

WAFWA COMMISSIONERS' COMMITTEE

BRIEFING PAPER



Issue Topic #1

Fees for Wildlife Management Areas

WAFWA Mid-Winter Meeting
January 6, 2021

TOPICS 1
FEES FOR WILDLIFE AREAS
WAFWA-WINTER, 2020

TOPIC 1
FEES FOR WILDLIFE AREAS

Arizona does not charge fees for the use of wildlife areas.

There has been discussion of fee structures over the past few years, but the Commission has not entertained the idea officially.

**Briefing Paper — Commissioners Committee
Utah Division of Wildlife Resources
Winter WAFWA, January 2021**



Subject: Fees for Wildlife Management Area (WMA) access

Background: The Utah Division of Wildlife Resources (DWR) owns approximately 500,000 acres of wildlife and waterfowl habitat, including 21 Waterfowl Management Areas and 71 terrestrial Wildlife Management Areas. The agency works to maintain existing wildlife habitats and to increase the quality of crucial habitats and watersheds throughout the state. Historically, the DWR has allowed the public to recreate on its WMA properties — free of charge — throughout most of the year, with limited exceptions and restrictions (e.g., youth and beginner hunts, waterfowl rest areas, nature reserves, winter range protection and motorized vehicle prohibitions).

Current Status: The DWR does not currently charge an access fee to use WMAs. The DWR recognizes that individuals have different motivations for wanting to recreate on WMAs. For some, they're a place to go hunting with family and friends, and for others they're a welcome alternative to walking on a treadmill at the gym. These areas are not developed for heavy visitation or for activities outside of hunting and fishing and, unfortunately, some WMAs are being loved to death. For example, unauthorized trail creation, camping and partying can degrade the habitat, endanger wildlife and create public health and safety problems.

The DWR's Position: Utah's WMAs provide habitat that supports a variety of wildlife species, and they also allow public access for wildlife viewing, hunting, fishing and other outdoor recreation. The DWR is researching methods used by other states to address these issues, and is also evaluating options with its constituencies to ensure these properties are managed, protected and preserved for their intended purpose — to benefit wildlife and their habitats.

Key Dates: Year round.

Key Publics: Key publics include hunters and anglers, the general public, conservation organizations, outdoor recreation groups and government officials.

Colorado State Wildlife Area Fee



WAFWA Briefing Paper – December 2020

State Wildlife Area Fee

State Wildlife Areas (SWAs) are state- or privately-owned lands that offer wildlife-related recreation to the public. While most activities focus on hunting and fishing, each SWA has different allowed activities, based on location and available resources. These parcels of SWA land are paid for by sportspeople and managed under state law by Colorado Parks and Wildlife (CPW) for the benefit of wildlife. CPW manages about 350 SWAs around the state.



Because these properties have always been open to the public, not just to the hunters and anglers, many people visit these areas and use them as they would any other public land. As Colorado's population - and desire for outdoor recreation - has continued to grow, CPW has seen a significant increase in traffic to SWAs and State Trust Lands (STLs - which are leased from the State Land Board by CPW for public recreation). This increased use prompted staff to review the appropriate use of the properties and start the process of reducing disruptions to wildlife, the habitat the areas were acquired to protect, and the hunters and anglers whose contributions were critical to acquiring these properties and whose fees support ongoing management and operations.

Commission Policy and Path Forward

To begin to address the increased usage trend and ensure SWAs and STLs continue to exist for the benefit of wildlife, the Colorado Parks and Wildlife Commission during its March 2020 meeting voted to require all SWA visitors 18 years of age or older to possess a valid Colorado hunting or fishing license. The new rule went into effect July 1, 2020. The license requirement approach was adopted to address PR/DJ program income¹ concerns.

Feedback from various constituent groups led CPW to explore the creation of a new "pass" for SWA access in lieu of a hunting or fishing license. The goal for creating this new pass product is to allow non-hunting and non-angling users to financially contribute to SWA management while the Commission reviews and reassesses allowable and compatible activities on these properties (which may result in future restrictions on use). CPW anticipates that a new pass will be available by May 2021.

