

**DRAFT 10/17/2011**  
WYOMING GAME AND FISH COMMISSION

CHAPTER 14

LATE MIGRATORY GAME BIRD HUNTING SEASONS

**EMERGENCY RULE**

**(For the 120 days the emergency rules are in effect, the following rules shall apply.)**

Section 1. **Authority.** This regulation is promulgated by authority of W.S. §23-1-302 and §23-2-105(d).

Section 2. **Hunting Seasons Established.** There shall be open seasons for the hunting of late migratory game birds as set forth in this Chapter, and in accordance with Chapter 2, General Hunting Regulation. This regulation shall remain in effect until modified or repealed by the Commission.

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

- (a) "Adult" means a person eighteen (18) years of age or older.
- (b) "Central Flyway" means that portion of Wyoming east of the Continental Divide, excluding the Great Divide Basin.
- (c) "Daily Bag Limit" means the maximum number of migratory game birds or waterfowl that may be legally taken in a single day.
- (d) "Dark Geese" means Canada goose, cackling goose, white-fronted goose and brant.
- (e) "Federal Duck Stamp" means Federal Migratory Bird Hunting and Conservation Stamp.
- (f) "Light Geese" means snow goose, blue goose and Ross' goose.
- (g) "Migratory Game Bird" means all migratory game birds defined under federal law.
- (h) "Nontoxic Shot" means steel or any other federally-approved nontoxic shot.
- (i) "Pacific Flyway" means that portion of Wyoming west of the Continental Divide, including the Great Divide Basin.
- (j) "Possession Limit" means the maximum number of migratory game birds or waterfowl that may be legally in possession. Migratory game birds in transit or storage shall be considered in possession. When a person hunts in more than one (1) state or flyway, the person's total possession limit shall not exceed the largest possession limit prescribed for any one of the states or flyways in which the hunting takes place.
- (k) "Waterfowl" means ducks, geese, coots and mergansers.

Section 4. Hunting Regulations.

(a) **Wounding and Retrieving.** No person shall wound or kill any migratory game bird without making a reasonable effort to retrieve it and reduce it to possession.

(b) **Federal Regulations.** 16 USC 703-711 and 718a; 50 CFR 10 and 50 CFR 20, revised as of October 1, 2010, which do not include any later amendments or editions of the incorporated matter, governing the hunting, taking and possession of migratory birds and migratory game birds, the requirement for a valid federal migratory bird hunting and conservation stamp and the requirement for state participation in the National Harvest Information Program, are adopted as regulations of the Wyoming Game and Fish Commission. Violations of these federal statutes and regulations shall be violations of the Commission regulations. A copy of Title 50 of the Code of Federal Regulations can be viewed at Department Regional Offices.

(i) **Automatic loading, pump, or repeating shotguns** shall be plugged to admit no more than one (1) shell in the chamber and two (2) shells in the magazine.

(ii) **Federal Migratory Bird Hunting and Conservation Stamp.** A federal duck stamp is required for persons sixteen (16) years of age and older to hunt ducks, geese and mergansers, but a federal duck stamp is not required to hunt coots, sandhill cranes, crows, mourning doves, rail or snipe.

(iii) **National Migratory Bird Harvest Information Program.** Each licensed hunter who hunts migratory game birds shall complete a current Wyoming validation for the National Harvest Information Program (HIP) and shall obtain a Wyoming HIP permit. This requirement also applies to holders of pioneer and lifetime hunting licenses. Each licensed hunter engaged in the act of hunting doves, ducks, geese, mergansers, coots, rails, cranes or snipe shall be in possession of a Wyoming HIP permit. Each person obtaining a HIP permit for the purpose set forth in this section shall validate the permit by signing the person's name in ink across the face of the permit. Hunters who obtain a HIP permit through the Electronic License Service shall not be required to meet the signature provision of this Section. HIP permits expire on June 30 each year. HIP permits are not transferrable to other states. A separate validation is required from each state in which you hunt.

(c) **Evidence of Species.** One fully-feathered wing or the feathered head shall remain naturally attached to the carcass as a means of identification of migratory game birds, except mourning doves, in the field and while the birds are being transported.

(d) **Nontoxic Shot Restrictions.**

(i) **Nontoxic Shot.** No person shall hunt cranes, ducks, geese, mergansers or coots while possessing shot shells loaded with shot other than nontoxic shot. Nontoxic shot shall also be required when hunting any game with a shotgun on all of the lands in the Springer and Table Mountain Wildlife Management Areas and on all national wildlife refuges open for hunting.

(e) **Species and Hunt Areas, Season Dates, Shooting Hours, Bag Limit and Limitations.**

(i) For information regarding rail, snipe, sandhill crane and early Canada goose seasons, refer to Chapter 39, Early Migratory Game Bird Hunting Seasons.

(ii) Pacific Flyway

WATERFOWL - PACIFIC FLYWAY						
Species and Hunt Areas	Dates of Season		Shooting Hours	Closed Areas Section 5 Subsections	Bag Limit	
	Opens	Closes			Daily	Possession
<b><u>PACIFIC FLYWAY</u></b>						
DUCKS and MERGANSERS	Sept. 24	Jan. 6	See Sec. 6	d, e	7**	14**
COOTS	Sept. 24	Jan. 6	See Sec. 6	d, e	25	25
DARK GEESE	Sept. 24	Dec. 29	See Sec. 6	d, e	3	6

In the Pacific Flyway, the scaup season shall be closed except on the Special Youth Waterfowl Hunting Days and during the period September 24 through December 18 when the daily bag limit for scaup ducks shall be three (3) and shall be counted as part of the aggregate bag limit for ducks.

\*\* The daily bag limit of seven (7) ducks and mergansers may include any combination of species with the following restrictions:

- no more than one (1) canvasback;
- no more than two (2) pintails;
- no more than two (2) hen mallards;
- no more than two (2) redheads; and
- no more than three (3) scaup during the dates scaup may be taken.

The possession limit shall be two (2) daily bag limits.

(iii) Central Flyway Zones. The Central Flyway is divided into two (2) zones for the 2011-2012 season. Refer to the season dates for the zone in which you are hunting.

(A) ZONE C1 shall include Converse, Goshen, Hot Springs, Natrona, Platte, and Washakie Counties; and that portion of Park County east of the Shoshone National Forest boundary and south of a line beginning where the Shoshone National Forest boundary crosses Park County Road 8VC, easterly along said road to Park County Road 1AB, easterly along said road to Wyoming Highway 120, northerly along said highway to Wyoming Highway 294, southeasterly along said highway to Lane 9, easterly along said lane to the town of Powell and Wyoming Highway 14A, easterly along said highway to the Park County line.

(B) ZONE C2 shall include Albany, Big Horn, Campbell, Crook, Fremont, Johnson, Laramie, Niobrara, Sheridan, Weston Counties; that portion of Carbon County east of the Continental Divide; that portion of Park County west of the Shoshone National Forest boundary, and that portion of Park County north of a line beginning where the Shoshone National Forest boundary crosses Park County Road 8VC, easterly along said road to Park County Road 1AB, easterly along said road to Wyoming Highway 120, northerly along said highway to Wyoming Highway 294, southeasterly along said highway to Lane 9, easterly along said lane to the town of Powell and Wyoming Highway 14A, easterly along said highway to the Park County line.

## (iv) Central Flyway

WATERFOWL - CENTRAL FLYWAY						
Species and Hunt Areas	Dates of Season		Shooting Hours	Closed Areas Section 5 Subsections	Bag Limit	
	Opens	Closes			Daily	Possession
LIGHT GEESE	Oct. 1	Dec. 25	See Sec. 6	b a after Nov. 18 c after Nov. 14	10	40
	Jan. 28	Feb. 15	See Sec. 6	a, b, c	10	40

WATERFOWL - CENTRAL FLYWAY						
Species and Hunt Areas	Dates of Season		Shooting Hours	Closed Areas Section 5 Subsections	Bag Limit	
	Opens	Closes			Daily	Possession
<b>ZONE C1</b>						
DUCKS	Oct. 1	Oct. 16	See Sec. 6	b	6**	12**
	Oct. 29	Jan. 17	See Sec. 6	b a after Nov. 18	6**	12**
MERGANSERS	Oct. 1	Oct. 16	See Sec. 6	b	5**	10**
	Oct. 29	Jan. 17	See Sec. 6	b a after Nov. 18	5**	10**
COOTS	Oct. 1	Oct. 16	See Sec. 6	b	15	30
	Oct. 29	Jan. 17	See Sec. 6	b a after Nov. 18	15	30
DARK GEESE All counties except Goshen and Platte Counties	Oct. 1	Oct. 16	See Sec. 6		5	10
	Nov. 5	Dec. 4	See Sec. 6		5	10
	Dec. 10	Feb. 6	See Sec. 6		5	10
DARK GEESE Goshen and Platte Counties*	Oct. 1	Oct. 16	See Sec. 6	b	2	4
	Nov. 19	Feb. <del>15</del> 12	See Sec. 6	a, b	4	8

\*For Bump-Sullivan Managed Goose Hunt information, see Section 8.

WATERFOWL - CENTRAL FLYWAY						
Species and Hunt Areas	Dates of Season		Shooting Hours	Closed Areas Section 5 Subsections	Bag Limit	
	Opens	Closes			Daily	Possession
<b>ZONE C2</b>						
DUCKS	Sept. 24	Nov. 27	See Sec. 6	c after Nov. 14	6**	12**
	Dec. 10	Jan. 10	See Sec. 6	c	6**	12**
MERGANSERS	Sept. 24	Nov. 27	See Sec. 6	c after Nov. 14	5**	10**
	Dec. 10	Jan. 10	See Sec. 6	c	5**	10**
COOTS	Sept. 24	Nov. 27	See Sec. 6	c after Nov. 14	15	30
	Dec. 10	Jan. 10	See Sec. 6	c	15	30
DARK GEESE Big Horn and Fremont Counties	Sept. 24	Oct. 18	See Sec. 6		5	10
	Nov. 5	Dec. 4	See Sec. 6	c after Nov. 14	5	10
	Dec. 10	Jan. 28	See Sec. 6	c	5	10
DARK GEESE All counties except Big Horn and Fremont Counties	Sept. 24	Nov. 27	See Sec. 6		5	10
	Dec. 10	Jan. 18	See Sec. 6		5	10

\*\*The daily bag limit of six (6) ducks may include any combination of species with the following restrictions:

- no more than five (5) mallards of which not more than one (1) shall be a hen;
- no more than one (1) canvasback;
- no more than two (2) pintails;
- no more than three (3) wood ducks;
- no more than two (2) redheads;
- no more than two (2) scaup;

The daily bag limit of five (5) mergansers shall not include more than two (2) hooded mergansers. Except for light geese, the possession limit shall be two (2) daily bag limits.

(f) Special Youth Waterfowl Hunting Days. In the Pacific Flyway, the special youth waterfowl hunting days are September 17-18, 2011. In Zone C1 of the Central Flyway, the special youth waterfowl hunting days are September 24-25, 2011. In Zone C2 of the Central Flyway, the special youth waterfowl hunting days are September 17-18, 2011. Only persons fifteen (15) years of age and younger may take ducks, mergansers, coots and geese (light geese cannot be taken in the Pacific Flyway) on the special youth waterfowl hunting days, subject to the following conditions:

- (i) All youth hunters shall be accompanied in the field by an adult at least eighteen (18) years of age.
- (ii) No more than four (4) youths shall be supervised by any one (1) adult.
- (iii) The adult shall not take ducks, coots, mergansers or geese, but may participate in other open seasons.

