants contacted by the Department who have accepted the possible opportunity to hunt a grizzly bear shall be required to submit a cashier's check or money order for their license fee and to show proof of having earned a certificate of competency and safety in the use and handling of firearms, unless exempt by statute or otherwise authorized, to the License Section at Headquarters within ten (10) consecutive days from the date they are contacted by the Department.

(A) The Department shall also notify applicants who have accepted the possible opportunity to hunt a grizzly bear about the process to receive their grizzly bear hunting license when a hunting opportunity exists.

(ii) Applicants on the grizzly bear license issuance list who are offered and accept an opportunity to participate in the grizzly bear hunt shall be advised of a specified ten (10) day hunting period during which their license shall be valid. Licenses to hunt grizzly bears in hunt areas 1, 2, 3, 4, 5 and 6 shall be valid for a single ten (10) day hunt period as specified by the Department and shall not be subject to renewal or hunt period extension.

(iii) Applicants on the grizzly bear license issuance list will no longer be contacted once the collective female grizzly bear mortality limit or collective male grizzly bear mortality limit is met, whichever comes first.

(iv) If a licensee harvests a male grizzly bear or fails to harvest a grizzly bear during their specified hunting period in hunt areas 1, 2, 3, 4, 5 or 6, the next individual on the grizzly bear license issuance list may be contacted in accordance with this section.

(v) If grizzly bear mortality limits have not been met for hunt areas 1, 2, 3, 4, 5 and 6, the grizzly bear license issuance list shall remain in effect through the close of the season.

(vi) No applicant on the grizzly bear license issuance list is guaranteed a grizzly bear hunting license or opportunity to hunt a grizzly bear.

(vii) Applicants shall be notified by mail of their placement on the grizzly bear license issuance lists by the Department. Applicants on the grizzly bear license issuance list shall be notified by phone (including text message), or email in order of their random number placement when the Department determines a grizzly bear hunting opportunity may exist.

(A) Phone calls shall be made by the Department during the evening hours between 4:00 p.m. and 10:00 p.m. Mountain Time.

(B) A minimum of three (3) attempts shall be made during two (2) consecutive evenings to contact and notify any individual applicant. Notification attempts via phone or text message shall be spaced at a minimum of one-half (1/2) hour intervals. Department personnel shall attempt to leave a message indicating the reason for the contact, but must speak directly to the applicant for verification of acceptance of a hunting opportunity no later than 5:00 p.m. Mountain Time the day after the last attempt to contact the applicant has been made.

(C) If an applicant cannot be contacted as outlined above, the Department shall attempt to contact the next individual on the grizzly bear license issuance list.

(D) If an applicant is contacted by the Department and declines participation in the grizzly bear hunt, the Department shall attempt to contact the next individual on the grizzly bear license issuance list.

(E) If an applicant cannot be contacted by the Department as outlined above, or if an applicant declines participation in the grizzly bear hunt, or if an applicant fails to submit a cashier's check or money order for their license fee and to show proof of having earned a certificate of competency and safety in the use and handling of firearms within ten (10) consecutive days after notification by the Department, they shall no longer be eligible to participate in the current year grizzly bear hunting season.

(f) Applicants who paid for their license following notification of their placement on the grizzly bear license issuance list, but were not provided the opportunity to hunt based on the provisions of this section, shall be issued a refund of their license fee following the close of the current year grizzly bear hunting season.

(g) The Department shall utilize a limited quota drawing to determine successful applicants to hunt grizzly bears in hunt area 7.

(i) No party applications shall be accepted for grizzly bear licenses.

(h) An applicant may only apply for the grizzly bear license issuance list for hunt areas 1, 2, 3, 4, 5 and 6, or the limited quota drawing for hunt area 7, but not both.

(i) If the number of resident applicants does not meet or exceed the resident allocation, the remaining resident allocation may be issued to nonresidents. If the number of nonresident applicants does not meet or exceed the nonresident allocation, the remaining nonresident allocation may be issued to residents.

Section 4. Bag Limit and Number of Licenses. No person shall apply for or receive more than one (1) grizzly bear license during any one (1) calendar year. The maximum bag limit for any person with the proper license shall not exceed the following: one (1) grizzly bear per license.

Section 5. Hunting Regulations.

(a) No person shall take a grizzly bear by the use of or aid of baiting, including any legally placed black bear bait in hunt areas 1, 2, 3, 4, 5 or 6. Baiting may be permissible in limited circumstances in hunt areas 7 and 8 and shall require a Department baiting authorization permit in accordance with Section 7 of this regulation.

(b) No person shall take a grizzly bear by the use of or aid of dogs.

(c) No person shall take a grizzly bear with a trap or snare.

(d) No person shall take a grizzly bear through the use or aid of radio telemetry equipment.

(e) Hunters may take any grizzly bear except dependent young and female grizzly bears with dependent young.

(f) Reporting Grizzly Bear Harvest. Licensees harvesting a grizzly bear in hunt areas 1, 2, 3, 4, 5 and 6 shall report the harvest of a grizzly bear within twenty-four (24) hours of harvest with a Department provided electronic device unless the licensee properly registers their harvest within twenty-four (24) hours in accordance with this section. The Department provided electronic device shall allow the licensee the ability to report their harvest, hunt area, sex of grizzly bear, licensee's name and telephone number. A grizzly bear harvest shall not be considered reported until the licensee receives a Department acknowledgement of their harvest report.

(i) Licensees harvesting a grizzly bear in hunt area 7 or 8 shall report their harvest of a grizzly bear to the Department by calling 1-800-264-1280 within twenty-four (24) hours of harvest unless the licensee properly registers their harvest within twenty-four (24) hours in accordance with this section. The licensee shall provide the date and time of harvest, hunt area, sex of the grizzly bear, licensee's name and telephone number.

(g) Registering Grizzly Bear Harvest. Licensees harvesting a grizzly bear shall retain the pelt and skull from each grizzly bear harvested for registration purposes. Even if the skull is damaged, it shall accompany the pelt. Visible external evidence of the sex of the grizzly bear shall remain naturally attached to the pelt. Within five (5) days after harvesting a grizzly bear, the licensee shall present the pelt and skull to a district game warden, district wildlife biologist or Department personnel at a Department Regional Office during business hours for registration. The pelt and skull shall be presented in an unfrozen condition in order to allow collection of up to two (2) premolar teeth and to allow examination of the pelt to determine the sex and possible lactation status of the grizzly bear. The Department may also collect biological samples at the time of registration.

(h) Any person who provides false information when reporting the harvest of a grizzly bear, or any person who makes a false statement on a grizzly bear registration form shall be in violation of this regulation and such violation shall be punishable as provided in Title 23, Wyoming Statutes for violation of Commission regulations.

(i) Licensed grizzly bear hunters shall take a mandatory orientation and training course on grizzly bear ecology and management prior to entering the field to hunt grizzly bears. The course shall be provided by the Department.