¹CPW has elected to adopt the "cost-sharing" method. Under cost-sharing, CPW may use program income to satisfy the state's project matching requirement (25%). The FWS updated its policy in 2018 to expand the use of cost-sharing. Under this approach, SWA access fees would become revenue positive. In the past, they reduced the amount of the PR/DJ grant received by CPW.

Idaho Department of Fish and Game
Commissioner Issues Report to the Western Association of Fish and Wildlife Agencies
Winter 2021

Issue Topic #1: Fees for Wildlife Management Areas (WMA) Access

The Idaho Fish and Game Commission (Commission) does not have any statutory authority to establish fees for WMA access. The Idaho Legislature would have to approve new authority for the Commission to establish these fees.

In 2010, the Commission and the Idaho Department of Fish and Game (IDFG) did pursue a legislative discussion about a policy of charging a fee to non-license holders for WMA access in recognition that many users, who did not have a Fish and Game license, were not supporting operation and maintenance of the lands they were using. Legislation made it to the House floor and was soundly defeated. Since then, the Commission has not re-initiated this discussion.

In 2017, the Legislature passed a new resident fee bill. A trailer bill included new spending authority to address deferred maintenance on WMAs allowing the Department to “catch up” on many WMA priorities using our traditional funding sources.

Western Association of Fish and Wildlife Agencies Winter 2021

Commissioners' Committee Topic Briefing – Kansas

Fees for Wildlife Management Area (WMA) access

The concept of assessing fees to access Kansas state fishing lakes and wildlife areas has been discussed and researched several times over the years. While it may appear that an access permit is an easy way to increase revenue, there is much to consider.

KDWPT's Public Lands Division utilizes Pittman-Robertson grants to help fund operation and maintenance of these properties. For many years this grant was managed under the deductive method, which deducts income generated on these lands, mostly from agricultural activities, from the overall grant funding cap. Under this grant system, the more income generated the less appropriated grant funding could be utilized, preventing serious consideration of establishing fees.

Kansas is now utilizing the additive method for the P-R operations and maintenance grant. Under this method, access fee revenue wouldn't be deducted from the total grant cap. Rather, it would be considered state match. However, income currently generated from farming and grazing is more than needed for match. Therefore, additional revenue from access fees would not benefit public lands. Additionally, according to the USFWS, if access fees were utilized as state match for the grant, they would have to be prorated as either income generated under the Pittman-Robertson wildlife grant or Dingell-Johnson fisheries grant. This would require users who paid access fees to be surveyed to determine how much time they planned to spend at a state fishing lake participating in fishing-related activities or on a wildlife area participating in wildlife-related activities. That percent split would then determine how much of the access fee could be used as match for P-R and how much would be deducted from D-J. This would be an insurmountable task.

Other factors to consider:

- Charging access on public lands that have been historically free could be a tough sell politically.
- Compliance and enforcement would be a daunting challenge since most Kansas public properties have many miles of roads and dozens of entrance points.
- While wildlife areas are open to anyone, hunters and anglers are the target constituents since they have paid their way. Generating revenue from all visitors would likely create demand for additional recreational opportunities and potential conflict among users.
- KDWPT public lands include land owned by the department, as well as land leased from the Bureau of Reclamation and the U.S. Army Corps of Engineers, further complicating any decision to charge access fees and which public lands would be included.



WAFWA Commissioners Committee Brief – **Issue 1**

Issue 1. Fees for Wildlife Management Area access.

The Nebraska Game and Parks Commission does not charge fees for Wildlife Management Area access, and our primary users remain hunters and fishermen. WMA's are open for all compatible activities (eg. hunting, fishing, hiking) to the entire public free of charge. For the most part, the use of our WMA's are primarily for fishing and hunting, to a lesser extent for camping, hiking, birdwatching, mushroom hunting, no-wake boating, canoeing and kayaking.

User conflicts are manageable with the current user base and our Law Enforcement capabilities. We have made changes to regulations on several WMA's regarding the allowance of camping (not allowing it) or limiting the number of nights a camping unit (tent, RV, trailer) can be on a WMA to resolve problems that have occurred. This has been typically tied to WMA's that have water-bodies, fishing, and parking lots for fishing that are close to urban areas during the summer.