(iv) All license and stamp requirements, daily bag limits, species and sex restrictions, shooting hours and other regulations that apply to the regular duck and goose seasons, as defined for each flyway, shall apply during the special youth hunting days. In Goshen and Platte Counties, the daily bag limit for dark geese shall be four (4) on the youth hunting days.

(v) The areas described in Section 5 (b), (d), and (e) shall be closed to hunting during youth days.

Section 5. Description of Closed Areas. The areas described in this Section shall be closed for the species and dates specified in the tables in Section 4.

(a) Goshen County

(i) Hawk Springs Reservoir. Beginning where the east fence of the Union Pacific Railroad right-of-way meets the south fence enclosing Hawk Springs Reservoir; due east along said fence to Goshen County Road 51; northerly along said road to the access road to the northeast dam of the reservoir; southwesterly along said road to the northeast dam and the fence enclosing the reservoir; northwesterly along said fence to the second gate; southwesterly from said gate to the northwest corner of the fence enclosing the reservoir; southerly along said fence to the beginning point.

(ii) Springer Reservoir. Beginning on U.S. Highway 85 at the George Marlatt farmhouse; westerly along the fence between the farm land and the pasture land to the west end of the west pump lake; southerly to the northwest corner of the Wyoming Game and Fish Department's Springer Wildlife Habitat Management Area (WHMA); southerly along the Springer WHMA boundary south of the Game and Fish Department buildings; due south across the Whispering Wings LLC property to the Craig and Roberta Fulmer pasture fence; southerly and westerly along said fence to the Yoder-Bump-Sullivan Road (Goshen County Road 37); southerly along said road to the county road (Goshen County Road 42) on the south boundary of the Springer WHMA; easterly along said road to U.S. Highway 85; northerly along said highway to the George Marlatt farmhouse. See Section 8 regarding the portion of the Springer WHMA south of Goshen County Road 42.

(iii) Pond No. 1 Table Mountain Wildlife Habitat Management Area. Pond No. 1 and adjacent lands as marked by colored signs and posts.

(iv) Miller Lake (Glomill Reservoir). Miller Lake and all lands within three hundred (300) yards of the normal high water line.

(v) North Platte River. That portion of the North Platte River and all lands within three hundred (300) yards of each bank of said river located between the two river crossings of Wyoming Highway 157.

(b) Platte County

(i) Festo Lake. Festo Lake and all lands within three hundred (300) yards of the normal high water line shall be closed to all migratory game bird hunting.

(ii) Wheatland Reservoir No. 1. Wheatland Reservoir No. 1 and all lands within three hundred (300) yards of the normal high water line and all Wheatland Irrigation District lands adjacent to the reservoir, in addition to those included in the three hundred (300) yard closure, shall be closed to hunting.

(c) Fremont County

(i) Ocean Lake. The waters of Ocean Lake and the Wyoming Game and Fish Commission lands within approximately one-half (1/2) mile of the aeration system on the north side of the lake shall be closed to migratory game bird hunting beginning November 15 through December 31 and January 1 through March 10 of each year. Beginning December 15 through March 10, the area shall be closed to all human presence, except for Wyoming Game and Fish Department administrative access, within one-half (1/2) mile of the aerator on the ice and as marked by signs on Wyoming Game and Fish Commission lands around the aerator.

(d) Sweetwater County

(i) Eden Reservoir. Eden Reservoir and all lands within three hundred (300) yards of the normal high water line shall be closed to all migratory game bird hunting.

(e) Lincoln County

(i) Palisades Reservoir. Beginning at the junction of the McCoy Creek Road and U.S. Highway 89; northerly on U.S. Highway 89 for 1.6 miles to the Palisades Reservoir high water line; westerly along said high water line to the Wyoming - Idaho state line; south along said state line to the McCoy Creek Road; southeasterly along the McCoy Creek Road to U.S. Highway 89 shall be closed to all migratory game bird hunting.

Section 6. Shooting Hours. Except as provided in Section 6(a), shooting hours for all migratory game birds shall be from one-half (1/2) hour before sunrise to sunset as determined from the shooting hours table in Section 6(b).

(a) Within the following areas: Goshen County north of Wyoming Highway 313 and County Road 28; and those portions of Platte County west of Interstate Highway 25 or south of Wyoming Highway 160 (Gray Rocks Road) and Riverview Road (Platte County Road 271). Shooting hours for dark geese shall be from one-half (1/2) hour before sunrise to 1:00 p.m., except on the dates listed in subsections (i), (ii) and (iii), when shooting hours shall be from one-half (1/2) hour before sunrise to sunset as determined from the shooting hours table in subsection 6(b) – Area D.

(i) October 1 through October 16.

(ii) All Saturdays and Wednesdays from November 19 through December 31.

(iii) All Saturdays, Sundays, and Wednesdays from January 1 through the close of the dark goose season.

(b) 2011-2012 Shooting Hours Table. This table (including adjustments for daylight savings time) lists the official shooting hours (one-half (1/2) hour before sunrise to sunset) adopted by the Wyoming Game and Fish Commission for migratory game bird hunting. (Do not use tables from other sources.) ST=Starting Time, QT=Quitting Time.

	AREA A		AREA B		AREA C		AREA D	
	ST	QT	ST	QT	ST	QT	ST	QT
<b>September</b>								
1-7	6:17	7:49	6:11	7:43	6:03	7:35	5:57	7:29
8-14	6:24	7:37	6:18	7:31	6:10	7:23	6:04	7:17
15-21	6:32	7:24	6:26	7:18	6:18	7:10	6:12	7:04
22-30	6:40	7:09	6:34	7:03	6:26	6:55	6:20	6:49
<b>October</b>								
1-7	6:50	6:56	6:44	6:50	6:36	6:42	6:30	6:36
8-14	6:58	6:44	6:52	6:38	6:44	6:30	6:38	6:24
15-21	7:06	6:32	7:00	6:26	6:52	6:18	6:46	6:12
22-31	7:16	6:19	7:10	6:13	7:02	6:05	6:56	5:59
<b>November</b>								
1-5	7:26	6:09	7:20	6:03	7:12	5:55	7:06	5:49
*6-14	6:35	5:01	6:29	4:55	6:21	4:47	6:15	4:41
15-21	6:44	4:54	6:38	4:48	6:30	4:40	6:24	4:34
22-30	6:54	4:48	6:48	4:42	6:40	4:34	6:34	4:28
<b>December</b>								
1-7	7:03	4:45	6:57	4:39	6:49	4:31	6:43	4:25
8-14	7:10	4:45	7:04	4:39	6:56	4:31	6:50	4:25
15-21	7:15	4:47	7:09	4:41	7:01	4:33	6:55	4:27
22-31	7:19	4:52	7:13	4:46	7:05	4:38	6:59	4:32
<b>January</b>								
1-7	7:20	4:58	7:14	4:52	7:06	4:44	7:00	4:38
8-14	7:19	5:06	7:13	5:00	7:05	4:52	6:59	4:46
15-21	7:16	5:13	7:10	5:07	7:02	4:59	6:56	4:53
22-31	7:09	5:25	7:03	5:19	6:55	5:11	6:49	5:05
<b>February</b>								
1-7	7:01	5:36	6:55	5:30	6:47	5:22	6:41	5:16
8-15	6:52	5:46	6:46	5:40	6:38	5:32	6:32	5:26

\*Start Mountain Standard Time

AREA A - Lincoln, Sublette, Sweetwater, Teton, Uinta Counties

AREA B - Big Horn, Fremont, Hot Springs, Park, Washakie Counties

AREA C - Albany, Campbell, Carbon, Converse, Johnson, Natrona, Sheridan Counties

AREA D - Crook, Goshen, Laramie, Niobrara, Platte, Weston Counties

Section 7. Falconry Seasons. Migratory game birds may be taken by the use of falcons in the possession of properly licensed falconers during the regular hunting season and special extended seasons in accordance with the limitations in this Section, Section 6, Section 5 and Section 4 (a), (b) and (c) and the closures identified in Section 4 (e).



(a) Falconry Bag and Possession Limits. The daily bag limit shall not exceed three (3) migratory game birds in the aggregate nor shall the possession limit exceed six (6) migratory game birds in the aggregate for falconry during the open hunting season or special extended falconry season. The falconry bag and possession limits are not in addition to the bag and possession limits listed in Section 4, Hunting Regulations.

FALCONRY						
Species and Hunt Areas	Dates of Season		Open Hours	Closed Areas Section 5 Subsections	AGGREGATE Bag Limit	
	Opens	Closes			Daily	Possession
ZONE C1 – Central Flyway, Ducks, Mergansers and Coots	Sept. 24	Sept. 25	See Sec. 6	Limitations in effect in Sections 4 and 5 shall apply	3**	6**
	Oct. 1	Oct. 24				
	Oct. 29	Jan. 17				
ZONE C2 – Central Flyway, Ducks, Mergansers and Coots	Sept. 17	Sept. 18				
	Sept. 24	Dec. 5				
	Dec. 10	Jan. 10				
Dark Geese - Central Flyway, Goshen and Platte Counties	Oct. 1	Oct. 16				
	Nov. 19	Feb. <del>15</del> 12				
Dark Geese – Central Flyway, all counties in Zone C1 except Goshen and Platte Counties	Oct. 1	Oct. 16				
	Nov. 5	Dec. 4				
	Dec. 10	Feb. 6				
Dark Geese – Central Flyway, Big Horn and Fremont Counties	Sept. 24	Oct. 18				
	Nov. 5	Dec. 4				
	Dec. 10	Jan. 28				
Dark Geese – Central Flyway, all Counties in Zone C2 except Big Horn and Fremont Counties	Sept. 24	Nov. 27				
	Dec. 10	Jan. 18				
Light Geese - Central Flyway	Oct. 1	Dec. 25				
	Jan. 28	Feb. 15				
Ducks, Mergansers and Coots – Pacific Flyway	Sept. 17	Sept. 18				
	Sept. 24	Jan. 6				
Dark Geese - Pacific Flyway	Sept. 1	Sept. 8				
	Sept. 24	Dec. 29				

\*\*The daily bag and possession limits, singly or in the aggregate, may include any species and sex of ducks, geese, coots, mergansers, rail, snipe and mourning doves when seasons for these species are open.

Section 8. Bump-Sullivan Managed Goose Hunt. Nineteen (19) numbered pits, blinds or hunting locations shall be available each day during the dark goose hunting season and shall be occupied on a first-come, first-served basis within the Bump-Sullivan Managed Goose Hunt area in Goshen County. From November 19, 2011 through February ~~15~~ 12, 2012, hunting shall only be allowed from pits, blinds and hunting locations during dark goose shooting hours. Maps of pits, blinds and hunting locations shall be posted at the Springer Check Station 1 ¼ miles west of Highway 85 on Goshen County Road 42, and at the established parking areas. The check station shall not be operated during the 2011-2012 goose hunting season. Hunters shall not be required to register or obtain a goose special management permit to participate in the Bump-Sullivan Managed Goose Hunt.

(a) Selection of pits, blinds or hunting locations. Hunters and hunting parties shall occupy pits, blinds or hunting locations by parking one vehicle directly in front of the post that is marked with the corresponding number of the pit, blind or hunting location. Vehicles shall not be parked overnight to reserve a pit, blind or hunting

location. Vehicles shall also not be parked in front of the numbered post of a pit, blind or hunting location other than the one the hunting party is occupying.

(b) Access to pits, blinds or hunting locations. Hunters shall only park in the established parking areas. No more than two (2) vehicles per pit, blind or hunting location shall be allowed in the parking lots. No person shall drive a vehicle beyond the established parking areas during the goose and duck hunting seasons, except for Department administrative access. Hunters may use a non-motorized cart, watercraft or toboggan to transport decoys and other gear to and from the pit, blind or hunting location. Hunters shall not change pits, blinds or hunting locations except by returning to the parking area and moving their vehicle to the numbered post corresponding to the new pit, blind or hunting location.

