



Certification Page Regular and Emergency Rules

Revised May 2014

Emergency Rules (*After completing all of Sections 1 and 2, proceed to Section 5 below*)

Regular Rules

1. General Information

a. Agency/Board Name Wyoming Game and Fish Department		
b. Agency/Board Address 3030 Energy Lane	c. City Casper	d. Zip Code 82604
e. Name of Contact Person Mike Choma	f. Contact Telephone Number 307-473-3417	
g. Contact Email Address	h. Adoption Date July 8, 2016	
i. Program Game and Fish Commission - Administration		

2. Rule Type and Information: For each chapter listed, indicate if the rule is New, Amended, or Repealed.

If "New," provide the Enrolled Act numbers and years enacted:		
c. Provide the Chapter Number, Short Title, and Rule Type of Each Chapter being Created/Amended/Repealed <i>(Please use the Additional Rule Information form for more than 10 chapters, and attach it to this certification)</i>		
Chapter Number: 67	Chapter Name: Grizzly Bear Management Regulation	<input checked="" type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
Chapter Number:	Chapter Name:	<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
Chapter Number:	Chapter Name:	<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
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Chapter Number:	Chapter Name:	<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
Chapter Number:	Chapter Name:	<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
Chapter Number:	Chapter Name:	<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed

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

e. If applicable, describe the **emergency** which requires promulgation of these rules without providing notice or an opportunity for a public hearing:

3. State Government Notice of Intended Rulemaking

a. Date on which the Notice of Intent containing all of the information required by W.S. 16-3-103(a) was filed with the Secretary of State: **May 16, 2016**

b. Date on which the Notice of Intent and proposed rules in strike and underscore format and a clean copy were provided to the Legislative Service Office: **May 16, 2016**

c. Date on which the Notice of Intent and proposed rules in strike and underscore format and a clean copy were provided to the Attorney General: **May 16, 2016**

4. Public Notice of Intended Rulemaking

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

b. A public hearing was held on the proposed rules. Yes No

If "Yes:"	Date: June 13, 2016 June 14, 2016 June 16, 2016 June 20, 2016 June 21, 2016 June 23, 2016	Time: 6:00 p.m. 6:00 p.m. 6:00 p.m. 6:00 p.m. 6:00 p.m. 6:00 p.m.	City: Cheyenne Jackson Casper Lander Pinedale Cody	Location: Game and Fish Office Virginian Lodge Game and Fish Office Game and Fish Office Game and Fish Office Bighorn Federal Bank
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5. Final Filing of Rules

a. Date on which the Certification Page with original signatures and final rules were sent to the Attorney General's Office for the Governor's signature: **July 13, 2016**

b. Date on which final rules were sent to the Legislative Service Office: **July 13, 2016**

c. Date on which a PDF of the final rules was electronically sent to the Secretary of State: **July 13, 2016**

6. Agency/Board Certification

The undersigned certifies that the foregoing information is correct.

Signature of Authorized Individual
(Blue ink as per Rules on Rules, Section 7)

T. Carrie Little

Printed Name of Signatory

T. Carrie Little

Signatory Title

President

Date of Signature

July 8, 2016

7. Governor's Certification

I have reviewed these rules and determined that they:

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

Therefore, I approve the same.

Governor's Signature

Date of Signature

Attorney General: 1. Statement of Reasons; 2. Original Certification Page; 3. Summary of Comments (regular rules); 4. Hard copy of rules: clean and strike/underscore; and 5. Memo to Governor documenting emergency (for emergency rules only).

LSO: 1. Statement of Reasons; 2. Copy of Certification Page; 3. Summary of Comments (regular rules); 4. Hard copy of rules: clean and strike/underscore; 5. Electronic copy of rules (PDFs) emailed to Cris.Carlson@wyoleg.gov; clean and strike/underscore; and 6. Memo to Governor documenting emergency (for emergency rules only).

SOS: 1. PDF of clean copy of rules; and 2. Hard copy of Certification Page as delivered by the AG.

STATEMENT OF REASONS
WYOMING GAME AND FISH COMMISSION
CHAPTER 67
GRIZZLY BEAR MANAGEMENT REGULATION

W.S. § 23-1-103 provides that it is the policy of the state to provide an adequate and flexible system of control, propagation, management, protection and regulation of all Wyoming wildlife.

W.S. § 23-1-302 provides the Commission authority to promulgate rules and regulations necessary to carry out the intent of this act.

This is a new regulation being promulgated by the Wyoming Game and Fish Commission outlining grizzly bear management in Wyoming by the Commission.

Section 1 provides for the authority to promulgate this rule.

Section 2 indicates this regulation is for the management of grizzly bears in Wyoming and states the Commission's commitment to maintain a recovered grizzly bear population.

Section 3 provides definitions that are germane to this regulation governing grizzly bear management by the Commission.

Section 4 outlines general provisions and procedures that shall govern the management of grizzly bears in Wyoming.