Nebraska is a state with a paucity of public lands, ranked 48th nationally in terms of public lands as a percentage of our states land base, with 97.2% in private ownership and 2.8% public lands. Less than four-tenths of a percent (0.39%) is owned or managed by the Commission has a WMA (190,000 acres). Open public access has been positive in maintaining support for acquisitions.



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Western Association of Fish and Wildlife Agencies Nevada Department of Wildlife Commissioner's Committee Meeting Issue Topics

1. Fees for Wildlife Management Area (WMA) access

The State of Nevada through the Department of Wildlife (NDOW) owns or has long-term leases on more than 120,000 acres of land incorporated into eleven Wildlife Management Areas (WMAs) across the state. The primary management emphasis on WMAs is the protection of wetlands for waterfowl including the use of the areas for sportfishing and public hunting. Hunting opportunities on WMAs include migratory game bird, upland game bird, furbearer, and big game hunting. Five of the WMAs have on-site personnel and facilities such as shops, offices and residences while the remaining six are relatively undeveloped and located in remote areas of the State. Many of these WMA purchases date back to the 1950's and 1960's using funds generated from the Pittman-Roberson Act. Users have never been charged fees to access them.

The Department recently went through a fee simplification process and eliminated the burden of having to purchase special privilege stamps to pursue upland game, waterfowl, and trout in an attempt to increase participation in hunting and fishing. Given that most of our WMAs are remote and are not experiencing high traffic volume, we see no need place any constraints or limitation on the public's ability to engage in wildlife related activities on state lands. Seasonal closures are implemented across the areas to protect key locations or values such as nesting areas, but for the most part, public use is allowed.

In the near future, the Department expects to see the transfer of the Carson Lake Wetlands near Fallon, Nevada from U.S. Bureau of Reclamation federal ownership into our WMA system. This area is currently leased by a hunting club which charges fees of \$15/daily or \$60/annually for waterfowl hunting the property. Upon transfer of this property, current statutes require the Department to collect fees of the same amount, but given the recent license simplification, the Department will be working through the Legislative process to remove this regulation.



WAFWA Issue Topics, Mid-Winter 2021

State: New Mexico

Agency Director: Michael B. Sloane

Fees for Wildlife Management Areas (WMAs) –

To access WMAs and all State Game Commission (SGC) lands in New Mexico, each hunter or angler must possess a Habitat Management and Access Validation (HMAV) and the proper license, valid during eligible hunt dates published in the New Mexico Hunting and Fishing Rules and Information booklet. Each properly-licensed hunter or angler may be accompanied by up to three (3) guests.

Individuals or groups accessing a WMA for Wildlife-Associated Recreation (example: wildlife viewing, photography, etc.), must have at least one out of every four adults in possession of at least one (1) hunting license, fishing license, trapping license **or** Habitat Management and Access Validation (HMAV), valid for the current license year. Youth under the age of 18 are exempt from license and validation requirements.

For more information visit <http://www.wildlife.state.nm.us/conservation/state-game-commission-lands/>.

Shed Hunting–

New Mexico Department of Game and Fish does not currently issue any closures, on public land, specifically for shed hunting. There are areas of the state that are closed to access for various activities that may include shed hunting, but there are no areas that are closed for this reason only.

Fair Chase–

In 2019, the New Mexico State Game Commission passed a Fair Chase Rule that allows the Department to withhold location data that could be used to harm an animal or population, or could be used contrary to fair chase principals. Location data that is less specific can be shared with the public, and location data to be used for scientific or management purposes can be shared if the cooperators enter into a data sharing agreement with the Department.

Other rules specific to Fair Chase include:

- Hunting or shooting at any animal from an aircraft or drone or flying an aircraft in any manner which causes any non-domesticated animal to move from its place of rest or change its direction of travel.
- Use of any cellular, Wi-Fi or satellite camera for the purpose of hunting or scouting remotely for any big game animal.