(j) Electronic harvest reporting devices shall be returned to the Department at the time a licensee registers their harvested grizzly bear with the Department or at the close of the grizzly bear season in accordance with Section 6, whichever comes first.

(k) Licensed grizzly bear hunters shall not take grizzly bears within one-quarter (1/4) mile of Wyoming State Highways 22, 28, 120, 131, 296, 352, 353 and 390 or U.S. Highways 14, 16, 20, 26, 89, 191, 212 and 287 within hunt areas 1, 2, 3, 4, 5 and 6.

(l) Surrender of Electronic Radio Tracking Device. Any person taking a grizzly bear wearing an electronic tracking device shall surrender the device to the Department in accordance with registration requirements in Section 5 (g).

Section 6. Open Hunt Areas, Season Dates and Limitations.

(a) Grizzly bear license issuance list hunt areas, season dates and limitations.

Hunt Area	Type	Season Dates	License	Hunt Area Mortality Limit	Limitations
1, 2, 3, 4, 5, 6	1	Sep. 15 - Nov. 15	Grizzly Bear License Issuance List		Collective female mortality limit – not to exceed one (1) Collective male mortality limit – not to exceed ten (10)
1	1	Sep. 15 - Nov. 15	Grizzly Bear License Issuance List	2	Any grizzly bear; See Section 6 (b) and (d)
2	1	Sep. 15 - Nov. 15	Grizzly Bear License Issuance List	1	Any grizzly bear; See Section 6 (b), (d) and (e)
3	1	Sep. 15 - Nov. 15	Grizzly Bear License Issuance List	2	Any grizzly bear; See Section 6 (b) and (d)
4	1	Sep. 15 - Nov. 15	Grizzly Bear License Issuance List	3	Any grizzly bear; See Section 6 (b) and (d)
5	1	Sep. 15 - Nov. 15	Grizzly Bear License Issuance List	3	Any grizzly bear; See Section 6 (b) and (d)
6	1	Sep. 15 - Nov. 15	Grizzly Bear License Issuance List	2	Any grizzly bear; See Section 6 (b) and (d)

(b) Licensees for hunt areas 1, 2, 3, 4, 5 and 6 may hunt any of these hunt areas provided that individual hunt area is open. Hunt areas 1, 2, 3, 4, 5 and 6 shall have a collective female mortality limit of up to one (1) female grizzly bear and up to ten (10) male grizzly bears.

(c) In hunt areas 1, 2, 3, 4, 5 and 6 the total number of licensed hunters in the field shall not exceed the available collective female mortality limit as specified in Section 6 (a).

(d) In hunt areas 1, 2, 3, 4, 5 and 6 the grizzly bear hunting season shall close in each separate hunt area when the individual hunt area mortality limit is reached. Hunt areas 1, 2, 3, 4, 5 and 6 shall all close when the collective female mortality limit is reached, the collective male mortality is reached or on the date specified in Section 6 (a), whichever comes first.

(e) Valid in that portion of Area 2 north of U.S. Highway 26-287 and east of the following: Where the Turpin Meadow Road (U.S.F.S. Road 30050) meets U.S. Highway 26-287 at Fourmile Meadow; northerly and westerly along said road to the Box Creek Trailhead; northerly along the Box Creek Trail (U.S.F.S. Trail 038) to the Enos Lake Cutoff Trail (U.S.F.S. Trail 041); westerly along said trail to the Pacific Creek Trail (U.S.F.S. Trail 036); southwesterly along said trail to the Gravel Creek Trail (U.S.F.S. Trail 042); northerly along said trail to the Wolverine Cutoff Trail (U.S.F.S. Trail 029); northerly and westerly along said trail to the Coulter Creek Trail (U.S.F.S. Trail 029W); northerly along said trail to the Wolverine Creek Trail (U.S.F.S. Trail 029N); northerly and westerly along said trail to the Yellowstone National Park boundary. Also valid in that portion of Area 2 west of Grand Teton National Park and the John D. Rockefeller Jr. Memorial Parkway.

(f) Grizzly bear limited quota hunt areas, season dates and limitations.

Hunt Area	Type	Season Dates	Quota	License	Limitations
7	1	Sep. 1 - Nov. 15	12	Limited Quota	Any grizzly bear
8		Sep. 1 - Nov. 15		Limited Quota	Any grizzly bear; See Section 6 (g)

(g) Currently, grizzly bears do not occupy hunt area 8. Unused licenses for hunt area 7 may be available for use in hunt area 8 upon Department notification and written authorization should grizzly bears occupy this hunt area.

Section 7. Baiting Authorization Permits. The Department may issue grizzly bear baiting authorization permits to licensed hunters in hunt areas 7 and 8 if the Department determines it is necessary to meet management objectives, prevent grizzly bear depredation or to prevent grizzly bear/human conflicts.

(a) Grizzly bear baiting authorization permits shall include the name of the licensee, grizzly bear license number, authorized bait site location(s), time period a bait may be placed, bait removal requirements, type of bait authorized and bait container requirements. The Department may include other provisions on a baiting authorization permit to meet management objectives, prevent depredation or to prevent grizzly bear/human conflicts.

Section 8. Hunt Area Status. It is the hunter's responsibility to confirm the grizzly bear hunt area the person intends to hunt is open. The status of grizzly bear mortality limits and hunt area closures shall be available twenty-four (24) hours a day by calling toll free 1-800-264-1280.

Section 9. Hunt Area Descriptions.

Area 1. Absarokas/Thorofare/North Fork Wilderness. Beginning where the Wyoming-Montana state line crosses the northeastern boundary of Yellowstone National Park; easterly along said line to the Demographic Monitoring Area (DMA) boundary; southerly along the DMA boundary to the divide between the North and South Forks of the Shoshone River at the eastern end of Carter Mountain; southwesterly along said divide to the divide between the

South Fork of the Shoshone River and the Yellowstone River; southerly along said divide to the Continental Divide; westerly and northerly along said divide to the southern boundary of Yellowstone National Park; easterly then northerly along said boundary to the Montana-Wyoming state line.

Area 2. Tetons/BuffaloValley/Blackrock. Beginning where Wyoming Highway 22 crosses the Wyoming-Idaho state line; northerly along said line to the southern boundary of Yellowstone National Park; easterly along said boundary to the Continental Divide; southerly and easterly along said divide to U.S. Highway 26-287 at Togwotee Pass; westerly along said highway to the Flagstaff Road (U.S.F.S. Road 30100); southerly and westerly along said road to U.S.F.S. Road 30250; southerly and westerly along said road to the divide between Spread Creek and the Gros Ventre River southeast of Mount Leidy and the headwaters of Aspen Creek; southerly along said creek to Carmichael Fork; southerly along said fork to Slate Creek; southerly along said creek to the Gros Ventre River; westerly along said river to U.S. Highway 191; southerly along said highway to Wyoming Highway 22; westerly along said highway to the Wyoming-Idaho state line.