(c) Springer Field Hunting Locations. Three (3) field hunting locations identified by stakes numbered 17 through 19 shall be established in the portion of the Springer Wildlife Habitat Management Area south of Goshen County Road 42 and shall be available for each day of the Bump-Sullivan Managed Goose Hunt.

(i) All persons in each party shall only hunt from within ten (10) yards of the assigned stake location. Decoys may be set up outside the ten (10) yard perimeter. Persons may leave the ten (10) yard perimeter to arrange decoys or retrieve downed waterfowl. Persons are responsible for providing their own means of concealment, which may include portable blinds, tarps, or other materials provided all materials shall be removed and transported from the hunt area at the end of the day's hunt.

(ii) All other requirements of this section shall apply while hunting from the three (3) Springer field hunting locations.

(d) Leaving Pits, Blinds or Hunting Locations. Hunters may arrive at and depart from pits, blinds or hunting locations at any time, but while hunting, hunters shall remain at the pit, blind or hunting location at all times except hunters may leave to arrange decoys, retrieve downed birds or to return to the parking lot.

(e) Condition of Pits, Blinds and Hunting Locations. Hunters shall not damage or modify pits, blinds or hunting locations or use staples or nails to attach objects. It is permissible to move natural cover such as driftwood around or against the outside of a blind or pit. At the end of the hunt, all doors and lids shall be closed.

(f) Commercial Operations. No person shall conduct a commercially guided or outfitted hunt on the Bump-Sullivan Managed Goose Hunt area.

(g) Trash Removal. Hunters shall remove all trash or litter, including spent shell casings.

(h) The Bump-Sullivan Managed Goose Hunt area is open to light goose hunting during the Light Goose Conservation Order. Only the Bump-Sullivan Managed Goose Hunt area and the portion of the Springer Wildlife Habitat Management Area south of Goshen County Road 42 are open to light goose hunting. Participants shall be required to park only in the established parking locations. Pits, blinds and hunting locations shall be occupied on a first-come, first-served basis, however participants are not required to hunt from established pits, blinds or hunting locations. There shall be no registration requirement. Participants shall comply with all requirements set forth in Chapter 48, Light Goose Conservation Order.

Section 9. Savings Clause. If any provision of this regulation shall be held to be illegal or unconstitutional, such a ruling shall not affect other provisions of this regulation which can be given effect without the illegal or unconstitutional provision; and, to this end, the provisions of this regulation shall be severable.

#### WYOMING GAME AND FISH COMMISSION

By:

Fred Lindzey, President

Dated: ~~August 8~~ November 17, 2011

WYOMING GAME AND FISH COMMISSION

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Section 4. Hunting Regulations.

(a) **Wounding and Retrieving.** No person shall wound or kill any migratory game bird without making a reasonable effort to retrieve it and reduce it to possession.

(b) **Federal Regulations.** 16 USC 703-711 and 718a; 50 CFR 10 and 50 CFR 20, revised as of October 1, 2010, which do not include any later amendments or editions of the incorporated matter, governing the hunting, taking and possession of migratory birds and migratory game birds, the requirement for a valid federal migratory bird hunting and conservation stamp and the requirement for state participation in the National Harvest Information Program, are adopted as regulations of the Wyoming Game and Fish Commission. Violations of these federal statutes and regulations shall be violations of the Commission regulations. A copy of Title 50 of the Code of Federal Regulations can be viewed at Department Regional Offices.

(i) **Automatic loading, pump, or repeating shotguns** shall be plugged to admit no more than one (1) shell in the chamber and two (2) shells in the magazine.

(ii) **Federal Migratory Bird Hunting and Conservation Stamp.** A federal duck stamp is required for persons sixteen (16) years of age and older to hunt ducks, geese and mergansers, but a federal duck stamp is not required to hunt coots, sandhill cranes, crows, mourning doves, rail or snipe.

(iii) **National Migratory Bird Harvest Information Program.** Each licensed hunter who hunts migratory game birds shall complete a current Wyoming validation for the National Harvest Information Program (HIP) and shall obtain a Wyoming HIP permit. This requirement also applies to holders of pioneer and lifetime hunting licenses. Each licensed hunter engaged in the act of hunting doves, ducks, geese, mergansers, coots, rails, cranes or snipe shall be in possession of a Wyoming HIP permit. Each person obtaining a HIP permit for the purpose set forth in this section shall validate the permit by signing the person's name in ink across the face of the permit. Hunters who obtain a HIP permit through the Electronic License Service shall not be required to meet the signature provision of this Section. HIP permits expire on June 30 each year. HIP permits are not transferrable to other states. A separate validation is required from each state in which you hunt.

(c) **Evidence of Species.** One fully-feathered wing or the feathered head shall remain naturally attached to the carcass as a means of identification of migratory game birds, except mourning doves, in the field and while the birds are being transported.

(d) **Nontoxic Shot Restrictions.**

(i) **Nontoxic Shot.** No person shall hunt cranes, ducks, geese, mergansers or coots while possessing shot shells loaded with shot other than nontoxic shot. Nontoxic shot shall also be required when hunting any game with a shotgun on all of the lands in the Springer and Table Mountain Wildlife Management Areas and on all national wildlife refuges open for hunting.

(e) **Species and Hunt Areas, Season Dates, Shooting Hours, Bag Limit and Limitations.**

(i) For information regarding rail, snipe, sandhill crane and early Canada goose seasons, refer to Chapter 39, Early Migratory Game Bird Hunting Seasons.

(ii) Pacific Flyway

WATERFOWL - PACIFIC FLYWAY						
Species and Hunt Areas	Dates of Season		Shooting Hours	Closed Areas Section 5 Subsections	Bag Limit	
	Opens	Closes			Daily	Possession
<b><u>PACIFIC FLYWAY</u></b>						
DUCKS and MERGANSERS	Sept. 24	Jan. 6	See Sec. 6	d, e	7**	14**
COOTS	Sept. 24	Jan. 6	See Sec. 6	d, e	25	25
DARK GEESE	Sept. 24	Dec. 29	See Sec. 6	d, e	3	6

**In the Pacific Flyway, the scaup season shall be closed except on the Special Youth Waterfowl Hunting Days and during the period September 24 through December 18 when the daily bag limit for scaup ducks shall be three (3) and shall be counted as part of the aggregate bag limit for ducks.**

\*\* The daily bag limit of seven (7) ducks and mergansers may include any combination of species with the following restrictions:

- no more than one (1) canvasback;
- no more than two (2) pintails;
- no more than two (2) hen mallards;
- no more than two (2) redheads; and
- no more than three (3) scaup during the dates scaup may be taken.

The possession limit shall be two (2) daily bag limits.

(iii) Central Flyway Zones. The Central Flyway is divided into two (2) zones for the 2011-2012 season. Refer to the season dates for the zone in which you are hunting.

(A) ZONE C1 shall include Converse, Goshen, Hot Springs, Natrona, Platte, and Washakie Counties; and that portion of Park County east of the Shoshone National Forest boundary and south of a line beginning where the Shoshone National Forest boundary crosses Park County Road 8VC, easterly along said road to Park County Road 1AB, easterly along said road to Wyoming Highway 120, northerly along said highway to Wyoming Highway 294, southeasterly along said highway to Lane 9, easterly along said lane to the town of Powell and Wyoming Highway 14A, easterly along said highway to the Park County line.

(B) ZONE C2 shall include Albany, Big Horn, Campbell, Crook, Fremont, Johnson, Laramie, Niobrara, Sheridan, Weston Counties; that portion of Carbon County east of the Continental Divide; that portion of Park County west of the Shoshone National Forest boundary, and that portion of Park County north of a line beginning where the Shoshone National Forest boundary crosses Park County Road 8VC, easterly along said road to Park County Road 1AB, easterly along said road to Wyoming Highway 120, northerly along said highway to Wyoming Highway 294, southeasterly along said highway to Lane 9, easterly along said lane to the town of Powell and Wyoming Highway 14A, easterly along said highway to the Park County line.

## (iv) Central Flyway

WATERFOWL - CENTRAL FLYWAY						
Species and Hunt Areas	Dates of Season		Shooting Hours	Closed Areas Section 5 Subsections	Bag Limit	
	Opens	Closes			Daily	Possession
LIGHT GEESE	Oct. 1	Dec. 25	See Sec. 6	b a after Nov. 18 c after Nov. 14	10	40
	Jan. 28	Feb. 15	See Sec. 6	a, b, c	10	40

WATERFOWL - CENTRAL FLYWAY						
Species and Hunt Areas	Dates of Season		Shooting Hours	Closed Areas Section 5 Subsections	Bag Limit	
	Opens	Closes			Daily	Possession
<b>ZONE C1</b>						
DUCKS	Oct. 1	Oct. 16	See Sec. 6	b	6**	12**
	Oct. 29	Jan. 17	See Sec. 6	b a after Nov. 18	6**	12**
MERGANSERS	Oct. 1	Oct. 16	See Sec. 6	b	5**	10**
	Oct. 29	Jan. 17	See Sec. 6	b a after Nov. 18	5**	10**
COOTS	Oct. 1	Oct. 16	See Sec. 6	b	15	30
	Oct. 29	Jan. 17	See Sec. 6	b a after Nov. 18	15	30
DARK GEESE All counties except Goshen and Platte Counties	Oct. 1	Oct. 16	See Sec. 6		5	10
	Nov. 5	Dec. 4	See Sec. 6		5	10
	Dec. 10	Feb. 6	See Sec. 6		5	10
DARK GEESE Goshen and Platte Counties*	Oct. 1	Oct. 16	See Sec. 6	b	2	4
	Nov. 19	Feb. 12	See Sec. 6	a, b	4	8

\*For Bump-Sullivan Managed Goose Hunt information, see Section 8.

WATERFOWL - CENTRAL FLYWAY						
Species and Hunt Areas	Dates of Season		Shooting Hours	Closed Areas Section 5 Subsections	Bag Limit	
	Opens	Closes			Daily	Possession
<b>ZONE C2</b>						
DUCKS	Sept. 24	Nov. 27	See Sec. 6	c after Nov. 14	6**	12**
	Dec. 10	Jan. 10	See Sec. 6	c	6**	12**
MERGANSERS	Sept. 24	Nov. 27	See Sec. 6	c after Nov. 14	5**	10**
	Dec. 10	Jan. 10	See Sec. 6	c	5**	10**
COOTS	Sept. 24	Nov. 27	See Sec. 6	c after Nov. 14	15	30
	Dec. 10	Jan. 10	See Sec. 6	c	15	30
DARK GEESE Big Horn and Fremont Counties	Sept. 24	Oct. 18	See Sec. 6		5	10
	Nov. 5	Dec. 4	See Sec. 6	c after Nov. 14	5	10
	Dec. 10	Jan. 28	See Sec. 6	c	5	10
DARK GEESE All counties except Big Horn and Fremont Counties	Sept. 24	Nov. 27	See Sec. 6		5	10
	Dec. 10	Jan. 18	See Sec. 6		5	10

\*\*The daily bag limit of six (6) ducks may include any combination of species with the following restrictions:

- no more than five (5) mallards of which not more than one (1) shall be a hen;
- no more than one (1) canvasback;
- no more than two (2) pintails;
- no more than three (3) wood ducks;
- no more than two (2) redheads;
- no more than two (2) scaup;

The daily bag limit of five (5) mergansers shall not include more than two (2) hooded mergansers. Except for light geese, the possession limit shall be two (2) daily bag limits.