Oregon Department of Fish and Wildlife
WAFWA Mid-Winter Meeting – January 2021
Fees for Wildlife Management Area Access

The Oregon Department of Fish and Wildlife (Department) owns or manages over 200,000 acres with individual parcels ranging from 20 acres to over 52,000 acres in size; including 17 Wildlife Areas. Management activities for approximately 138,000 acres are funded by hunters under USFWS Pittman-Robertson (PR) grants with the 25% cost share provided by Department license dollars. The management activities on the remaining acres are funded with Department license dollars. There are no fees or non-motorized restrictions to access any of these lands except for the following:

- **Wildlife Area Parking Permit.** A wildlife area parking permit program was first initiated in 1990 at the Sauvie Island Wildlife Area in western Oregon near Portland to address the additional costs associated with 750,000 users that access public beaches that are not associated with hunting and fishing activities. In 2012, 14 additional wildlife areas were added to this program. The program requires a wildlife area parking permit to be displayed when parked on these properties. Parking is defined as a vehicle not in motion.

A no-cost parking permit is issued with the purchase of an annual hunting license, combination license or Sports Pac. All other wildlife area users are required to purchase either a daily (\$10) or annual (\$30) Wildlife Area Parking Permit. They can be used on any of the 15 Wildlife Areas that require a permit.

Due to the beach use on Sauvie Island Wildlife Area, approximately \$500,000 of parking permit revenue that is generated annually is applied to the area. The other 14 wildlife areas split the remaining \$84,000 (2019 total) that is generated through other daily and annual parking permits that are not related to Sauvie Island Wildlife Area. This split is calculated according to the amount of PR dollars spent on the particular wildlife area. The 2019 calendar year generated amounts ranging from \$2,500 to \$14,400 for each of the other individual wildlife areas.

The purpose of the wildlife area parking permit program is to develop additional dedicated revenue for designated wildlife areas to augment infrastructure and habitat restoration activities and enhance wildlife viewing.

- Three of the Department's waterfowl orientated wildlife areas require waterfowl hunters to apply for a reservation hunt. The application fee is \$4.00 per application and if drawn there is an additional \$2.00 per person daily hunt permit fee.
- Five of the Department's wildlife areas require a no-fee daily permit for hunters. These areas are primarily for game bird hunting opportunities and are not associated with a reservation hunt process. Two other wildlife areas require a no-fee daily permit for all users regardless of their use of the area. This allows the Department to gain information on harvest and other visitor use activities.



Topic 1: Fees for Wildlife Management Area Access

*Western Association of Fish & Wildlife Agencies
Winter Meeting – January 2021*

The Wildlife Division of the Texas Parks and Wildlife Department (TPWD) is vested with the authority and responsibility to serve as the state's leader in wildlife and habitat conservation, and as such, has a need to manage its 50 wildlife management areas (WMAs).

WMAs were established as sites for primary resource conservation objectives including research on wildlife populations and habitat, education and demonstration of sound resource management, and when compatible with the primary objective, to provide commensurate public use. Public use includes hunting, wildlife viewing, and a host of other compatible outdoor recreational opportunities. The Public Hunting Program provides for sustainable public recreational use on various TPWD owned, leased, or licensed lands when compatible with TPWD's primary objectives and with conservation of the natural and cultural resources on the properties.

The Public Hunting Program addresses the access needs of both consumptive (hunting) and non-consumptive (recreational) users. Hunter access is provided by three types of permits: Annual Public Hunting Permit (\$48), Mentored Hunting Permit (\$25), and (drawn) Special Permit (\$80-\$130). Access for non-consumptive recreational use is provided by the Limited Public Use Permit (\$12). In addition, certain activities are provided access without a specific permit and authorized as educational tours, land management demonstrations, field-days, birding events, youth shooting events, etc. Numerous specific research projects are authorized for colleges and universities across the nation via letters of authority to establish conditions for access.

Under the TPWD Walk-in Hunting Program, public users are required to purchase an Annual Public Hunting Permit or Limited Public Use Permit that allows them to participate throughout the season in a variety of authorized activities, on multiple areas located around the state. Youth (under age 17), under the supervision of a permitted adult, are not required to possess an Annual Public Hunting or Limited Public Use Permit. The system allows the permit holder a great degree of flexibility in selecting legal species, hunt times and location, thereby allowing for spontaneity in planning. TPWD staffing is not required for many public land activities and public use is not restricted other than by permit requirements and limitations on the number of permits available.

Adequate protection of wildlife resources is provided through establishment of appropriate hunting seasons, bag limits, and means and methods. Recreational users are required to possess either an Annual Public Hunting Permit or a Limited Public Use Permit, except in instances where an access permit is not required for research or education.

