

1 (4) Private land is not eligible for inclusion in a hunting access program if outfitting, commercial
2 hunting, or fees charged for private hunting access unreasonably restrict public hunting opportunities.

3 (5) If the department determines that an agreement may adversely influence game management
4 decisions or wildlife habitat on public lands, then other public land agencies, interested sportspersons, and
5 affected landowners must be consulted. An affected landowner's management goals and personal observations
6 regarding game populations and habitat use must be considered in development of the agreement.

7 (6) The commission may adopt rules to implement the provisions of this section, including but not
8 limited to rules that determine tangible benefits to be provided to a landowner who participates in a hunting
9 access program. Benefits are intended to offset potential impacts associated with public hunting access,
10 including but not limited to those associated with general ranch maintenance, conservation efforts, weed
11 control, fire protection, liability insurance, roads, fences, and parking area maintenance. Factors used in
12 determining benefits may include but are not limited to:

13 (a) the number of days of public hunting provided by a participating landowner;

14 (b) wildlife habitat provided;

15 (c) resident game populations;

16 (d) number, sex, and species of animals taken; and

17 (e) access provided to adjacent public lands.

18 (7) For agreements that only provide access to adjacent public lands for hunting purposes, the
19 commission may;

20 (a) exempt the access agreement from tracking the number of days of public hunting access
21 provided by a participating landowner;

22 (b) agree to a payment to the landowner that is a flat fee rate and not based on the number of
23 days of public hunting access provided by a participating landowner;

24 (c) use the amount and opportunity provided by public lands access as factors to determine
25 benefits; and

26 (d) otherwise implement simplified rules.

27 ~~(7)~~ (8) (a) Benefits earned by a landowner who participates in a hunting access program may include
28 but are not limited to those applied in the manner described in subsections ~~(7)~~ (b)-~~(8)~~ (b) and ~~(7)~~ (e) ~~(8)~~ (c).

- 1 (b) A landowner may receive direct payments:
- 2 (i) for weed control or may direct payments to be made directly to the county weed control board;
- 3 (ii) for fire protection or may direct fire protection payments to be made to the local fire district or
- 4 the county where the landowner resides; and
- 5 (iii) to offset insurance costs incurred for allowing public hunting access.
- 6 (c) The department may provide assistance in the construction and maintenance of roads, gates,
- 7 and parking facilities and in the signing of property.

8 ~~(8)~~ (9) (a) Except as provided in 87-1-264 and subsection ~~(8)~~ ~~(b)~~ ~~(9)~~ (b) of this section, payments to a
 9 landowner who participates in a hunting access program through an annual agreement may not exceed
 10 \$50,000 a year, and \$25,000 a year for agreements that only provide access to public land for hunting
 11 purposes.

12 (b) Each landowner who participates in a unified cooperative agreement pursuant to subsection (3)
 13 may be eligible for payments not to exceed \$50,000 a year, and \$25,000 a year for agreements that only
 14 provide access to public land for hunting purposes.

15 ~~(9)~~ (10) The restriction on liability of a landowner, agent, or tenant that is provided under 70-16-302(1)
 16 applies to a landowner who participates in a hunting access program."

17 - END -