(f) **Special Youth Waterfowl Hunting Days.** In the Pacific Flyway, the special youth waterfowl hunting days are September 17-18, 2011. In Zone C1 of the Central Flyway, the special youth waterfowl hunting days are September 24-25, 2011. In Zone C2 of the Central Flyway, the special youth waterfowl hunting days are September 17-18, 2011. Only persons fifteen (15) years of age and younger may take ducks, mergansers, coots and geese (light geese cannot be taken in the Pacific Flyway) on the special youth waterfowl hunting days, subject to the following conditions:

- (i) All youth hunters shall be accompanied in the field by an adult at least eighteen (18) years of age.
- (ii) No more than four (4) youths shall be supervised by any one (1) adult.
- (iii) The adult shall not take ducks, coots, mergansers or geese, but may participate in other open seasons.

(iv) All license and stamp requirements, daily bag limits, species and sex restrictions, shooting hours and other regulations that apply to the regular duck and goose seasons, as defined for each flyway, shall apply during the special youth hunting days. In Goshen and Platte Counties, the daily bag limit for dark geese shall be four (4) on the youth hunting days.

(v) The areas described in Section 5 (b), (d), and (e) shall be closed to hunting during youth days.

Section 5. Description of Closed Areas. The areas described in this Section shall be closed for the species and dates specified in the tables in Section 4.

(a) Goshen County

(i) Hawk Springs Reservoir. Beginning where the east fence of the Union Pacific Railroad right-of-way meets the south fence enclosing Hawk Springs Reservoir; due east along said fence to Goshen County Road 51; northerly along said road to the access road to the northeast dam of the reservoir; southwesterly along said road to the northeast dam and the fence enclosing the reservoir; northwesterly along said fence to the second gate; southwesterly from said gate to the northwest corner of the fence enclosing the reservoir; southerly along said fence to the beginning point.

(ii) Springer Reservoir. Beginning on U.S. Highway 85 at the George Marlatt farmhouse; westerly along the fence between the farm land and the pasture land to the west end of the west pump lake; southerly to the northwest corner of the Wyoming Game and Fish Department's Springer Wildlife Habitat Management Area (WHMA); southerly along the Springer WHMA boundary south of the Game and Fish Department buildings; due south across the Whispering Wings LLC property to the Craig and Roberta Fulmer pasture fence; southerly and westerly along said fence to the Yoder-Bump-Sullivan Road (Goshen County Road 37); southerly along said road to the county road (Goshen County Road 42) on the south boundary of the Springer WHMA; easterly along said road to U.S. Highway 85; northerly along said highway to the George Marlatt farmhouse. See Section 8 regarding the portion of the Springer WHMA south of Goshen County Road 42.

(iii) Pond No. 1 Table Mountain Wildlife Habitat Management Area. Pond No. 1 and adjacent lands as marked by colored signs and posts.

(iv) Miller Lake (Glomill Reservoir). Miller Lake and all lands within three hundred (300) yards of the normal high water line.

(v) North Platte River. That portion of the North Platte River and all lands within three hundred (300) yards of each bank of said river located between the two river crossings of Wyoming Highway 157.

(b) Platte County

(i) Festo Lake. Festo Lake and all lands within three hundred (300) yards of the normal high water line shall be closed to all migratory game bird hunting.

(ii) Wheatland Reservoir No. 1. Wheatland Reservoir No. 1 and all lands within three hundred (300) yards of the normal high water line and all Wheatland Irrigation District lands adjacent to the reservoir, in addition to those included in the three hundred (300) yard closure, shall be closed to hunting.



(c) Fremont County

(i) Ocean Lake. The waters of Ocean Lake and the Wyoming Game and Fish Commission lands within approximately one-half (1/2) mile of the aeration system on the north side of the lake shall be closed to migratory game bird hunting beginning November 15 through December 31 and January 1 through March 10 of each year. Beginning December 15 through March 10, the area shall be closed to all human presence, except for Wyoming Game and Fish Department administrative access, within one-half (1/2) mile of the aerator on the ice and as marked by signs on Wyoming Game and Fish Commission lands around the aerator.

(d) Sweetwater County

(i) Eden Reservoir. Eden Reservoir and all lands within three hundred (300) yards of the normal high water line shall be closed to all migratory game bird hunting.

(e) Lincoln County

(i) Palisades Reservoir. Beginning at the junction of the McCoy Creek Road and U.S. Highway 89; northerly on U.S. Highway 89 for 1.6 miles to the Palisades Reservoir high water line; westerly along said high water line to the Wyoming - Idaho state line; south along said state line to the McCoy Creek Road; southeasterly along the McCoy Creek Road to U.S. Highway 89 shall be closed to all migratory game bird hunting.

Section 6. Shooting Hours. Except as provided in Section 6(a), shooting hours for all migratory game birds shall be from one-half (1/2) hour before sunrise to sunset as determined from the shooting hours table in Section 6(b).

(a) Within the following areas: Goshen County north of Wyoming Highway 313 and County Road 28; and those portions of Platte County west of Interstate Highway 25 or south of Wyoming Highway 160 (Gray Rocks Road) and Riverview Road (Platte County Road 271). Shooting hours for dark geese shall be from one-half (1/2) hour before sunrise to 1:00 p.m., except on the dates listed in subsections (i), (ii) and (iii), when shooting hours shall be from one-half (1/2) hour before sunrise to sunset as determined from the shooting hours table in subsection 6(b) – Area D.

(i) October 1 through October 16.

(ii) All Saturdays and Wednesdays from November 19 through December 31.

(iii) All Saturdays, Sundays, and Wednesdays from January 1 through the close of the dark goose season.

(b) 2011-2012 Shooting Hours Table. This table (including adjustments for daylight savings time) lists the official shooting hours (one-half (1/2) hour before sunrise to sunset) adopted by the Wyoming Game and Fish Commission for migratory game bird hunting. (Do not use tables from other sources.) ST=Starting Time, QT=Quitting Time.

	AREA A		AREA B		AREA C		AREA D	
	ST	QT	ST	QT	ST	QT	ST	QT
<b>September</b>								
1-7	6:17	7:49	6:11	7:43	6:03	7:35	5:57	7:29
8-14	6:24	7:37	6:18	7:31	6:10	7:23	6:04	7:17
15-21	6:32	7:24	6:26	7:18	6:18	7:10	6:12	7:04
22-30	6:40	7:09	6:34	7:03	6:26	6:55	6:20	6:49
<b>October</b>								
1-7	6:50	6:56	6:44	6:50	6:36	6:42	6:30	6:36
8-14	6:58	6:44	6:52	6:38	6:44	6:30	6:38	6:24
15-21	7:06	6:32	7:00	6:26	6:52	6:18	6:46	6:12
22-31	7:16	6:19	7:10	6:13	7:02	6:05	6:56	5:59
<b>November</b>								
1-5	7:26	6:09	7:20	6:03	7:12	5:55	7:06	5:49
*6-14	6:35	5:01	6:29	4:55	6:21	4:47	6:15	4:41
15-21	6:44	4:54	6:38	4:48	6:30	4:40	6:24	4:34
22-30	6:54	4:48	6:48	4:42	6:40	4:34	6:34	4:28
<b>December</b>								
1-7	7:03	4:45	6:57	4:39	6:49	4:31	6:43	4:25
8-14	7:10	4:45	7:04	4:39	6:56	4:31	6:50	4:25
15-21	7:15	4:47	7:09	4:41	7:01	4:33	6:55	4:27
22-31	7:19	4:52	7:13	4:46	7:05	4:38	6:59	4:32
<b>January</b>								
1-7	7:20	4:58	7:14	4:52	7:06	4:44	7:00	4:38
8-14	7:19	5:06	7:13	5:00	7:05	4:52	6:59	4:46
15-21	7:16	5:13	7:10	5:07	7:02	4:59	6:56	4:53
22-31	7:09	5:25	7:03	5:19	6:55	5:11	6:49	5:05
<b>February</b>								
1-7	7:01	5:36	6:55	5:30	6:47	5:22	6:41	5:16
8-15	6:52	5:46	6:46	5:40	6:38	5:32	6:32	5:26

\*Start Mountain Standard Time

AREA A - Lincoln, Sublette, Sweetwater, Teton, Uinta Counties

AREA B - Big Horn, Fremont, Hot Springs, Park, Washakie Counties

AREA C - Albany, Campbell, Carbon, Converse, Johnson, Natrona, Sheridan Counties

AREA D - Crook, Goshen, Laramie, Niobrara, Platte, Weston Counties

Section 7. Falconry Seasons. Migratory game birds may be taken by the use of falcons in the possession of properly licensed falconers during the regular hunting season and special extended seasons in accordance with the limitations in this Section, Section 6, Section 5 and Section 4 (a), (b) and (c) and the closures identified in Section 4 (e).

(a) **Falconry Bag and Possession Limits.** The daily bag limit shall not exceed three (3) migratory game birds in the aggregate nor shall the possession limit exceed six (6) migratory game birds in the aggregate for falconry during the open hunting season or special extended falconry season. The falconry bag and possession limits are not in addition to the bag and possession limits listed in Section 4, Hunting Regulations.

FALCONRY						
Species and Hunt Areas	Dates of Season		Open Hours	Closed Areas Section 5 Subsections	AGGREGATE Bag Limit	
	Opens	Closes			Daily	Possession
ZONE C1 – Central Flyway, Ducks, Mergansers and Coots	Sept. 24	Sept. 25	See Sec. 6	Limitations in effect in Sections 4 and 5 shall apply	3**	6**
	Oct. 1	Oct. 24				
	Oct. 29	Jan. 17				
ZONE C2 – Central Flyway, Ducks, Mergansers and Coots	Sept. 17	Sept. 18				
	Sept. 24	Dec. 5				
	Dec. 10	Jan. 10				
Dark Geese - Central Flyway, Goshen and Platte Counties	Oct. 1	Oct. 16				
	Nov. 19	Feb. 12				
Dark Geese – Central Flyway, all counties in Zone C1 except Goshen and Platte Counties	Oct. 1	Oct. 16				
	Nov. 5	Dec. 4				
	Dec. 10	Feb. 6				
Dark Geese – Central Flyway, Big Horn and Fremont Counties	Sept. 24	Oct. 18				
	Nov. 5	Dec. 4				
	Dec. 10	Jan. 28				
Dark Geese – Central Flyway, all Counties in Zone C2 except Big Horn and Fremont Counties	Sept. 24	Nov. 27				
	Dec. 10	Jan. 18				
Light Geese - Central Flyway	Oct. 1	Dec. 25				
	Jan. 28	Feb. 15				
Ducks, Mergansers and Coots – Pacific Flyway	Sept. 17	Sept. 18				
	Sept. 24	Jan. 6				
Dark Geese - Pacific Flyway	Sept. 1	Sept. 8				
	Sept. 24	Dec. 29				

\*\*The daily bag and possession limits, singly or in the aggregate, may include any species and sex of ducks, geese, coots, mergansers, rail, snipe and mourning doves when seasons for these species are open.

**Section 8. Bump-Sullivan Managed Goose Hunt.** Nineteen (19) numbered pits, blinds or hunting locations shall be available each day during the dark goose hunting season and shall be occupied on a first-come, first-served basis within the Bump-Sullivan Managed Goose Hunt area in Goshen County. From November 19, 2011 through February 12, 2012, hunting shall only be allowed from pits, blinds and hunting locations during dark goose shooting hours. Maps of pits, blinds and hunting locations shall be posted at the Springer Check Station 1 ¼ miles west of Highway 85 on Goshen County Road 42, and at the established parking areas. The check station shall not be operated during the 2011-2012 goose hunting season. Hunters shall not be required to register or obtain a goose special management permit to participate in the Bump-Sullivan Managed Goose Hunt.