Area 3. Owl Creek Mountains. Beginning at the intersection of the Demographic Monitoring Area (DMA) boundary and the divide between the North and South Forks of the Shoshone River at the eastern end of Carter Mountain; southerly along the DMA boundary to the northern boundary of the Wind River Reservation along the South Fork of Owl Creek; northwesterly along said creek to the divide between the Wind River and the Wood and Greybull rivers; northwesterly along said divide to the divide between the Wind River and the South Fork of the Shoshone River; southwestly along said divide to the Continental Divide; northerly along said divide to the divide between the Yellowstone River and the South Fork of the Shoshone River; northerly along said divide to the divide between the North and South Forks of the Shoshone River; northeasterly along said divide to the DMA boundary at the eastern end of Carter Mountain.

Area 4. Dubois. All of the drainage of the Wind River west of the Wind River Reservation.

Area 5. Wind River. Beginning where the southern boundary of the Wind River Reservation crosses the Demographic Monitoring Area (DMA) boundary west of Lander; southeasterly, westerly, and then northwesterly along the DMA boundary to the intersection with U.S. Highway 191 north of Daniel Junction; northwesterly along said highway to the divide between the Green River and the Hoback River (Hoback Rim); northerly along said divide to the divide between the Green River and the Gros Ventre River at Hodges Peak; northeasterly along said divide to the Darwin Ranch Road (U.S.F.S. Road 620); easterly along said road to the Union Pass Road (U.S.F.S. Road 600); northerly and easterly along said road to the Continental Divide; southeasterly along said divide to the southern boundary of the Wind River Reservation; easterly along said boundary to the intersection with the DMA boundary.

Area 6. Hoback/Gros Ventre. Beginning where Wyoming Highway 22 crosses the Wyoming-Idaho state line; easterly along said highway to U.S. Highway 191 at the town of Jackson; northerly along said highway to the Gros Ventre River; easterly along said river to Slate

Creek; northerly along said creek to Carmichael Fork; northerly along said fork to Aspen Creek; northerly along said creek to the divide between Spread Creek and the Gros Ventre River southeast of Mount Leidy at U.S.F.S. Road 3050; easterly and northerly along said road to the Flagstaff Road (U.S.F.S. Road 30100); northeasterly along said road to U.S. Highway 26-287 at Togwotee Pass; southeasterly along said highway to the Continental Divide at Togwotee Pass; southerly along said divide to the Union Pass Road (U.S.F.S. Road 600); southwestly along said road to the Darwin Ranch Road (U.S.F.S. Road 620); westerly along said road to the divide between the Green River and the Gros Ventre River; southwestly along said divide to the divide between the Green River and the Hoback River at Hodges Peak; southerly along said divide to U.S. Highway 191; southeasterly along said highway to the Demographic Monitoring Area (DMA) boundary; westerly and northerly along said boundary to the Wyoming-Idaho state line; northerly along said line to Wyoming Highway 22.

Area 7. Heart Mountain/Bighorn Basin/Farson/South Pass/Wyoming Range.

Southern Portion: Beginning where U.S. Highway 30 crosses the Wyoming-Idaho state line; northerly along said line to the intersection of the Demographic Monitoring Area (DMA) boundary; southeasterly and easterly along said boundary around the Wind River Mountains and northerly to the southern boundary of the Wind River Reservation; easterly along said boundary to Wyoming Highway 135; southerly along said highway to U.S. Highway 287; easterly along said highway to the Sweetwater River; southwestly along said river to Wyoming Highway 28; southwestly along said highway to Wyoming Highway 372; northwesterly along said highway to U.S. Highway 189; southwestly along said highway to U.S. Highway 30; westerly then northerly along said highway to the Wyoming-Idaho state line.

Northern Portion: Beginning where U.S. Highway 310 crosses the Wyoming-Montana state line north of Frannie; southeasterly along said highway to U.S. Highway 14-16-20; easterly along said highway to U.S. Highway 16-20 at the town of Greybull; southerly along said highway to Wyoming Highway 433; southerly along said highway to U.S. Highway 20; southerly along said highway to the northern boundary of the Wind River Reservation; westerly along said boundary to the Demographic Monitoring Area (DMA) boundary; northerly along said boundary to the Wyoming-Montana state line; easterly along said line to U.S. Highway 310.

Area 8. Remainder of Greater Yellowstone Grizzly Bear Distinct Population Segment. Beginning where U.S. Highway 310 crosses the Wyoming-Montana state line north of Frannie; easterly along said line to Interstate Highway 90; southerly along said highway to Interstate Highway 25; southerly along said highway to Wyoming Highway 220 at the town of Casper; southwestly along said highway to U.S. Highway 287; southerly along said highway to Interstate Highway 80 at the town of Rawlins; westerly along said highway to U.S. Highway 30; northwesterly along said highway to U.S. Highway 189; northeasterly along said highway to Wyoming Highway 372; easterly along said highway to Wyoming Highway 28; northeasterly along said highway to the Sweetwater River; northeasterly along said river to U.S. Highway 287; westerly along said highway to Wyoming Highway 135; northerly along said highway to the southern boundary of the Wind River Reservation; easterly then northerly along said boundary to U.S. Highway 26; easterly along said highway to U.S. Highway 20; northerly along said highway to the eastern boundary of the Wind River Reservation; northerly then westerly along

said boundary to U.S. Highway 20; northerly along said highway to Wyoming Highway 433; northerly along said highway to U.S. Highway 16-20; northerly along said highway to U.S. Highway 14-16-20 at the town of Greybull; northerly then westerly along said highway to U.S. Highway 310; northwesterly along said highway to the Wyoming-Montana state line.

Section 10. Withdrawal or Modification of Application and Refund of License Fees.

Grizzly bear licenses issued under Title 23, Wyoming Statutes and this regulation become the permanent property of the licensee and shall not be canceled or any fee refunded after the license has been issued, except as specified in this section or otherwise as set forth in Commission regulation.

(a) A request for a voluntary withdrawal of an application before the grizzly bear limited quota drawing shall be accepted through the Electronic Licensing Service until July 16, 2018 for the initial drawing.

(b) A modification of an application for the grizzly bear limited quota drawing shall be completed through the Electronic Licensing Service by July 16, 2018 for the initial drawing.

(c) Applicants for the grizzly bear license issuance list may not submit a voluntary withdrawal or modification to their application.