Special Permits are utilized to implement highly restricted and supervised hunts. Applicants for Special Permits are selected by a drawing with selected individuals assessed a fee for an assigned hunt period and hunt area. Each adult applicant must pay an application fee (\$3-\$10). A Special Permit fee is assessed for each adult drawn to participate in a public hunt by Special Permit. Application fees and Special Permit fees are waived for youth (age 8-16); however, the youth must apply for drawings along with an adult, and if selected, must hunt under the supervision of an adult who possesses a Special Permit.

The Mentored Hunting Permit authorizes access to a specific public hunting unit, on a specific date, for persons to participate in workshops and subsequent mentored hunts. The workshops integrate with ongoing educational activities and specifically target new and lapsed hunters to aid in hunter recruitment, retention, and outreach to urban audiences.

Issue Topic #1: Fees for Wildlife Management Area Access

Washington Department of Fish and Wildlife

December 4, 2020

The Washington Department of Fish and Wildlife (WDFW) provides active management for more than 1 million acres of publicly owned land. Our vision is a Washington where fish and wildlife thrive in healthy habitats, and where people experience and enjoy the state's natural gifts for generations to come.

In addition to acquiring land for wildlife and their habitat, WDFW purchases lands in an effort to preserve Washington's natural and cultural heritage, provide access for hunting, fishing, and wildlife-related recreation, and foster outdoor experiences and exploration throughout the state. WDFW-managed lands receive approximately 23.2 million visits per year.

Most visitors to WDFW-managed lands arrive by automobile. WDFW requires vehicle passes for parking on WDFW-managed lands. Drivers passing through WDFW-managed lands without leaving their vehicles do not need a pass. A Vehicle Access Pass is included with the purchase of any annual hunting, trapping or fishing license. An annual or day-use Discover Pass must be purchased by visitors for other uses.

Vehicle Access Pass

A Vehicle Access Pass is issued with the purchase of any annual hunting, trapping or fishing license, excluding an annual razor clam or shellfish/seaweed license. A Vehicle Access Pass allows parking at WDFW wildlife areas, boat launches and other water access areas. A Vehicle Access Pass is transferable between two vehicles.

Discover Pass

The Washington State Legislature created the Discover Pass in 2011 to offset reductions in general tax support for parks and other recreation lands and facilities operated by Washington State Parks (Parks), WDFW, and the Washington State Department of Natural Resources (DNR). Revenue from the Discover Pass is split among these three agencies (84 percent to Parks, 8 percent to WDFW, 8 percent to DNR).

Since its creation, an annual Discover Pass has sold for \$30 plus administrative fees. A \$10 day-use pass is good for the date marked on the pass. The Discover Pass produced \$25,613,598.00 in total revenue to the State between 7/1/2019 and 6/30/2020. WDFW net revenue from the Discover Pass was \$2,082,263.00 during this period. Discover Pass revenue provides critical funding for the following WDFW activities: land stewardship and operations of Wildlife Areas, Water Access Areas, some weed control, and planning activities for the purpose of fulfilling recreational needs of the public.

Like a Vehicle Access Pass, a Discover Pass is transferrable between two vehicles. A Discover Pass isn't needed to access state recreation lands by boat or by non-motorized means (foot, horse, bicycle, etc.). A program called "Check Out Washington" allows patrons of many public libraries in Washington to borrow a Discover Pass free-of-charge for a limited period.

The Discover Pass is not without controversy. During the most recent State legislative session, a bill was introduced to eliminate the Discover Pass. The sponsor argued that access to State public lands should be free for everyone. Also, during the last legislative session, a separate bill was introduced for an inflationary increase of the price of the Discover Pass. Both bills failed to pass.



**Western Association of Fish and Wildlife Agencies
Commissioner Committee Topics
Mid-Winter Meeting, June - December 2020
Director Brian Nesvik**

Issue Topic #1 Fees for Wildlife Management Areas Access

Wyoming Game and Fish Commission (Commission) managed properties currently do not require an access fee for public use. There has not been an organized effort to pursue this in the recent past. With neighboring state Colorado enacting a user fee, there has been an increased level of conversation regarding a possible access fee in Wyoming.