(a) **Selection of pits, blinds or hunting locations.** Hunters and hunting parties shall occupy pits, blinds or hunting locations by parking one vehicle directly in front of the post that is marked with the corresponding number of the pit, blind or hunting location. Vehicles shall not be parked overnight to reserve a pit, blind or hunting

location. Vehicles shall also not be parked in front of the numbered post of a pit, blind or hunting location other than the one the hunting party is occupying.

(b) Access to pits, blinds or hunting locations. Hunters shall only park in the established parking areas. No more than two (2) vehicles per pit, blind or hunting location shall be allowed in the parking lots. No person shall drive a vehicle beyond the established parking areas during the goose and duck hunting seasons, except for Department administrative access. Hunters may use a non-motorized cart, watercraft or toboggan to transport decoys and other gear to and from the pit, blind or hunting location. Hunters shall not change pits, blinds or hunting locations except by returning to the parking area and moving their vehicle to the numbered post corresponding to the new pit, blind or hunting location.

(c) Springer Field Hunting Locations. Three (3) field hunting locations identified by stakes numbered 17 through 19 shall be established in the portion of the Springer Wildlife Habitat Management Area south of Goshen County Road 42 and shall be available for each day of the Bump-Sullivan Managed Goose Hunt.

(i) All persons in each party shall only hunt from within ten (10) yards of the assigned stake location. Decoys may be set up outside the ten (10) yard perimeter. Persons may leave the ten (10) yard perimeter to arrange decoys or retrieve downed waterfowl. Persons are responsible for providing their own means of concealment, which may include portable blinds, tarps, or other materials provided all materials shall be removed and transported from the hunt area at the end of the day's hunt.

(ii) All other requirements of this section shall apply while hunting from the three (3) Springer field hunting locations.

(d) Leaving Pits, Blinds or Hunting Locations. Hunters may arrive at and depart from pits, blinds or hunting locations at any time, but while hunting, hunters shall remain at the pit, blind or hunting location at all times except hunters may leave to arrange decoys, retrieve downed birds or to return to the parking lot.

(e) Condition of Pits, Blinds and Hunting Locations. Hunters shall not damage or modify pits, blinds or hunting locations or use staples or nails to attach objects. It is permissible to move natural cover such as driftwood around or against the outside of a blind or pit. At the end of the hunt, all doors and lids shall be closed.

(f) Commercial Operations. No person shall conduct a commercially guided or outfitted hunt on the Bump-Sullivan Managed Goose Hunt area.

(g) Trash Removal. Hunters shall remove all trash or litter, including spent shell casings.

(h) The Bump-Sullivan Managed Goose Hunt area is open to light goose hunting during the Light Goose Conservation Order. Only the Bump-Sullivan Managed Goose Hunt area and the portion of the Springer Wildlife Habitat Management Area south of Goshen County Road 42 are open to light goose hunting. Participants shall be required to park only in the established parking locations. Pits, blinds and hunting locations shall be occupied on a first-come, first-served basis, however participants are not required to hunt from established pits, blinds or hunting locations. There shall be no registration requirement. Participants shall comply with all requirements set forth in Chapter 48, Light Goose Conservation Order.

Section 9. Savings Clause. If any provision of this regulation shall be held to be illegal or unconstitutional, such a ruling shall not affect other provisions of this regulation which can be given effect without the illegal or unconstitutional provision; and, to this end, the provisions of this regulation shall be severable.

WYOMING GAME AND FISH COMMISSION

By:

Fred Lindzey, President

Dated: November 17, 2011



DRAFT 10/19/2011

WYOMING GAME AND FISH COMMISSION

CHAPTER 49

REGULATION GOVERNING PRIVATE FISH STOCKING

Section 1. Authority. These regulations are promulgated by authority of Wyoming Statutes §23-1-102(a)(xiv), §23-1-103, §23-1-302, §23-4-101, §23-4-102 and §23-6-207.

Section 2. Regulation and Effective Date. These regulations are effective January 1, ~~2006~~2012, and shall remain in effect until modified or rescinded by the Commission.

Section 3. Definitions. For the purpose of this regulation, definitions shall be as set forth in Wyoming Statutes, Title 23 and Wyoming Game and Fish Commission ~~r~~Regulations, and the Commission also adopts the following definitions:

(a) “Aquatic ~~Nuisance~~Invasive Species” means exotic or non-native aquatic organisms that pose a significant threat to the aquatic resources, water supplies, or water infrastructure of the state. Priority aquatic invasive species include those not known to be present in Wyoming, but have a high potential to invade and other species determined by the Wyoming Game and Fish Commission to be a significant threat. ~~means any aquatic plant, invertebrate, fish or other aquatic vertebrate transported or introduced in Wyoming waters that may threaten the diversity or abundance of managed species; the ecological stability of infested waters; or commercial, aquacultural or recreational activities dependent on such waters.~~

(b) “Broker” means an individual or entity that acts as an intermediary between the hatchery of origin and the person possessing a private fish stocking authorization.

(c) “Drainage” means the river or stream proper and the area of land, including all streams and standing waters, which drain into that river or stream.

(d) “Environmental Assessment” means identification and analysis of potential effects on wildlife resources as defined by the Department.

(e) “Fish Stocking” means the release of fish into Wyoming waters.

(f) “Private Fish Hatchery” means any aquatic facility not owned or operated by federal, state, local or tribal government agencies used for propagating, rearing or producing any or all life stages of fish.

**(g) “Transgenic” means modifying the genetics of an organism with inserted deoxyribonucleic acid (DNA) that originated in a different species, using genetic engineering techniques.**

Section 4. Prohibited Stocking.

(a) No fish, fish eggs, or fish gametes shall be stocked in Wyoming waters unless authorized by the Chief of Fisheries.

(b) No amphibians, mollusks, crustaceans, their viable gametes (eggs and sperm), fertilized eggs, or any hybrid, or any transgenic product thereof shall be stocked into the waters of the State of Wyoming unless authorized by the Chief of Fisheries.

**(c) The possession or stocking of transgenic fish, amphibians, mollusks or crustaceans is prohibited.**

(d) No aquatic ~~nuisance~~ **invasive** species or fish that may pose a threat to existing wildlife populations shall be authorized for stocking.

Section 5. Sanction of a Private Fish Hatchery to Stock Fish. Private fish hatcheries within the State of Wyoming shall be licensed to operate and transport fish as defined in Wyoming Game and Fish Commission Regulations. Any private fish hatchery outside the State of Wyoming **that meets Department Regulations regarding the importation and stocking of fish,** intending to stock fish in Wyoming shall apply for and receive an importation permit from the Department. Authorization of an importation permit shall be based on the criteria defined for out-of-state private fish hatcheries and approved on an annual basis or as defined by the Department. Failure to comply with any portion of this regulation may result in Department revocation of authorization to stock fish in Wyoming.

Section 6. Application for Authorization to Stock Fish.

(a) Any person intending to stock fish in waters on privately owned lands shall submit an application for Private Fish Stocking Authorization, on forms provided by the Department, to the Chief of Fisheries at least ten (10) business days before the intended stocking date. A separate application is required for each body of water or stream for which fish stocking authorization is requested and for each time stocking is to occur.

(b) The Department may deny an application for private fish stocking if information is falsified on the application, or if the application is not completely and correctly filled out, or if the fish are requested from an unapproved fish hatchery, or if fish species requested are not compatible with species already present in the drainage or conflict with Departmental management goals for the drainage.



Section 7. Terms of Authorization.

(a) Upon approval the applicant shall stock the authorized stocking site within thirty (30) days following the stocking date indicated on the Private Fish Stocking Authorization. If the anticipated stocking date precedes the authorized date or exceeds the thirty (30) day time period, the applicant, owner, lessee, or agent of the approved source shall submit a request for an amended stocking date on the Private Fish Stocking Authorization prior to stocking.

~~(b)~~ (b) Any alterations or amendments to a Department issued Private Fish Stocking Authorization by the requesting party are prohibited. **No deviations from a Private Fish Stocking Authorization shall be permitted.** If **any changes alterations or amendments** to an authorization are desired, the original authorization must be surrendered to the Department and a new application submitted for approval.

(c) **The size, species or source identified on a Private Fish Stocking Authorization are specifically defined by the Chief of Fisheries and shall not deviate from the original authorization without further approval. Number of fish to be stocked may exceed the authorized number by a maximum of ten percent (10%).**

Section 8. Types of Fish Stocking. Each fish species transported shall be held in separate containers to facilitate species identification unless the fish in the container are to be stocked into one (1) individual stocking site authorized for multiple species of game fish and all game fish in the container are released at that site. **Forage and biological Nongame control** species shall be held in separate containers from game fish.

(a) Game Fish Stocking. Fish shall meet the size requirements specified on the Private Fish Stocking Authorization by the Department to facilitate species identification.

~~(b) Forage Fish Stocking. Only fathead minnows (*Pimphales promelas*) shall be stocked for forage and meet the size requirements specified on the Private Fish Stocking Authorization by the Department to facilitate species identification. Forage fish shall only be authorized for stocking in waters that contain game fish and shall not be removed by any party from the stocking site for a period of six (6) months beginning on the day they are stocked.~~

~~(e)(b)~~ **Biological Control Nongame Fish** Stocking.

~~(i)~~ (i) Vegetation Control. Only grass carp (*Ctenopharygodon idellus*) that are Coulter counter certified triploid by the U.S. Fish and Wildlife Service, certified free of Asian tapeworm (*Bothriocephalus acheilognathi*) and are from a source certified free of all life stages of the zebra mussel (*Dreissena polymorpha*) shall be authorized for stocking to control aquatic vegetation. A copy of these certifications must be provided to the Department at least ten (10) working days prior to stocking.

(ii) Mosquito control. Only ~~fathead minnows,~~ plains topminnow (*Fundulus sciadicus*) or plains killifish (*Fundulus zebrinus*) shall be authorized for stocking to control mosquitoes. Fish species requested for mosquito control shall be considered for authorization only if that species is 1) native to the drainage, or 2) is established in the drainage and stocking in the locations requested is considered by the Department to be compatible with aquatic species in that drainage.

(iii) Any other nongame fish species requested ~~for biological control~~ shall be considered on a case-by-case basis by the Chief of Fisheries.

Section 9. Source of Fish For Stocking. Only fish from Department approved private fish hatcheries, or other approved sources shall be authorized for private fish stocking. A list of approved private fish hatcheries is available from the Department.

Section 10. Transportation of Fish. Vehicles used for the transport of live fish for private fish stocking shall be placarded indicating that the equipment is being used to transport live fish. Letters, numbers, or symbols displayed on the placard shall be at least three (3) inches in height, excluding shading and bordering, and shall be of a color that contrasts with the placard background color. Anyone in the process of transporting fish for the purpose of private stocking must be in possession of a valid Department Private Fish Stocking Authorization and any other permits, receipts, bill of sales, or any other documents required by Wyoming Statute ~~and~~/or Wyoming Game and Fish Commission Regulations.

Section 11. Records. Upon completion of fish stocking under a Private Fish Stocking Authorization, the applicant shall, within fifteen (15) days, submit to the Fish Division a copy of the Private Fish Stocking Authorization signed by the applicant, owner, lessee, or agent of the approved source and a copy of a receipt of delivery. In the event that a broker transports or otherwise possesses the fish, the approved applicant shall submit a copy of the Private Fish ~~Hatchery Fish Stocking Authorization~~ Hatchery Fish Stocking Authorization-Transportation Receipt signed by the broker, a copy of a receipt of delivery of fish from the approved source provided the broker, and a receipt of delivery from the broker.

Section 12. Transfer to Other Waters Prohibited. Fish stocked under the authority of a Private Fish Stocking Authorization shall only be stocked in the water identified on the authorization. Stocking of fish in other waters or the transfer of stocked fish to ~~unauthorized~~ any other waters is prohibited.