(d) To request the refund of a license fee, the licensee shall submit a written request along with the unaltered license with all coupons intact. The request shall be submitted to the Department during the calendar year for which the license is valid. The licensee shall also execute and submit, at the time of a refund request, a Department affidavit describing the reason(s) the licensee was unable to exercise the license privileges. The affidavit shall include a sworn statement that the licensee did not exercise any hunting privileges granted by the license during any or all seasons for the designated species as specified in Commission regulation during the calendar year for which the license was valid. If the license is destroyed, lost or illegible, the licensee shall state to that effect on the Department affidavit submitted with the written request for refund. Application fees shall not be refunded. The License Review Board shall review all requests for license refunds and shall determine whether to grant or deny the request.

(e) To qualify for a refund of a grizzly bear license fee in accordance with this section, the licensee shall meet one (1) of the following provisions:

(i) In the case of the death of the licensee, a written request for a license refund supported by a copy of the licensee's death certification shall be submitted to the Department. The date of death on such certificate shall have resulted in the licensee not being able to participate in the majority of the regular season. All refunds issued under this subsection shall be made payable to the estate of the decedent.

(ii) In the case of the death of the licensee's spouse, parents, grandparents, siblings, lineal descendants and their spouses, step-parent, step-sibling, step-children, father-in-law, mother-in-law, brother-in-law, sister-in-law, step-son-in-law or step-daughter-in-law, the licensee shall submit a written request for a license refund supported by the respective death

certificate. The date of death shall have resulted in the licensee not being able to participate in the majority of the regular season.

(iii) In the case of incapacitating illness or injury of the licensee, the licensee's spouse, parents, grandparents, siblings, lineal descendants and their spouses, step-parent, step-sibling, step-children, father-in-law, mother-in-law, brother-in-law, sister-in-law, step-son-in-law or step-daughter-in-law, the refund request shall be supported by a physician's sworn statement on a Department form that the licensee is incapable of performing tasks necessary to exercise the privileges of the license.

(iv) In the case of military personnel who receive permanent change of station (PCS) orders and military personnel who are assigned away from their home duty station on temporary orders (TDY) for the majority of the regular season, the refund request shall be supported by a copy of official military orders from the Armed Forces of the United States, and such orders shall require the affected personnel to move away from their home duty station.

(v) In the case of individuals who are not able to participate in the majority of the regular season during the year for which the license is issued as a result of a court subpoena, jury duty, Grand Jury investigation or attorneys required to attend criminal cases, the refund request shall include a certified copy of the court document.

(vi) When the Department determines fifty percent (50%) or more of the hunting opportunity and access to public land within a open hunt area(s) has been closed due to administrative actions of the state or federal government in closing public access to public lands, or due to a natural disaster, including but not necessarily limited to, wildland fires, the licensee may request a license fee refund. The closing of hunt areas due to harvest quotas being met does not qualify a licensee for a license fee refund.

(A) When the Department determines one hundred percent (100%) of the hunt areas for which the license is valid are closed or the hunting season is preempted by administrative actions of the state or federal government, a grizzly bear licensee may request a license fee refund. The closing of hunt areas due to harvest quotas being met does not qualify a licensee for a license fee refund.

(vii) If an applicant is issued a license not requested due to an error on the part of the Department, the applicant may request a license fee refund. The applicant may submit a written request to the License Review Board to review a decision made by a Department employee in the handling of the application for, or the issuance of a license, if the decision is contrary to statute or rule and regulation promulgated by the Commission. All decisions of the License Review Board shall abide by provisions of state and federal statutes and Commission regulations.

(f) Refunds of grizzly bear license fees shall not be allowed under the following circumstances:

(i) The licensee illegally purchased more licenses than what was authorized for purchase by Commission regulation or Wyoming statute;

(ii) Refunds shall be denied in any circumstance where the licensee hunted on the license as specified in Commission rules and regulations during the year for which the license is issued.

(g) There shall be no right of appeal to the Commission for any decision rendered by the License Review Board or the Department for any provision of this section.

Section 11. Reservation of a Grizzly Bear License. Reservation of a grizzly bear license shall be in accordance with Wyoming Game and Fish Commission Regulation Chapter 44, Regulation for Issuance of Licenses, Permits, Stamps, Tags, Preference Points and Competitive Raffle Chances, revised as of March 14, 2018, and which does not include any later amendments or additions of the incorporated matter.

Section 12. Super Tag License and Super Tag Trifecta Licenses. There shall be no super tag license competitive raffle chances available for grizzly bear licenses. The successful applicant for a super tag trifecta license shall not be permitted to choose a grizzly bear license as one of their three (3) different species for which licenses may be issued.

WYOMING GAME & FISH COMMISSION

By: Mark Anselmi, President

Dated: May 23, 2018

CHAPTER 68

GRIZZLY BEAR HUNTING SEASONS

Section 1. Authority. This regulation is promulgated by authority of Wyoming Statute § 23-1-302, § 23-1-703, § 23-2-101 and § 23-2-104.

Section 2. Definitions. For the purpose of this regulation, definitions shall be as set forth in Title 23, Wyoming Statutes, Commission regulations and the Commission also adopts the following definitions:

- (a) “Baiting” means placing or utilizing a processed bait or an unprocessed bait as a lure or attractant for the purpose of taking a grizzly bear.
- (b) “Baiting Authorization Permit” means a Department issued permit which authorizes the use of bait for taking a grizzly bear if the Department determines it is necessary to meet management objectives, prevent grizzly bear depredation or prevent grizzly bear/human conflicts.
- (c) “Demographic Monitoring Area” (DMA) means the area depicted in the map in Appendix I of Chapter 67, Grizzly Bear Management Regulations, revised as of July 8, 2016, and which does not include any later amendments or additions of the incorporated matter.
- (d) “Dependent young” means any grizzly bear cub of the year, yearling grizzly bear or any grizzly bear offspring traveling with an adult female grizzly bear.
- (e) “Grizzly Bear License Issuance List” means separate randomly generated lists of resident and nonresident applicants for a license to hunt grizzly bears during the current year in hunt areas 1, 2, 3, 4, 5 and 6.
- (f) “Mortality” means any legal or illegal grizzly bear harvest by a licensed grizzly bear hunter during an open grizzly bear hunting season.
- (g) “Processed bait” means a nontoxic biodegradable substance.
- (h) “Prohibited bait” means big game animals, small game animals, game birds, game fish, protected animals, protected birds or parts thereof placed for the purpose of attracting a grizzly bear.
- (i) “Unprocessed bait” means livestock or livestock parts that have not been processed for human consumption, or wildlife or wildlife parts that are not otherwise prohibited in Section 2 (h).

Section 3. Grizzly Bear License Issuance Lists and Grizzly Bear Limited Quota License Drawing.

(a) The Department shall generate grizzly bear license issuance lists for hunt areas 1, 2, 3, 4, 5 and 6. Separate license issuance lists shall be generated based on the residency of applicants for a grizzly bear license. A computer random number selection shall be utilized to determine name placement on the grizzly bear license issuance lists. When a hunting opportunity exists for hunt areas 1, 2, 3, 4, 5 or 6, licenses shall be issued to individuals on the license issuance lists for a specified ten (10) day hunting period as designated and at the direction of the Department. The Department shall issue at least seventy-five percent (75%) of the available licenses to residents prior to issuing a nonresident license. Licenses shall be issued until mortality limits are reached or until the close of the season.