DRAFT 7-8-16.17

WYOMING GAME AND FISH COMMISSION

CHAPTER 67

GRIZZLY BEAR MANAGEMENT REGULATION

Section 1. Authority. This regulation is promulgated by authority of W. S. § 23-1-103 and § 23-1-302.

Section 2. Regulation. The Wyoming Game and Fish Commission adopts the following regulation for the management of grizzly bears in Wyoming. The Commission is committed to managing grizzly bears in Wyoming to ensure a recovered population.

Section 3. Definitions. Definition shall be as set forth in Title 23, Wyoming Statutes, Commission Regulations, and the Commission also adopts the following definitions:

(a) “Demographic Monitoring Area” (DMA) means the area that includes approximately 19,279 mi² in area as depicted in the map in Appendix I where recovery must be demonstrated for Greater Yellowstone Ecosystem grizzly bears. The DMA was developed by the Interagency Grizzly Bear Study Team as the area within which the Greater Yellowstone Ecosystem population is monitored, where population estimates are derived and within which the total mortality limits will apply.

(b) “Dependent young” means any cub of the year or yearling grizzly bear, or any grizzly bear offspring traveling with an adult female grizzly bear.

(c) “Discretionary Mortality” means human-caused grizzly bear mortality over which the Department has control and authority.

(d) “Greater Yellowstone Ecosystem” (GYE) means the geographic area which includes the Yellowstone Plateau and fourteen (14) contiguous mountain ranges at or above approximately 5,000ft elevation and contains the headwaters of the Missouri-Mississippi, Snake-Columbia and Green-Colorado river systems. In Wyoming, the GYE includes the Yellowstone Plateau and the Absaroka, Beartooth, Gros Ventre, Wind River, Wyoming and Teton Mountain Ranges, and the headwaters of the Yellowstone, Snake, Wind and Green Rivers.

(e) “Distinct Population Segment” (DPS) means that portion of Idaho east of Interstate Highway 15 and north of U.S. Highway 30; that portion of Montana east of Interstate Highway 15 and south of Interstate Highway 90; that portion of Wyoming south/southwest of Interstate Highway 90, west of Interstate Highway 25, Wyoming State Highway 220, and U.S. Highway 287 south of Three Forks (at the intersection of U.S. Highways 220 and 287), and north of Interstate Highway 80 and U.S. Highway 30 as depicted in the map in Appendix I. The DPS is specific to the GYE grizzly bear population. Grizzly bears that occur within the DPS outside of the National Park System and Wind River Reservation are managed under Commission authority.

(f) “Interagency Grizzly Bear Study Team” (IGBST) means the interdisciplinary group of scientists and biologists responsible for long-term monitoring and research efforts on grizzly bears in the GYE. The IGBST contains representatives from the U.S. Geological Survey, National Park Service, U.S. Fish and Wildlife Service, U.S. Forest Service, the Eastern Shoshone and Northern Arapahoe Tribal Fish and Game Department, and the states of Idaho, Montana and Wyoming.

(g) "Management Plan" means the Wyoming Grizzly Bear Management Plan approved by the Commission May 11, 2016.

(h) "Non-discretionary Mortality" means grizzly bear mortalities over which the Department has no control, including but not limited to, natural mortality, illegal take, defense-of-human-life and vehicle collisions.

(i) "Tri-State MOA" means the Memorandum of Agreement between Idaho, Montana, and Wyoming that establishes coordinated management of the GYE grizzly bear population.

Section 4. Management of Grizzly Bears in Wyoming. In accordance with the Management Plan and Tri-State MOA, when the grizzly bear is delisted from threatened status under the Endangered Species Act by the U.S. Fish and Wildlife Service in a final rule published in the Federal Register, management of grizzly bears in Wyoming within the DPS may include an established hunting season. If the Commission establishes any grizzly bear hunting season within the DPS after such listing, specific hunting season dates, mortality limits, hunt areas, and other limitations shall be established by regulation. Additionally, the Commission establishes the following grizzly bear regulations:

(a) No person shall take any grizzly bear outside of established grizzly bear hunting seasons or hunt areas.

(b) Any grizzly bear occurring outside of the DPS is considered "threatened" under the Endangered Species Act and is under federal protection.

(c) All discretionary mortality in the DMA shall be suspended, except as required to protect human safety, if the model-averaged Chao2 population estimate falls below 600 grizzly bears.

(d) All grizzly bear hunting shall be suspended in the DMA if total mortality limits for any sex/age class identified in the Management Plan are met at any time.

(e) No licensed hunter shall take any female grizzly bear with dependent young at side.

(f) No licensed hunter shall take any dependent young grizzly bear.

(g) Any hunting mortality that exceeds total mortality limits within the DMA in any calendar year shall be subtracted from the specific age/sex class' total mortality limit within the DMA for the following year.

(h) Within twenty-four (24) hours after taking a grizzly bear, the licensee shall report the taking of a grizzly bear by calling toll free 1-800-264-1280, and shall present the hide and skull to a Department Regional Office within five (5) days for registration purposes.