Section 13. Species New to A Drainage. If an applicant for a private fish stocking authorization requests to stock a fish species not already existing in a drainage, the applicant shall be required to prepare and submit an environmental assessment as defined by the Department at the expense of the applicant. The Department shall review the environmental assessment and private fish stocking authorization application for final approval or denial.



Section 14. Removal of Unauthorized Species. Stocking of unauthorized fish species may require removal of said species or complete depopulation within a time frame and method determined by the Department at the expense of the private fish stocking applicant.

Section 15. Violation of Commission Regulations. Failure to abide by the provisions of this regulation shall be punishable as provided by Wyoming Statutes for violation of Commission regulations.

Section 16. Savings Clause. If any provision of this regulation is held to be illegal or unconstitutional, such a ruling shall not affect other provisions of this regulation which can be given effect without the illegal or unconstitutional provision; and, to this end the provisions of this regulation are severable.

WYOMING GAME AND FISH COMMISSION

By:

~~Linda Fleming~~Fred Lindzey, President

Dated: ~~November 7, 2005~~

~~nunc pro tunc~~ November 17, 2011

WYOMING GAME AND FISH COMMISSION

CHAPTER 49

REGULATION GOVERNING PRIVATE FISH STOCKING

Section 1. Authority. These regulations are promulgated by authority of Wyoming Statutes §23-1-102(a)(xiv), §23-1-103, §23-1-302, §23-4-101, §23-4-102 and §23-6-207.

Section 2. Regulation and Effective Date. These regulations are effective January 1, 2012, and shall remain in effect until modified or rescinded by the Commission.

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

(a) “Aquatic Invasive Species” means exotic or non-native aquatic organisms that pose a significant threat to the aquatic resources, water supplies, or water infrastructure of the state. Priority aquatic invasive species include those not known to be present in Wyoming, but have a high potential to invade and other species determined by the Wyoming Game and Fish Commission to be a significant threat.

(b) “Broker” means an individual or entity that acts as an intermediary between the hatchery of origin and the person possessing a private fish stocking authorization.

(c) “Drainage” means the river or stream proper and the area of land, including all streams and standing waters, which drain into that river or stream.

(d) “Environmental Assessment” means identification and analysis of potential effects on wildlife resources as defined by the Department.

(e) “Fish Stocking” means the release of fish into Wyoming waters.

(f) “Private Fish Hatchery” means any aquatic facility not owned or operated by federal, state, local or tribal government agencies used for propagating, rearing or producing any or all life stages of fish.

(g) “Transgenic” means modifying the genetics of an organism with inserted deoxyribonucleic acid (DNA) that originated in a different species, using genetic engineering techniques.

Section 4. Prohibited Stocking.

(a) No fish, fish eggs, or fish gametes shall be stocked in Wyoming waters unless authorized by the Chief of Fisheries.

(b) No amphibians, mollusks, crustaceans, their viable gametes (eggs and sperm), fertilized eggs, or any hybrid shall be stocked into the waters of the State of Wyoming unless authorized by the Chief of Fisheries.

(c) The possession or stocking of transgenic fish, amphibians, mollusks or crustaceans is prohibited.

(d) No aquatic invasive species or fish that may pose a threat to existing wildlife populations shall be authorized for stocking.

Section 5. Sanction of a Private Fish Hatchery to Stock Fish. Private fish hatcheries within the State of Wyoming shall be licensed to operate and transport fish as defined in Wyoming Game and Fish Commission Regulations. Any private fish hatchery outside the State of Wyoming that meets Commission Regulations regarding the importation and stocking of fish, intending to stock fish in Wyoming shall apply for and receive an importation permit from the Department. Authorization of an importation permit shall be based on the criteria defined for out-of-state private fish hatcheries and approved on an annual basis or as defined by the Department. Failure to comply with any portion of this regulation may result in Department revocation of authorization to stock fish in Wyoming.

Section 6. Application for Authorization to Stock Fish.

(a) Any person intending to stock fish in waters on privately owned lands shall submit an application for Private Fish Stocking Authorization, on forms provided by the Department, to the Chief of Fisheries at least ten (10) business days before the intended stocking date. A separate application is required for each body of water or stream for which fish stocking authorization is requested and for each time stocking is to occur.

(b) The Department may deny an application for private fish stocking if information is falsified on the application, or if the application is not completely and correctly filled out, or if the fish are requested from an unapproved fish hatchery, or if fish species requested are not compatible with species already present in the drainage or conflict with Departmental management goals for the drainage.

Section 7. Terms of Authorization.

(a) Upon approval the applicant shall stock the authorized stocking site within thirty (30) days following the stocking date indicated on the Private Fish Stocking Authorization. If the anticipated stocking date precedes the authorized date or exceeds the thirty (30) day time period, the applicant, owner, lessee, or agent of the approved source shall submit a request for an amended stocking date on the Private Fish Stocking Authorization prior to stocking.

(b) Any alterations or amendments to a Department issued Private Fish Stocking Authorization by the requesting party are prohibited. No deviations from a Private Fish Stocking Authorization shall be permitted. If any changes to an authorization are desired, a new application must be submitted for approval. Upon approval, the original authorization shall be void.

(c) The size, species or source identified on a Private Fish Stocking Authorization are specifically defined by the Chief of Fisheries and shall not deviate from the original authorization without further approval. Number of fish to be stocked may exceed the authorized number by a maximum of ten percent (10%).

Section 8. Types of Fish Stocking. Each fish species transported shall be held in separate containers to facilitate species identification unless the fish in the container are to be stocked into one (1) individual stocking site authorized for multiple species of game fish and all game fish in the container are released at that site. Nongame species shall be held in separate containers from game fish.

(a) Game Fish Stocking. Fish shall meet the size requirements specified on the Private Fish Stocking Authorization by the Department to facilitate species identification.

(b) Nongame Fish Stocking.

(i) Vegetation Control. Only grass carp (*Ctenopharygodon idellus*) that are Coulter counter certified triploid by the U.S. Fish and Wildlife Service, certified free of Asian tapeworm (*Bothriocephalus acheilognathi*) and are from a source certified free of all life stages of the zebra mussel (*Dreissena polymorpha*) shall be authorized for stocking to control aquatic vegetation. A copy of these certifications must be provided to the Department at least ten (10) working days prior to stocking.

(ii) Mosquito control. Only plains topminnow (*Fundulus sciadicus*) or plains killifish (*Fundulus zebrinus*) shall be authorized for stocking to control mosquitoes. Fish species requested for mosquito control shall be considered for authorization only if that species is 1) native to the drainage, or 2) is established in the drainage and stocking in the locations requested is considered by the Department to be compatible with aquatic species in that drainage.

(iii) Any other nongame fish species requested shall be considered on a case-by-case basis by the Chief of Fisheries.

Section 9. Source of Fish For Stocking. Only fish from Department approved private fish hatcheries, or other approved sources shall be authorized for private fish stocking. A list of approved private fish hatcheries is available from the Department.

Section 10. Transportation of Fish. Vehicles used for the transport of live fish for private fish stocking shall be placarded indicating that the equipment is being used to transport live fish. Letters, numbers, or symbols displayed on the placard shall be at least three (3) inches in height, excluding shading and bordering, and shall be of a color that contrasts with the placard background color. Anyone in the process of transporting fish for the purpose of private stocking must be in possession of a valid Department Private Fish Stocking Authorization and any other permits, receipts, bill of sales, or any other documents required by Wyoming Statute or Wyoming Game and Fish Commission Regulations.

Section 11. Records. Upon completion of fish stocking under a Private Fish Stocking Authorization, the applicant shall, within fifteen (15) days, submit to the Fish Division a copy of the Private Fish Stocking Authorization signed by the applicant, owner, lessee, or agent of the approved source and a copy of a receipt of delivery. In the event that a broker transports or otherwise possesses the fish, the approved applicant shall submit a copy of the Private Fish Hatchery Fish Transportation Receipt signed by the broker, a copy of a receipt of delivery of fish from the approved source provided the broker, and a receipt of delivery from the broker.

Section 12. Transfer to Other Waters Prohibited. Fish stocked under the authority of a Private Fish Stocking Authorization shall only be stocked in the water identified on the authorization. Stocking of fish in other waters or the transfer of stocked fish to any other waters is prohibited.

Section 13. Species New to A Drainage. If an applicant for a private fish stocking authorization requests to stock a fish species not already existing in a drainage, the applicant shall be required to prepare and submit an environmental assessment as defined by the Department at the expense of the applicant. The Department shall review the environmental assessment and private fish stocking authorization application for final approval or denial.

Section 14. Removal of Unauthorized Species. Stocking of unauthorized fish species may require removal of said species or complete depopulation within a time frame and method determined by the Department at the expense of the private fish stocking applicant.

Section 15. Violation of Commission Regulations. Failure to abide by the provisions of this regulation shall be punishable as provided by Wyoming Statutes for violation of Commission regulations.

Section 16. Savings Clause. If any provision of this regulation is held to be illegal or unconstitutional, such a ruling shall not affect other provisions of this regulation which can be given effect without the illegal or unconstitutional provision; and, to this end the provisions of this regulation are severable.

WYOMING GAME AND FISH COMMISSION

By:

Fred Lindzey, President

Dated: November 17, 2011



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WYOMING GAME AND FISH COMMISSION

CHAPTER 51

REGULATION GOVERNING ~~PRIVATE~~ FISH HATCHERIES

Section 1. Authority. These regulations are promulgated by authority of W.S. §23-1-102(a)(xiv), §23-1-103, §23-1-302, §23-4-101, §23-4-102, §23-4-103, §23-4-104 and §23-6-207.

Section 2. Effective Date. These regulations are effective January 1, ~~2006~~2012 and shall remain in effect until modified or rescinded by the Commission.

Section 3. Definitions. For the purpose of this regulation, definitions shall be as set forth in Title 23, Wyoming Statutes, Wyoming Game and Fish Commission ~~R~~regulations, and the Commission also adopts the following definitions:

(a) “Aquaculture Facility” means any combination of buildings, ponds, tanks, raceways, or any other structure used for the propagating, rearing, or producing of aquatic wildlife, excluding hobby aquariums or natural bodies of water. Buildings, ponds, tanks, raceways, or other structures used for the containment of aquatic wildlife separated by more than one-quarter (¼) mile, or facilities that drain to, or are modified to drain to, different waters are considered to be separate facilities, regardless of ownership, and require a separate fish hatchery license and surety bond.

(b) “Brokered” means the activity when any fish, fish eggs, or fish gametes are contracted for sale, transport, or stocking but are not under possession of ~~a the private~~ fish hatchery of origin or the applicant of a private fish stocking authorization.

(c) “Catchout Pond” means an artificial pond of ten (10) surface acres of water or less located completely within the boundaries of a licensed ~~private~~ fish hatchery, where fish shall be caught by legal fishing methods.

(d) “Fish Hatchery” means an aquaculture facility not owned or operated by federal, state, local or tribal government agencies used for propagating, rearing, or producing any or all ~~fish~~ life stages of fish.

(e) “Non-Salmonid Fish Hatchery” means aquaculture facilities used for propagating, rearing, or producing any or all life stages of fish not in the family Salmonidae.

~~(f) —“Private Fish Hatchery” means any aquaculture facility not owned or operated by federal, state, local or tribal government agencies used for propagating, rearing, or producing any or all fish life stages.~~

(ef) “Salmonid Fish Hatchery” means any aquaculture facility used for propagating, rearing, or producing any or all life stages of the family Salmonidae.

Section 4. Application for license.

(a) Any person desiring to operate a ~~private~~ fish hatchery shall submit proper fees and make application on forms provided by the Department.