(i) Nonresident license issuance shall only be permitted in hunt areas 1, 2, 3, 4, 5 or 6 when twenty-five percent (25%) of the total annual mortality limit equals or exceeds one (1) license.

(b) The total allocation of available grizzly bear harvest for hunt areas 1, 2, 3, 4, 5, and 6 shall be determined annually by the Department in accordance with the Tri-State Memorandum of Agreement (MOA).

(c) The application period for the grizzly bear license issuance lists and limited quota drawing shall be July 2, 2018 through July 16, 2018. Completed applications shall only be submitted through the Department Electronic Licensing Service.

(d) A nonrefundable application fee for the grizzly bear license issuance list and the grizzly bear limited quota license drawing shall be five dollars (\$5) for residents and fifteen dollars (\$15) for nonresidents.

(e) After the drawings for the grizzly bear license issuance lists are completed, the Department shall contact applicants in the order of their ranking on the lists and advise them of the possible opportunity to hunt grizzly bears. The Department shall continue to contact applicants on the lists until ten (10) applicants accept the possible opportunity to hunt grizzly bears.

(i) Applicants contacted by the Department who have accepted the possible opportunity to hunt a grizzly bear shall be required to submit a cashier's check or money order for their license fee and to show proof of having earned a certificate of competency and safety in the use and handling of firearms, unless exempt by statute or otherwise authorized, to the License Section at Headquarters within ten (10) consecutive days from the date they are contacted by the Department.

(A) The Department shall also notify applicants who have accepted the possible opportunity to hunt a grizzly bear about the process to receive their grizzly bear hunting license when a hunting opportunity exists.

(ii) Applicants on the grizzly bear license issuance list who are offered and accept an opportunity to participate in the grizzly bear hunt shall be advised of a specified ten (10) day hunting period during which their license shall be valid. Licenses to hunt grizzly bears in hunt areas 1, 2, 3, 4, 5 and 6 shall be valid for a single ten (10) day hunt period as specified by the Department and shall not be subject to renewal or hunt period extension.

(iii) Applicants on the grizzly bear license issuance list will no longer be contacted once the collective female grizzly bear mortality limit or collective male grizzly bear mortality limit is met, whichever comes first.

(iv) If a licensee harvests a male grizzly bear or fails to harvest a grizzly bear during their specified hunting period in hunt areas 1, 2, 3, 4, 5 or 6, the next individual on the grizzly bear license issuance list may be contacted in accordance with this section.

(v) If grizzly bear mortality limits have not been met for hunt areas 1, 2, 3, 4, 5 and 6, the grizzly bear license issuance list shall remain in effect through the close of the season.

(vi) No applicant on the grizzly bear license issuance list is guaranteed a grizzly bear hunting license or opportunity to hunt a grizzly bear.

(vii) Applicants shall be notified by mail of their placement on the grizzly bear license issuance lists by the Department. Applicants on the grizzly bear license issuance list shall be notified by phone (including text message), or email in order of their random number placement when the Department determines a grizzly bear hunting opportunity may exist.

(A) Phone calls shall be made by the Department during the evening hours between 4:00 p.m. and 10:00 p.m. Mountain Time.

(B) A minimum of three (3) attempts shall be made during two (2) consecutive evenings to contact and notify any individual applicant. Notification attempts via phone or text message shall be spaced at a minimum of one-half (1/2) hour intervals. Department personnel shall attempt to leave a message indicating the reason for the contact, but must speak directly to the applicant for verification of acceptance of a hunting opportunity no later than 5:00 p.m. Mountain Time the day after the last attempt to contact the applicant has been made.

(C) If an applicant cannot be contacted as outlined above, the Department shall attempt to contact the next individual on the grizzly bear license issuance list.

(D) If an applicant is contacted by the Department and declines participation in the grizzly bear hunt, the Department shall attempt to contact the next individual on the grizzly bear license issuance list.

(E) If an applicant cannot be contacted by the Department as outlined above, or if an applicant declines participation in the grizzly bear hunt, or if an applicant fails to submit a cashier's check or money order for their license fee and to show proof of having earned a certificate of competency and safety in the use and handling of firearms within ten (10) consecutive days after notification by the Department, they shall no longer be eligible to participate in the current year grizzly bear hunting season.

(f) Applicants who paid for their license following notification of their placement on the grizzly bear license issuance list, but were not provided the opportunity to hunt based on the provisions of this section, shall be issued a refund of their license fee following the close of the current year grizzly bear hunting season.

(g) The Department shall utilize a limited quota drawing to determine successful applicants to hunt grizzly bears in hunt area 7.

(i) No party applications shall be accepted for grizzly bear licenses.

(h) An applicant may only apply for the grizzly bear license issuance list for hunt areas 1, 2, 3, 4, 5 and 6, or the limited quota drawing for hunt area 7, but not both.

(i) If the number of resident applicants does not meet or exceed the resident allocation, the remaining resident allocation may be issued to nonresidents. If the number of nonresident applicants does not meet or exceed the nonresident allocation, the remaining nonresident allocation may be issued to residents.

Section 4. Bag Limit and Number of Licenses. No person shall apply for or receive more than one (1) grizzly bear license during any one (1) calendar year. The maximum bag limit for any person with the proper license shall not exceed the following: one (1) grizzly bear per license.

Section 5. Hunting Regulations.

(a) No person shall take a grizzly bear by the use of or aid of baiting, including any legally placed black bear bait in hunt areas 1, 2, 3, 4, 5 or 6. Baiting may be permissible in limited circumstances in hunt areas 7 and 8 and shall require a Department baiting authorization permit in accordance with Section 7 of this regulation.

(b) No person shall take a grizzly bear by the use of or aid of dogs.

(c) No person shall take a grizzly bear with a trap or snare.

(d) No person shall take a grizzly bear through the use or aid of radio telemetry equipment.

(e) Hunters may take any grizzly bear except dependent young and female grizzly bears with dependent young.

(f) Reporting Grizzly Bear Harvest. Licensees harvesting a grizzly bear in hunt areas 1, 2, 3, 4, 5 and 6 shall report the harvest of a grizzly bear within twenty-four (24) hours of harvest with a Department provided electronic device unless the licensee properly registers their harvest within twenty-four (24) hours in accordance with this section. The Department provided electronic device shall allow the licensee the ability to report their harvest, hunt area, sex of grizzly bear, licensee's name and telephone number. A grizzly bear harvest shall not be considered reported until the licensee receives a Department acknowledgement of their harvest report.

