

Wyoming Administrative Rules

Lands and Investments, Office of

Land Commissioners, Board of

Chapter 13: Public Hunting & Fishing & General Recreational Use

Effective Date: 04/28/1993 to Current

Rule Type: Current Rules & Regulations

Reference Number: 060.0002.13.04281993

RULES AND REGULATIONS
BOARD OF LAND COMMISSIONERS

Chapter 13

Public Hunting, Fishing and General Recreational Use

Section 1. Authority. This chapter is promulgated under the authority of W.S. 36-2-107.

Section 2. Definitions. As used in this chapter:

(a) “Board” means Board of Land Commissioners.

(b) “Casual recreational uses” means uses such as horseback riding, photography, wildlife and bird observation, hiking, rock hunting and other recreational day uses. Casual recreational use shall not include camping, except in camping areas established by the Board, joy riding or other uses which would result in damage to the state land or the roads and improvements thereon.

(c) “Established roads” means any roads or trails which have been graded or constructed to carry vehicular traffic, or on which repeated vehicular traffic has created well defined tracks.

(d) “Legally accessible state lands” means state lands that can be accessed via public road, right-of-way, or easement, via public waters, via adjacent state, local, or federal land if such land is open to public use, or via adjacent private land if permission to cross such land has been secured from the landowner.

(e) “State land” means land under the jurisdiction of the Board of Land Commissioners.

(f) “Surface lessee” means a holder of a grazing and agricultural lease or special use lease issued in accordance with Chapters IV or V of these rules.

(g) “Director” means the Director of the State Land and Farm Loan Office.

Section 3. Public Hunting and Fishing Privileges. The Board hereby extends to the public the privilege of hunting and fishing on legally accessible state lands, unless otherwise closed by direction of the Board, on its own motion or upon request of the surface lessee. This privilege does not extend to lands classified and used as cultivated cropland. This privilege is to fish in any streams, lakes or ponds and to hunt, pursue and kill game animals, game birds and migratory birds on said lands under applicable state and federal hunting and fishing laws and regulations. This privilege shall only be allowed when it will not result in damage to the state land or the roads and improvements thereon.

Section 4. General Recreational Use. The Board hereby extends to the public the privilege of using legally accessible state lands for casual recreational day uses, unless otherwise closed by direction of the Board, on its own motion or upon request of the surface lessee. This privilege shall only be allowed when it will not result in damage to the state land or the roads and improvements thereon. Organized, developed, or commercial recreational use of state lands is prohibited unless it occurs under the provisions of a special use lease issued under Chapter V of these rules.

Section 5. Motor Vehicle Use. The use of motor vehicles on state land for hunting, fishing, and general recreational purposes shall be confined to established roads, unless such roads are otherwise closed by the Board, on its own motion or upon request of the surface lessee.

(a) Criteria for road closures. The Board shall apply the following criteria when considering whether to close established roads or access to defined state lands:

(i) Motor vehicle use has caused or is causing unacceptable damage to the roadbed, excessive soil erosion, or significant impacts to vegetation, watershed or other state land natural resource attributes.

(ii) Motor vehicle use has caused or is causing considerable adverse effects to other Board authorized uses of, or improvements on, state land.

(iii) Motor vehicle use creates a threat to public health or safety.

(iv) Circumstances exist which create a situation requiring immediate action to protect state lands or the public health and safety.

(b) Emergency road closure procedure. The Board hereby delegates to the Director the authority to approve road closures on an emergency basis when the Director determines, using the criteria set forth in subsection (b) of this section, that closure of an established road is necessary and, under the circumstances, should not be delayed until the next meeting of the Board, subject to the following:

(i) The Director shall approve the emergency road closure in writing, setting forth the reasons for approving the road closure, the specific road or road segment to which the closure applies, and how and where the road closure will be posted. This written approval shall be provided to the surface lessee, the County Sheriff in the County where the road closure is located, members of the Board, and other interested parties.

(ii) Emergency road closures approved by the Director shall only be effective until the next meeting of the Board, at which time the closure shall either be continued or rescinded by action of the Board under the provisions of this section.

Section 6. Fees and Charges Prohibited. No person shall charge for or receive payment from persons engaged in hunting, fishing or any other recreational use of state lands, unless such payment is collected pursuant to the terms of a special use lease issued under the provisions of Chapter V of these rules or the terms of a temporary use permit issued under the provisions of Chapter XIV of these rules.

Section 7. Open Fires Prohibited. No person shall build, maintain, attend or use an open fire, campfire, or charcoal grill on state land while engaged in activities under the provisions of this chapter, except in camping areas established by the Board.

Section 8. Overnight Camping Prohibited. No person shall camp overnight on state land while engaged in activities under the provisions of this chapter, except in camping areas established by the Board.

Section 9. Waiver of Liability. As a condition to exercising the privileges granted by this chapter, persons entering on state lands for such purposes waive any claims against the State of Wyoming and any lessee of the Board arising from natural and artificial conditions on state lands or from activities of a lessee of the Board which are authorized or contemplated under the lease. Persons so entering shall be deemed to assume the risk of injury occurring on state lands unless caused by the willful and malicious acts of the State of Wyoming or a lessee of the Board.