(i) A map and legal description to the quarter (1/4) quarter (1/4) section, or lat-long coordinates in degrees, minutes and seconds, or in universal transverse mercator (UTM) coordinates of all fee title lands on which the hatchery will operate shall be included. If fee lands are leased, a copy of the lease agreement shall be included with the application form.

(ii) Application for a new ~~private~~ fish hatchery shall include, but not be limited to, a diagrammatic sketch of all aquaculture facilities, water supplies and effluent drainages. The name of the stream or body of water into which effluent from the hatchery is discharged or would possibly be discharged into in the event of flooding shall be provided. Any ponds shall be identified with a unique name or number and size in surface acres indicated.

(iii) The applicant shall provide the name and source of the species of all fish, fish eggs, or fish gametes to be possessed, propagated, sold, traded, or transported to or from the ~~private~~ fish hatchery for which the license application is being made. No fish, fish eggs, or fish gametes exclusive of those species licensed for propagation by the hatchery shall be imported into or held in, or otherwise access hatchery facilities or waters. It shall be a violation of this regulation for ~~the a private~~ fish hatchery licensee to possess, receive, ship, purchase, rear, sell or otherwise dispose of any species of fish, fish eggs, or fish gametes not listed on the license approved by the Department.

(b) A ~~private~~ fish hatchery licensee shall not modify operations from those described on the original license without an approved amendment. A detailed request specifying proposed amendments to the original license shall be submitted to the Chief of Fisheries for consideration of approval.

(c) No wild fish may be contained or captured within a new or proposed aquaculture facility as a result of facility construction, impoundment of waters, or utilization of existing ponds.

(d) Under special circumstances, the Chief of Fisheries may grant an exception to the one-quarter (1/4) mile stipulation for aquaculture facility separation. Any exception shall be evaluated upon formal written request submitted to the Department by the applicant.



(e) Application for transfer of an existing ~~private~~-fish hatchery to a new owner shall include a record of fish, fish eggs, and fish gametes upon transfer. A new owner shall receive the last three (3) years fish production records from the previous owner.

(f) A ~~private~~-fish hatchery license expires on the last day of the calendar year for which the license was issued. A new ~~private~~-fish hatchery license shall be obtained prior to the importation or removal of any fish, fish eggs, or fish gametes to or from the hatchery.

#### Section 5. Facility Inspection.

(a) Before a license is issued to operate a new ~~private~~-fish hatchery or an existing fish hatchery transferred to a new owner, Department personnel shall review the applicant's proposed aquaculture facilities to insure protection of Wyoming's wildlife resources. Aquaculture facilities shall be constructed to meet Department approval prior to importation ~~and/or~~ possession of fish, fish eggs or fish gametes.

(b) Before an existing fish hatchery can be transferred to a new owner, the Department may inspect aquaculture facilities and request full disclosure of all fish production records for the past three (3) years of operation including complete inventory of fish, fish eggs, or fish gametes at time of transfer.

(c) A ~~private~~-fish hatchery owner ~~/or~~ operator shall allow inspection of aquaculture facilities, fish, fish eggs, or fish gametes by Department personnel during reasonable hours and with reasonable notice.

Section 6. Records. On forms provided by the Department, a licensee shall maintain on the premises of the ~~private~~-fish hatchery, or at his residence, legible, current, accurate and complete fish production records for a minimum of the past three (3) years to date.

(a) Records shall identify the species, numbers, age, and size of all fish, fish eggs, and fish gametes in possession and that have been received, shipped, purchased, reared, brokered, sold, or disposed of, or that have escaped; and include the names and addresses of all recipients, fish rearing locations, purchasers, and suppliers of all fish, fish eggs, or fish gametes that are reared by or brokered through the hatchery, the identifying number of any permits required for a transaction, and the date of all transactions. Upon request, all records shall be produced for inspection by the Department.

(b) Inventory records, or legible copies, shall be submitted semi-annually to the Chief of Fisheries on forms provided by the Department by January 15 and July 15 for activities that occurred during the six (6) month period prior to the month records are due.

(c) All pertinent fish health inspection reports shall be provided for inspection to the Department upon request as defined in Appendix I, Section 2 of Wyoming Game and Fish Commission Chapter 10 Regulation. For the purpose of this regulation, fish health



**inspection reports shall be deemed current for a period of one (1) year from the last date of the fish health results.**

Section 7. Escaped or Disposed of Fish. If fifty (50) pounds or more of fish escape or are disposed of into the drainage receiving effluent from a ~~private~~ fish hatchery, the Chief of Fisheries shall be notified within twenty-four (24) hours.

Section 8. Stocking of Fish or Fish Eggs. The licensee, his agent, or the operator of a ~~private~~ fish hatchery shall only provide fish, fish eggs or gametes for the purpose of stocking into waters of the State of Wyoming after first obtaining a copy of a ~~private~~ fish stocking authorization issued to the approved applicant by the Department.

**(a) The licensee, operator or broker of a fish hatchery shall not make any deviations from a fish stocking authorization.**

Section 9. Transportation of Fish, Fish Eggs, or Fish Gametes. Vehicles used for the transport of fish, fish eggs or fish gametes to or from a ~~private~~ fish hatchery shall be placarded with signage indicating that the equipment is being used to transport fish, fish eggs or fish gametes. Letters, numbers, or symbols displayed on the placard shall be at least three (3) inches in height, excluding shading and bordering, and shall be of a color that contrasts with the placard background color. Vehicle operators transporting fish, fish eggs or fish gametes shall be in possession of all documents required by Wyoming Statute and Wyoming Game and Fish Commission ~~R~~regulations.

Section 10. Notification and Disposition of Diseased Fish, Fish Eggs and Fish Gametes. The licensee or his authorized agent shall notify the Wyoming Game and Fish Department Fish ~~Pathologist~~ **Health Laboratory** within forty-eight (48) hours if there is any fish health problem at their aquaculture facility resulting in unusual fish behavior, or any abnormal change in fish condition or appearance, or increased mortalities. All fish, fish eggs, and fish gametes identified as suspect by ~~the Fish Pathologist~~ **a Department aquatic animal health inspector** must be confined to their rearing units until the health problem has been evaluated. If ~~the Fish Pathologist~~ **a Department aquatic animal health inspector** confirms a pathogen of concern, as listed in Wyoming Game and Fish Commission Regulation, Chapter 10, Appendix I "Cold Blooded Wildlife Inspection Procedures", it shall be a violation of this regulation to move or remove fish, fish eggs and fish gametes exposed to or which have contracted a pathogen of concern without prior authorization from the Department. Fish killed by a pathogen of concern shall be disposed of as prescribed by the Department.

Section 11. Prohibition of Fish Transport. Any violation of the conditions of a ~~private~~ fish hatchery license shall result in the prohibition of transporting fish, fish eggs, or fish gametes into or out of the ~~private~~ fish hatchery. Prohibition of fish transport will be lifted when corrective actions are completed to the satisfaction of the Department and written approval by the Chief of Fisheries to resume full operation is received.

Section 12. Catchout Ponds. ~~Private~~ fish hatcheries may operate one (1) catchout pond per licensed location ~~as provided for by Wyoming Statute §23-4-102(h)~~ for the sole purpose of fishing and shall not be operated for fish, fish egg, or fish gamete production.

(a) Method of Take. Fish can only be taken or fished for in a catchout pond by legal fishing methods. Each hatchery owner may set creel limits. All other Commission fishing regulations apply. A fishing license is not required.

(b) Receipt for Removal of Fish. The licensee shall issue a receipt to any person removing fish from licensed premises on forms provided by the Department.

(c) Transportation of Live Fish Prohibited. No person shall transport live fish, live fish eggs, or fish gametes from a catchout pond except as authorized by the Department.

Section 13. Salmonid Fish Hatcheries.

(a) Fish health inspections. Annual fish health inspections of all fish located on the aquaculture facility will be conducted in accordance with Wyoming Game and Fish Commission Regulation, Chapter 10, Appendix I "Cold Blooded Wildlife Inspection Procedures". Any new ~~private~~ fish hatchery shall meet all requirements for specific pathogen free inspection before any fish, fish eggs or fish gametes can be transported outside of the hatchery.

(b) Fish, fish egg, or fish gamete importation. All importations of salmonid fish, fish eggs or fish gametes require a current health inspection and Department importation permit in accordance with Wyoming Game and Fish Commission Regulation, Chapter 10, Appendix I "Cold Blooded Wildlife Inspection Procedures".

(c) Inventory. The owner or operator of a ~~private~~ salmonid fish hatchery shall provide an accurate inventory of the number, age, and size of each species of fish or fish eggs present at the facility on a form provided by the Department. Inventory numbers can be established by physical count or accurate accounting records.

Section 14. Non-Salmonid Fish Hatcheries.

(a) Broodstock Development. All brood fish received by a ~~private~~ fish hatchery shall originate from a Department authorized aquaculture facility and shall be inspected by Department personnel before release into hatchery waters. A minimum of three (3) working days prior to brood stock arrival, the owner or operator shall notify the Chief of Fisheries to schedule an inspection of the brood fish.

(i) The number of brood fish authorized to be received by a ~~private~~ fish hatchery shall be determined by the Department on a case-by-case basis.



(ii) Fathead minnows (*Pimphales promelas*) ~~or golden shiners~~ (*Notemigonus crysoleucas*) shall only be received as adult fish and cannot be sold for bait or stocked ~~as forage (fathead minnows)~~ for a period of six (6) months beginning on the day of receipt.

Section 15. Revocation of License. Failure to comply with any portion of this regulation may result in a Department request to the Commission for revocation of license. Revocation of a license by the Commission shall be carried out in accordance with Chapter 27 Rules of the Regulation "Practice Governing Contested Cases before the Wyoming Game and Fish Commission".

Section 16. Disposition of Fish, Fish Eggs, or Fish Gametes Upon Revocation of or Denial of or Failure to Renew License. If a ~~private~~ fish hatchery license is revoked or renewal application denied or a licensee fails to renew his license after a ~~private~~ fish hatchery has begun operations, no fish or fish eggs or fish gametes may be imported into or removed from the facility. All fish, fish eggs, or fish gametes at the facility must be inventoried and disposed of in a manner approved by the Department within sixty (60) days of the date of license revocation or renewal denial or failure to renew. After this sixty (60) day period, all fish, fish eggs or fish gametes on the premises shall become the property of the State and may be disposed of by the Department.

Section 17. Violation of Commission Regulations. Failure to abide by the provisions of this regulation shall be punishable as provided by Wyoming Statutes for violation of Commission regulations.

Section 18. Savings Clause. If any provision of this regulation is held to be illegal or unconstitutional, such a ruling shall not affect other provisions of this regulation which can be given effect without the illegal or unconstitutional provision; and to this end, the provisions of this regulation are severable.

#### WYOMING GAME AND FISH COMMISSION

By:

~~Linda Fleming~~ Fred Lindzey, President

Dated: ~~November 7, 2005~~

~~nunc pro tunc~~ November 17, 2011

WYOMING GAME AND FISH COMMISSION

CHAPTER 51

REGULATION GOVERNING FISH HATCHERIES

Section 1. Authority. These regulations are promulgated by authority of W.S. §23-1-102(a)(xiv), §23-1-103, §23-1-302, §23-4-101, §23-4-102, §23-4-103, §23-4-104 and §23-6-207.

Section 2. Effective Date. These regulations are effective January 1, 2012, and shall remain in effect until modified or rescinded by the Commission.