(i) Licensees harvesting a grizzly bear in hunt area 7 or 8 shall report their harvest of a grizzly bear to the Department by calling 1-800-264-1280 within twenty-four (24) hours of harvest unless the licensee properly registers their harvest within twenty-four (24) hours in accordance with this section. The licensee shall provide the date and time of harvest, hunt area, sex of the grizzly bear, licensee's name and telephone number.

(g) Registering Grizzly Bear Harvest. Licensees harvesting a grizzly bear shall retain the pelt and skull from each grizzly bear harvested for registration purposes. Even if the skull is damaged, it shall accompany the pelt. Visible external evidence of the sex of the grizzly bear shall remain naturally attached to the pelt. Within five (5) days after harvesting a grizzly bear, the licensee shall present the pelt and skull to a district game warden, district wildlife biologist or Department personnel at a Department Regional Office during business hours for registration. The pelt and skull shall be presented in an unfrozen condition in order to allow collection of up to two (2) premolar teeth and to allow examination of the pelt to determine the sex and possible lactation status of the grizzly bear. The Department may also collect biological samples at the time of registration.

(h) Any person who provides false information when reporting the harvest of a grizzly bear, or any person who makes a false statement on a grizzly bear registration form shall be in violation of this regulation and such violation shall be punishable as provided in Title 23, Wyoming Statutes for violation of Commission regulations.

(i) Licensed grizzly bear hunters shall take a mandatory orientation and training course on grizzly bear ecology and management prior to entering the field to hunt grizzly bears. The course shall be provided by the Department.

(j) Electronic harvest reporting devices shall be returned to the Department at the time a licensee registers their harvested grizzly bear with the Department or at the close of the grizzly bear season in accordance with Section 6, whichever comes first.

(k) Licensed grizzly bear hunters shall not take grizzly bears within one-quarter (1/4) mile of Wyoming State Highways 22, 28, 120, 131, 296, 352, 353 and 390 or U.S. Highways 14, 16, 20, 26, 89, 191, 212 and 287 within hunt areas 1, 2, 3, 4, 5 and 6.

(l) Surrender of Electronic Radio Tracking Device. Any person taking a grizzly bear wearing an electronic tracking device shall surrender the device to the Department in accordance with registration requirements in Section 5 (g).

Section 6. Open Hunt Areas, Season Dates and Limitations.

(a) Grizzly bear license issuance list hunt areas, season dates and limitations.

<u>Hunt Area</u>	<u>Type</u>	<u>Season Dates</u>	<u>License</u>	<u>Hunt Area Mortality Limit</u>	<u>Limitations</u>
<u>1, 2, 3, 4, 5, 6</u>	<u>1</u>	<u>Sep. 15 - Nov. 15</u>	<u>Grizzly Bear License Issuance List</u>		<u>Collective female mortality limit – not to exceed one (1)</u> <u>Collective male mortality limit – not to exceed ten (10)</u>
<u>1</u>	<u>1</u>	<u>Sep. 15 - Nov. 15</u>	<u>Grizzly Bear License Issuance List</u>	<u>2</u>	<u>Any grizzly bear; See Section 6 (b) and (d)</u>
<u>2</u>	<u>1</u>	<u>Sep. 15 - Nov. 15</u>	<u>Grizzly Bear License Issuance List</u>	<u>1</u>	<u>Any grizzly bear; See Section 6 (b), (d) and (e)</u>
<u>3</u>	<u>1</u>	<u>Sep. 15 - Nov. 15</u>	<u>Grizzly Bear License Issuance List</u>	<u>2</u>	<u>Any grizzly bear; See Section 6 (b) and (d)</u>
<u>4</u>	<u>1</u>	<u>Sep. 15 - Nov. 15</u>	<u>Grizzly Bear License Issuance List</u>	<u>3</u>	<u>Any grizzly bear; See Section 6 (b) and (d)</u>
<u>5</u>	<u>1</u>	<u>Sep. 15 - Nov. 15</u>	<u>Grizzly Bear License Issuance List</u>	<u>3</u>	<u>Any grizzly bear; See Section 6 (b) and (d)</u>
<u>6</u>	<u>1</u>	<u>Sep. 15 - Nov. 15</u>	<u>Grizzly Bear License Issuance List</u>	<u>2</u>	<u>Any grizzly bear; See Section 6 (b) and (d)</u>

(b) Licenses for hunt areas 1, 2, 3, 4, 5 and 6 may hunt any of these hunt areas provided that individual hunt area is open. Hunt areas 1, 2, 3, 4, 5 and 6 shall have a collective female mortality limit of up to one (1) female grizzly bear and up to ten (10) male grizzly bears.

(c) In hunt areas 1, 2, 3, 4, 5 and 6 the total number of licensed hunters in the field shall not exceed the available collective female mortality limit as specified in Section 6 (a).

(d) In hunt areas 1, 2, 3, 4, 5 and 6 the grizzly bear hunting season shall close in each separate hunt area when the individual hunt area mortality limit is reached. Hunt areas 1, 2, 3, 4, 5 and 6 shall all close when the collective female mortality limit is reached, the collective male mortality is reached or on the date specified in Section 6 (a), whichever comes first.

(e) Valid in that portion of Area 2 north of U.S. Highway 26-287 and east of the following: Where the Turpin Meadow Road (U.S.F.S. Road 30050) meets U.S. Highway 26-287 at Fourmile Meadow; northerly and westerly along said road to the Box Creek Trailhead; northerly along the Box Creek Trail (U.S.F.S. Trail 038) to the Enos Lake Cutoff Trail (U.S.F.S. Trail 041); westerly along said trail to the Pacific Creek Trail (U.S.F.S. Trail 036); southwesterly along said trail to the Gravel Creek Trail (U.S.F.S. Trail 042); northerly along said trail to the Wolverine Cutoff Trail (U.S.F.S. Trail 029); northerly and westerly along said trail to the Coulter Creek Trail (U.S.F.S. Trail 029W); northerly along said trail to the Wolverine Creek Trail (U.S.F.S. Trail 029N); northerly and westerly along said trail to the Yellowstone National Park boundary. Also valid in that portion of Area 2 west of Grand Teton National Park and the John D. Rockefeller Jr. Memorial Parkway.

(f) Grizzly bear limited quota hunt areas, season dates and limitations.

<u>Hunt Area</u>	<u>Type</u>	<u>Season Dates</u>	<u>Quota</u>	<u>License</u>	<u>Limitations</u>
<u>7</u>	<u>1</u>	<u>Sep. 1 - Nov. 15</u>	<u>12</u>	<u>Limited Quota</u>	<u>Any grizzly bear</u>
<u>8</u>		<u>Sep. 1 - Nov. 15</u>		<u>Limited Quota</u>	<u>Any grizzly bear; See Section 6 (g)</u>

(g) Currently, grizzly bears do not occupy hunt area 8. Unused licenses for hunt area 7 may be available for use in hunt area 8 upon Department notification and written authorization should grizzly bears occupy this hunt area.