(i) Any person who makes a false statement regarding the taking of a grizzly bear shall be in violation of this regulation and such violation shall be punishable as provided by Title 23, Wyoming Statutes for violation of Commission regulations.

(j) Any hunting season shall immediately close when specified harvest limits are reached.

(k) Wyoming, Montana and Idaho shall coordinate management of grizzly bears within the DMA through a Tri-State MOA to manage grizzly bear mortalities within the age and sex specific mortality limits identified in the Management Plan for long-term viability of grizzly bears in the DMA.

(l) A Tri-State MOA establishes that the states shall meet annually to evaluate annual population estimation and mortality in order to derive total mortality.

(m) The Commission is committed to monitoring the GYE grizzly bear population in Wyoming to ensure viability and demonstrate that recovery criteria are being achieved. Monitoring efforts shall include evaluating the genetic health of GYE grizzly bears through biological samples obtained noninvasively and from bears captured for monitoring and management purposes.

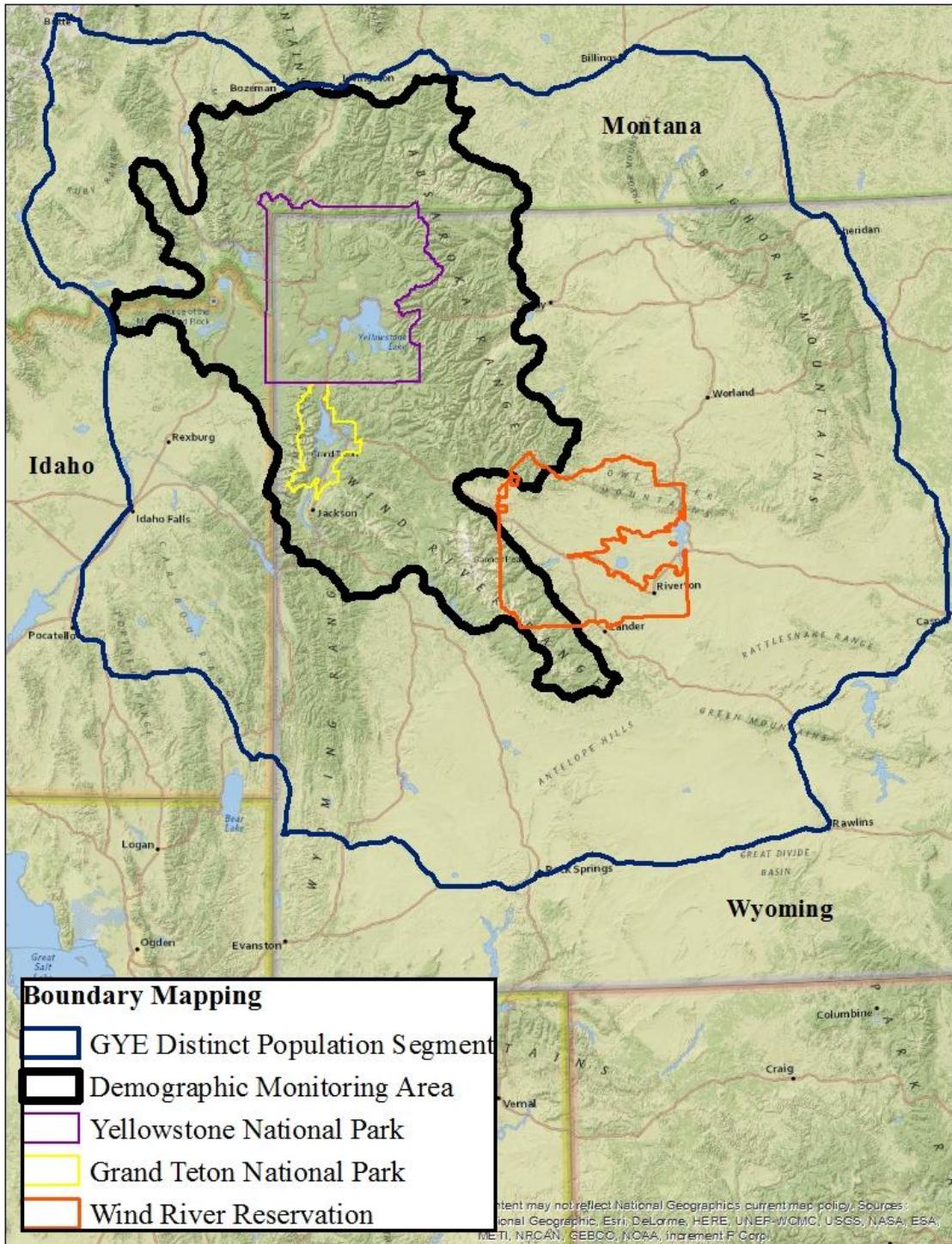
WYOMING GAME AND FISH COMMISSION

By:

T. Carrie Little, President

Dated: July 8, 2016

APPENDIX I



WYOMING GAME AND FISH COMMISSION

CHAPTER 67

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