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

(a) “Aquaculture Facility” means any combination of buildings, ponds, tanks, raceways, or any other structure used for the propagating, rearing, or producing of aquatic wildlife, excluding hobby aquariums or natural bodies of water. Buildings, ponds, tanks, raceways, or other structures used for the containment of aquatic wildlife separated by more than one-quarter (¼) mile, or facilities that drain to, or are modified to drain to, different waters are considered to be separate facilities, regardless of ownership, and require a separate fish hatchery license and surety bond.

(b) “Brokered” means the activity when any fish, fish eggs or fish gametes are contracted for sale, transport or stocking but are not under possession of a fish hatchery of origin or the applicant of a private fish stocking authorization.

(c) “Catchout Pond” means an artificial pond of ten (10) surface acres of water or less, located completely within the boundaries of a licensed fish hatchery, where fish shall be caught by legal fishing methods.

(d) “Fish Hatchery” means an aquaculture facility not owned or operated by federal, state, local or tribal government agencies used for propagating, rearing or producing any or all life stages of fish.

(e) “Non-Salmonid Fish Hatchery” means aquaculture facilities used for propagating, rearing, or producing any or all life stages of fish not in the family Salmonidae.

(f) “Salmonid Fish Hatchery” means any aquaculture facility used for propagating, rearing, or producing any or all life stages of the family Salmonidae.

Section 4. Application for license.

(a) Any person desiring to operate a fish hatchery shall submit proper fees and make application on forms provided by the Department.

(i) A map and legal description to the quarter (1/4) quarter (1/4) section, or lat-long coordinates in degrees, minutes and seconds, or in universal transverse mercator (UTM) coordinates of all fee title lands on which the hatchery will operate shall be included. If fee lands are leased, a copy of the lease agreement shall be included with the application form.

(ii) Application for a new fish hatchery shall include, but not be limited to, a diagrammatic sketch of all aquaculture facilities, water supplies and effluent drainages. The name of the stream or body of water into which effluent from the hatchery is discharged or would possibly be discharged into in the event of flooding shall be provided. Any ponds shall be identified with a unique name or number and size in surface acres indicated.

(iii) The applicant shall provide the name and source of the species of all fish, fish eggs, or fish gametes to be possessed, propagated, sold, traded, or transported to or from the fish hatchery for which the license application is being made. No fish, fish eggs, or fish gametes exclusive of those species licensed for propagation by the hatchery shall be imported into or held in, or otherwise access hatchery facilities or waters. It shall be a violation of this regulation for a fish hatchery licensee to possess, receive, ship, purchase, rear, sell or otherwise dispose of any species of fish, fish eggs, or fish gametes not listed on the license approved by the Department.

(b) A fish hatchery licensee shall not modify operations from those described on the original license without an approved amendment. A detailed request specifying proposed amendments to the original license shall be submitted to the Chief of Fisheries for consideration of approval.

(c) No wild fish may be contained or captured within a new or proposed aquaculture facility as a result of facility construction, impoundment of waters, or utilization of existing ponds.

(d) Under special circumstances, the Chief of Fisheries may grant an exception to the one-quarter (1/4) mile stipulation for aquaculture facility separation. Any exception shall be evaluated upon formal written request submitted to the Department by the applicant.

(e) Application for transfer of an existing fish hatchery to a new owner shall include a record of fish, fish eggs, and fish gametes upon transfer. A new owner shall receive the last three (3) years fish production records from the previous owner.

(f) A fish hatchery license expires on the last day of the calendar year for which the license was issued. A new fish hatchery license shall be obtained prior to the importation or removal of any fish, fish eggs, or fish gametes to or from the hatchery.

#### Section 5. Facility Inspection.

(a) Before a license is issued to operate a new fish hatchery or an existing fish hatchery transferred to a new owner, Department personnel shall review the applicant's proposed aquaculture facilities to insure protection of Wyoming's wildlife resources. Aquaculture facilities shall be constructed to meet Department approval prior to importation or possession of fish, fish eggs or fish gametes.

(b) Before an existing fish hatchery can be transferred to a new owner, the Department may inspect aquaculture facilities and request full disclosure of all fish production records for the past three (3) years of operation including complete inventory of fish, fish eggs, or fish gametes at time of transfer.

(c) A fish hatchery owner or operator shall allow inspection of aquaculture facilities, fish, fish eggs, or fish gametes by Department personnel during reasonable hours and with reasonable notice.

Section 6. Records. On forms provided by the Department, a licensee shall maintain on the premises of the fish hatchery, or at his residence, legible, current, accurate and complete fish production records for a minimum of the past three (3) years to date.

(a) Records shall identify the species, numbers, age, and size of all fish, fish eggs, and fish gametes in possession and that have been received, shipped, purchased, reared, brokered, sold, or disposed of, or that have escaped; and include the names and addresses of all recipients, fish rearing locations, purchasers, and suppliers of all fish, fish eggs, or fish gametes that are reared by or brokered through the hatchery, the identifying number of any permits required for a transaction, and the date of all transactions. Upon request, all records shall be produced for inspection by the Department.

(b) Inventory records, or legible copies, shall be submitted semi-annually to the Chief of Fisheries on forms provided by the Department by January 15 and July 15 for activities that occurred during the six (6) month period prior to the month records are due.

(c) All pertinent fish health inspection reports shall be provided for inspection to the Department upon request as defined in Appendix I, Section 2 of Wyoming Game and Fish Commission Chapter 10 Regulation. For the purpose of this regulation, fish health inspection reports shall be deemed current for a period of one (1) year from the last date of the fish health results.

Section 7. Escaped or Disposed of Fish. If fifty (50) pounds or more of fish escape or are disposed of into the drainage receiving effluent from a fish hatchery, the Chief of Fisheries shall be notified within twenty-four (24) hours.

Section 8. Stocking of Fish or Fish Eggs. The licensee, his agent, or the operator of a fish hatchery shall only provide fish, fish eggs or gametes for the purpose of stocking into waters of the State of Wyoming after first obtaining a copy of a fish stocking authorization issued to the approved applicant by the Department.

(a) The licensee, operator or broker of a fish hatchery shall not make any deviations from a fish stocking authorization.

Section 9. Transportation of Fish, Fish Eggs, or Fish Gametes. Vehicles used for the transport of fish, fish eggs or fish gametes to or from a fish hatchery shall be placarded with signage indicating that the equipment is being used to transport fish, fish eggs or fish gametes. Letters, numbers, or symbols displayed on the placard shall be at least three (3) inches in height, excluding shading and bordering, and shall be of a color that contrasts with the placard background color. Vehicle operators transporting fish, fish eggs or fish gametes shall be in possession of all documents required by Wyoming Statute and Wyoming Game and Fish Commission regulations.

Section 10. Notification and Disposition of Diseased Fish, Fish Eggs and Fish Gametes. The licensee or his authorized agent shall notify the Wyoming Game and Fish Department Fish Health Laboratory within forty-eight (48) hours if there is any fish health problem at their aquaculture facility resulting in unusual fish behavior, or any abnormal change in fish condition or appearance, or increased mortalities. All fish, fish eggs, and fish gametes identified as suspect by a Department aquatic animal health inspector must be confined to their rearing units until the health problem has been evaluated. If a Department aquatic animal health inspector confirms a pathogen of concern, as listed in Wyoming Game and Fish Commission Regulation, Chapter 10, Appendix I "Cold Blooded Wildlife Inspection Procedures", it shall be a violation of this regulation to move or remove fish, fish eggs and fish gametes exposed to or which have contracted a pathogen of concern without prior authorization from the Department. Fish killed by a pathogen of concern shall be disposed of as prescribed by the Department.

Section 11. Prohibition of Fish Transport. Any violation of the conditions of a fish hatchery license shall result in the prohibition of transporting fish, fish eggs, or fish gametes into or out of the fish hatchery. Prohibition of fish transport will be lifted when corrective actions are completed to the satisfaction of the Department and written approval by the Chief of Fisheries to resume full operation is received.

Section 12. Catchout Ponds. Fish hatcheries may operate one (1) catchout pond per licensed location for the sole purpose of fishing and shall not be operated for fish, fish egg, or fish gamete production.

(a) Method of Take. Fish can only be taken or fished for in a catchout pond by legal fishing methods. Each hatchery owner may set creel limits. All other Commission fishing regulations apply. A fishing license is not required.

(b) Receipt for Removal of Fish. The licensee shall issue a receipt to any person removing fish from licensed premises on forms provided by the Department.

(c) Transportation of Live Fish Prohibited. No person shall transport live fish, live fish eggs, or fish gametes from a catchout pond except as authorized by the Department.

Section 13. Salmonid Fish Hatcheries.

(a) Fish health inspections. Annual fish health inspections of all fish located on the aquaculture facility will be conducted in accordance with Wyoming Game and Fish Commission Regulation, Chapter 10, Appendix I "Cold Blooded Wildlife Inspection Procedures". Any new fish hatchery shall meet all requirements for specific pathogen free inspection before any fish, fish eggs or fish gametes can be transported outside of the hatchery.

(b) Fish, fish egg, or fish gamete importation. All importations of salmonid fish, fish eggs or fish gametes require a current health inspection and Department importation permit in accordance with Wyoming Game and Fish Commission Regulation, Chapter 10, Appendix I "Cold Blooded Wildlife Inspection Procedures".

(c) Inventory. The owner or operator of a salmonid fish hatchery shall provide an accurate inventory of the number, age, and size of each species of fish or fish eggs present at the



facility on a form provided by the Department. Inventory numbers can be established by physical count or accurate accounting records.

Section 14. Non-Salmonid Fish Hatcheries.

(a) Broodstock Development. All brood fish received by a fish hatchery shall originate from a Department authorized aquaculture facility and shall be inspected by Department personnel before release into hatchery waters. A minimum of three (3) working days prior to brood stock arrival, the owner or operator shall notify the Chief of Fisheries to schedule an inspection of the brood fish.

(i) The number of brood fish authorized to be received by a fish hatchery shall be determined by the Department on a case-by-case basis.

(ii) Fathead minnows (*Pimphales promelas*) shall only be received as adult fish and cannot be sold for bait or stocked for a period of six (6) months beginning on the day of receipt.

Section 15. Revocation of License. Failure to comply with any portion of this regulation may result in a Department request to the Commission for revocation of license. Revocation of a license by the Commission shall be carried out in accordance with Chapter 27 Rules of the Regulation "Practice Governing Contested Cases before the Wyoming Game and Fish Commission".

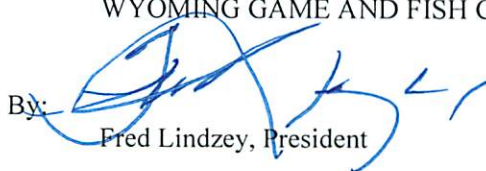
Section 16. Disposition of Fish, Fish Eggs, or Fish Gametes Upon Revocation of or Denial of or Failure to Renew License. If a fish hatchery license is revoked or renewal application denied or a licensee fails to renew his license after a fish hatchery has begun operations, no fish or fish eggs or fish gametes may be imported into or removed from the facility. All fish, fish eggs, or fish gametes at the facility must be inventoried and disposed of in a manner approved by the Department within sixty (60) days of the date of license revocation or renewal denial or failure to renew. After this sixty (60) day period, all fish, fish eggs or fish gametes on the premises shall become the property of the State and may be disposed of by the Department.

Section 17. Violation of Commission Regulations. Failure to abide by the provisions of this regulation shall be punishable as provided by Wyoming Statutes for violation of Commission regulations.

Section 18. Savings Clause. If any provision of this regulation is held to be illegal or unconstitutional, such a ruling shall not affect other provisions of this regulation which can be given effect without the illegal or unconstitutional provision; and to this end, the provisions of this regulation are severable.

WYOMING GAME AND FISH COMMISSION

By:

  
Fred Lindzey, President

Dated: November 17, 2011