Section 7. Baiting Authorization Permits. The Department may issue grizzly bear baiting authorization permits to licensed hunters in hunt areas 7 and 8 if the Department determines it is necessary to meet management objectives, prevent grizzly bear depredation or to prevent grizzly bear/human conflicts.

(a) Grizzly bear baiting authorization permits shall include the name of the licensee, grizzly bear license number, authorized bait site location(s), time period a bait may be placed, bait removal requirements, type of bait authorized and bait container requirements. The Department may include other provisions on a baiting authorization permit to meet management objectives, prevent depredation or to prevent grizzly bear/human conflicts.

Section 8. Hunt Area Status. It is the hunter's responsibility to confirm the grizzly bear hunt area the person intends to hunt is open. The status of grizzly bear mortality limits and hunt area closures shall be available twenty-four (24) hours a day by calling toll free 1-800-264-1280.

Section 9. Hunt Area Descriptions.

Area 1. Absarokas/Thorofare/North Fork Wilderness. Beginning where the Wyoming-Montana state line crosses the northeastern boundary of Yellowstone National Park; easterly along said line to the Demographic Monitoring Area (DMA) boundary; southerly along the DMA boundary to the divide between the North and South Forks of the Shoshone River at the eastern end of Carter Mountain; southwesterly along said divide to the divide between the

South Fork of the Shoshone River and the Yellowstone River; southerly along said divide to the Continental Divide; westerly and northerly along said divide to the southern boundary of Yellowstone National Park; easterly then northerly along said boundary to the Montana-Wyoming state line.

Area 2. Tetons/BuffaloValley/Blackrock. Beginning where Wyoming Highway 22 crosses the Wyoming-Idaho state line; northerly along said line to the southern boundary of Yellowstone National Park; easterly along said boundary to the Continental Divide; southerly and easterly along said divide to U.S. Highway 26-287 at Togwotee Pass; westerly along said highway to the Flagstaff Road (U.S.F.S. Road 30100); southerly and westerly along said road to U.S.F.S. Road 30250; southerly and westerly along said road to the divide between Spread Creek and the Gros Ventre River southeast of Mount Leidy and the headwaters of Aspen Creek; southerly along said creek to Carmichael Fork; southerly along said fork to Slate Creek; southerly along said creek to the Gros Ventre River; westerly along said river to U.S. Highway 191; southerly along said highway to Wyoming Highway 22; westerly along said highway to the Wyoming-Idaho state line.

Area 3. Owl Creek Mountains. Beginning at the intersection of the Demographic Monitoring Area (DMA) boundary and the divide between the North and South Forks of the Shoshone River at the eastern end of Carter Mountain; southerly along the DMA boundary to the northern boundary of the Wind River Reservation along the South Fork of Owl Creek; northwesterly along said creek to the divide between the Wind River and the Wood and Greybull rivers; northwesterly along said divide to the divide between the Wind River and the South Fork of the Shoshone River; southwestly along said divide to the Continental Divide; northerly along said divide to the divide between the Yellowstone River and the South Fork of the Shoshone River; northerly along said divide to the divide between the North and South Forks of the Shoshone River; northeasterly along said divide to the DMA boundary at the eastern end of Carter Mountain.

Area 4. Dubois. All of the drainage of the Wind River west of the Wind River Reservation.

Area 5. Wind River. Beginning where the southern boundary of the Wind River Reservation crosses the Demographic Monitoring Area (DMA) boundary west of Lander; southeasterly, westerly, and then northwesterly along the DMA boundary to the intersection with U.S. Highway 191 north of Daniel Junction; northwesterly along said highway to the divide between the Green River and the Hoback River (Hoback Rim); northerly along said divide to the divide between the Green River and the Gros Ventre River at Hodges Peak; northeasterly along said divide to the Darwin Ranch Road (U.S.F.S. Road 620); easterly along said road to the Union Pass Road (U.S.F.S. Road 600); northerly and easterly along said road to the Continental Divide; southeasterly along said divide to the southern boundary of the Wind River Reservation; easterly along said boundary to the intersection with the DMA boundary.

Area 6. Hoback/Gros Ventre. Beginning where Wyoming Highway 22 crosses the Wyoming-Idaho state line; easterly along said highway to U.S. Highway 191 at the town of Jackson; northerly along said highway to the Gros Ventre River; easterly along said river to Slate

Creek; northerly along said creek to Carmichael Fork; northerly along said fork to Aspen Creek; northerly along said creek to the divide between Spread Creek and the Gros Ventre River southeast of Mount Leidy at U.S.F.S. Road 3050; easterly and northerly along said road to the Flagstaff Road (U.S.F.S. Road 30100); northeasterly along said road to U.S. Highway 26-287 at Togwotee Pass; southeasterly along said highway to the Continental Divide at Togwotee Pass; southerly along said divide to the Union Pass Road (U.S.F.S. Road 600); southwestly along said road to the Darwin Ranch Road (U.S.F.S. Road 620); westerly along said road to the divide between the Green River and the Gros Ventre River; southwestly along said divide to the divide between the Green River and the Hoback River at Hodges Peak; southerly along said divide to U.S. Highway 191; southeasterly along said highway to the Demographic Monitoring Area (DMA) boundary; westerly and northerly along said boundary to the Wyoming-Idaho state line; northerly along said line to Wyoming Highway 22.

Area 7. Heart Mountain/Bighorn Basin/Farson/South Pass/Wyoming Range.

Southern Portion: Beginning where U.S. Highway 30 crosses the Wyoming-Idaho state line; northerly along said line to the intersection of the Demographic Monitoring Area (DMA) boundary; southeasterly and easterly along said boundary around the Wind River Mountains and northerly to the southern boundary of the Wind River Reservation; easterly along said boundary to Wyoming Highway 135; southerly along said highway to U.S. Highway 287; easterly along said highway to the Sweetwater River; southwestly along said river to Wyoming Highway 28; southwestly along said highway to Wyoming Highway 372; northwesterly along said highway to U.S. Highway 189; southwestly along said highway to U.S. Highway 30; westerly then northerly along said highway to the Wyoming-Idaho state line.

Northern Portion: Beginning where U.S. Highway 310 crosses the Wyoming-Montana state line north of Frannie; southeasterly along said highway to U.S. Highway 14-16-20; easterly along said highway to U.S. Highway 16-20 at the town of Greybull; southerly along said highway to Wyoming Highway 433; southerly along said highway to U.S. Highway 20; southerly along said highway to the northern boundary of the Wind River Reservation; westerly along said boundary to the Demographic Monitoring Area (DMA) boundary; northerly along said boundary to the Wyoming-Montana state line; easterly along said line to U.S. Highway 310.

Area 8. Remainder of Greater Yellowstone Grizzly Bear Distinct Population Segment. Beginning where U.S. Highway 310 crosses the Wyoming-Montana state line north of Frannie; easterly along said line to Interstate Highway 90; southerly along said highway to Interstate Highway 25; southerly along said highway to Wyoming Highway 220 at the town of Casper; southwestly along said highway to U.S. Highway 287; southerly along said highway to Interstate Highway 80 at the town of Rawlins; westerly along said highway to U.S. Highway 30; northwesterly along said highway to U.S. Highway 189; northeasterly along said highway to Wyoming Highway 372; easterly along said highway to Wyoming Highway 28; northeasterly along said highway to the Sweetwater River; northeasterly along said river to U.S. Highway 287; westerly along said highway to Wyoming Highway 135; northerly along said highway to the southern boundary of the Wind River Reservation; easterly then northerly along said boundary to U.S. Highway 26; easterly along said highway to U.S. Highway 20; northerly along said highway to the eastern boundary of the Wind River Reservation; northerly then westerly along

said boundary to U.S. Highway 20; northerly along said highway to Wyoming Highway 433; northerly along said highway to U.S. Highway 16-20; northerly along said highway to U.S. Highway 14-16-20 at the town of Greybull; northerly then westerly along said highway to U.S. Highway 310; northwesterly along said highway to the Wyoming-Montana state line.

Section 10. Withdrawal or Modification of Application and Refund of License Fees.

Grizzly bear licenses issued under Title 23, Wyoming Statutes and this regulation become the permanent property of the licensee and shall not be canceled or any fee refunded after the license has been issued, except as specified in this section or otherwise as set forth in Commission regulation.

(a) A request for a voluntary withdrawal of an application before the grizzly bear limited quota drawing shall be accepted through the Electronic Licensing Service until July 16, 2018 for the initial drawing.

(b) A modification of an application for the grizzly bear limited quota drawing shall be completed through the Electronic Licensing Service by July 16, 2018 for the initial drawing.

(c) Applicants for the grizzly bear license issuance list may not submit a voluntary withdrawal or modification to their application.

(d) To request the refund of a license fee, the licensee shall submit a written request along with the unaltered license with all coupons intact. The request shall be submitted to the Department during the calendar year for which the license is valid. The licensee shall also execute and submit, at the time of a refund request, a Department affidavit describing the reason(s) the licensee was unable to exercise the license privileges. The affidavit shall include a sworn statement that the licensee did not exercise any hunting privileges granted by the license during any or all seasons for the designated species as specified in Commission regulation during the calendar year for which the license was valid. If the license is destroyed, lost or illegible, the licensee shall state to that effect on the Department affidavit submitted with the written request for refund. Application fees shall not be refunded. The License Review Board shall review all requests for license refunds and shall determine whether to grant or deny the request.

(e) To qualify for a refund of a grizzly bear license fee in accordance with this section, the licensee shall meet one (1) of the following provisions:

(i) In the case of the death of the licensee, a written request for a license refund supported by a copy of the licensee's death certification shall be submitted to the Department. The date of death on such certificate shall have resulted in the licensee not being able to participate in the majority of the regular season. All refunds issued under this subsection shall be made payable to the estate of the decedent.

(ii) In the case of the death of the licensee's spouse, parents, grandparents, siblings, lineal descendants and their spouses, step-parent, step-sibling, step-children, father-in-law, mother-in-law, brother-in-law, sister-in-law, step-son-in-law or step-daughter-in-law, the licensee shall submit a written request for a license refund supported by the respective death

certificate. The date of death shall have resulted in the licensee not being able to participate in the majority of the regular season.

(iii) In the case of incapacitating illness or injury of the licensee, the licensee's spouse, parents, grandparents, siblings, lineal descendants and their spouses, step-parent, step-sibling, step-children, father-in-law, mother-in-law, brother-in-law, sister-in-law, step-son-in-law or step-daughter-in-law, the refund request shall be supported by a physician's sworn statement on a Department form that the licensee is incapable of performing tasks necessary to exercise the privileges of the license.

(iv) In the case of military personnel who receive permanent change of station (PCS) orders and military personnel who are assigned away from their home duty station on temporary orders (TDY) for the majority of the regular season, the refund request shall be supported by a copy of official military orders from the Armed Forces of the United States, and such orders shall require the affected personnel to move away from their home duty station.

(v) In the case of individuals who are not able to participate in the majority of the regular season during the year for which the license is issued as a result of a court subpoena, jury duty, Grand Jury investigation or attorneys required to attend criminal cases, the refund request shall include a certified copy of the court document.

(vi) When the Department determines fifty percent (50%) or more of the hunting opportunity and access to public land within a open hunt area(s) has been closed due to administrative actions of the state or federal government in closing public access to public lands, or due to a natural disaster, including but not necessarily limited to, wildland fires, the licensee may request a license fee refund. The closing of hunt areas due to harvest quotas being met does not qualify a licensee for a license fee refund.

(A) When the Department determines one hundred percent (100%) of the hunt areas for which the license is valid are closed or the hunting season is preempted by administrative actions of the state or federal government, a grizzly bear licensee may request a license fee refund. The closing of hunt areas due to harvest quotas being met does not qualify a licensee for a license fee refund.

(vii) If an applicant is issued a license not requested due to an error on the part of the Department, the applicant may request a license fee refund. The applicant may submit a written request to the License Review Board to review a decision made by a Department employee in the handling of the application for, or the issuance of a license, if the decision is contrary to statute or rule and regulation promulgated by the Commission. All decisions of the License Review Board shall abide by provisions of state and federal statutes and Commission regulations.

(f) Refunds of grizzly bear license fees shall not be allowed under the following circumstances:

(i) The licensee illegally purchased more licenses than what was authorized for purchase by Commission regulation or Wyoming statute;

(ii) Refunds shall be denied in any circumstance where the licensee hunted on the license as specified in Commission rules and regulations during the year for which the license is issued.

(g) There shall be no right of appeal to the Commission for any decision rendered by the License Review Board or the Department for any provision of this section.

Section 11. Reservation of a Grizzly Bear License. Reservation of a grizzly bear license shall be in accordance with Wyoming Game and Fish Commission Regulation Chapter 44, Regulation for Issuance of Licenses, Permits, Stamps, Tags, Preference Points and Competitive Raffle Chances, revised as of March 14, 2018, and which does not include any later amendments or additions of the incorporated matter.

Section 12. Super Tag License and Super Tag Trifecta Licenses. There shall be no super tag license competitive raffle chances available for grizzly bear licenses. The successful applicant for a super tag trifecta license shall not be permitted to choose a grizzly bear license as one of their three (3) different species for which licenses may be issued.

WYOMING GAME & FISH COMMISSION

By: Mark Anselmi, President

Dated: May 23, 2018