

NEBRASKA ADMINISTRATIVE CODE

Last Approved Date: ~~October 3, 2007~~ June 16, 2008

Title 163 - Nebraska Game and Parks Commission

Chapter 4 - Wildlife Regulations

018 General Regulations Governing Administration and Use Of Property.

The following regulations are prescribed by the Game and Parks Commission, State of Nebraska in accordance with Neb. Rev. Stat. §§ 37-301 through 37-314, 37-308.01, 37-317, 37-330, 37-336, 37-349, 37-412, 37-483, 37-536, 37-701, 60-6, 190, 60-680. For purposes of these regulations, unless context otherwise requires, the definitions found in Chapter 37, sections 202 through 247 of the Game Law, are used. These regulations are effective following enactment by the Commission, approval by the Attorney General and Governor, and when five days have elapsed since filing with the Secretary of State.

018.01 Camping Regulations for State Wildlife Management Areas

018.01A For purposes of these regulations, camping is defined as temporary lodging out-of-doors for hunting, fishing, or other outdoor activity, and presupposes the occupancy of a shelter designed for such purposes, such as a sleeping bag, tent, trailer, or other vehicle modified for such use. Camping equipment may not exceed 8' width and 40' length as defined by section 39-602, R.R.S. 1993.

018.01B Camping is permitted on State Wildlife Management Areas, except where restricted by posting with appropriate signs, or where restricted by special area regulations.

018.01C Group type camping by youth groups, civic groups, clubs, organizations, and other similar groups, is authorized by written permission only.

018.01D Camping on State Wildlife Management Areas is permitted for a maximum of fourteen consecutive days within any thirty day period unless otherwise posted or restricted.

018.02 Fires, Fireworks Regulations for State Wildlife Management Areas

018.02A Fires are permitted in fireplaces, grills, or fire rings where provided by the Commission; or in privately owned devices, such as gasoline or propane stoves, charcoal grills, or similar devices. Open fires not contained in the above mentioned facilities or devices are prohibited.

018.02B Management personnel of the Game and Parks Commission are specifically authorized to temporarily revoke permission for fires of any kind on State Wildlife Management Areas when it is determined that the use of fires could be hazardous to health, safety, or welfare of persons, property, or wildlife resources.

018.02C The use of fireworks of any kind on State Wildlife Management Areas is prohibited; provided that management personnel are authorized to use fireworks, scare devices, or similar materials for control or management of wildlife species.

018.03 Disorderly Conduct Regulations for State Wildlife Management Areas

018.03A Disorderly conduct is prohibited.

018.03B Disorderly conduct is committed when a person causes public alarm, nuisance, jeopardy or violence, or recklessly creates a risk thereof, by:

018.03B1 Engaging in fighting or threatening, or violent behavior; or

018.03B2 Using language, an utterance, or gesture, or engaging in a display or act which is obscene, physically threatening or menacing, or done in a manner which is likely to inflict injury or incite an immediate breach of the peace; or

018.03B3 Making noise which is unreasonable, considering the nature and purpose of the actor's conduct, location, time of day or night, and other factors which would govern the conduct of a reasonably prudent person

under the circumstances; or

018.03B4 Creating or maintaining a hazardous or physically offensive condition.

018.03C Persons committing disorderly conduct may be evicted from the area.

018.04 Intoxication Regulations for State Wildlife Management Areas: Consumption of Alcohol, Open Alcohol Containers

018.04A Consumption of alcoholic beverages on lands designated as wildlife management areas by the Commission is prohibited with the following exceptions:

018.04A1 Consumption in designated Commission-owned structures with the written permission of the Commission.

018.04A2 Consumption in temporary or permanent residential structures owned by the Commission and leased, rented or assigned for overnight occupancy.

018.04A3 Consumption in concession structures or on concession-leased premises in accordance with a lease agreement authorizing such consumption and in conformance with appropriate state and local license provisions.

018.04B Except as provided in Sections 018.04A1 through 018.04A3 above, the possession of a bottle, can or other receptacle containing an alcoholic beverage that is open, or that has been opened, or whose seal is broken, or the contents of which has been partially removed is prohibited, provided, this section does not apply to:

018.04B1 An open container stored in the trunk of a motor vehicle or, in the case of a motor vehicle without a trunk, an open container stored in some other portion of the vehicle designed for the storage of luggage and not normally occupied by or accessible to the operator or passengers, or

018.04B2 An open container stored in the living quarters of a motor home or camper.

018.04C Presence in a wildlife management area when under the influence of alcohol, to a degree that may endanger oneself, or another person, or property, or may cause unreasonable interference with another person's enjoyment of a wildlife management area is prohibited.

018.05 Domestic Animal Regulations for State Wildlife Management Areas

018.05A It is unlawful to permit dogs to range at large on any State Wildlife Management Area, except dogs may be allowed to range while under the influence and control of a handler while hunting, and in accordance with 018.05C, 018.05D and 001.02B.

~~018.05A~~ It is unlawful to permit dogs, cats, or other pets to range at large on any State Wildlife Management Area, except by specific provisions as listed below.

018.05B Dogs, cats, and other household type pets are permitted on State Wildlife Management Areas and are allowed to exercise, train, run or hunt provided they are under control of their handler, except under the provisions of 018.05C and 018.05D; provided they are physically restrained by leash, cage, crate, or other such device, except where restricted by the posting of appropriate signs, or where prohibited by special area regulations.

018.05C It is unlawful for anyone to exercise, run, train, or hunt with dogs on State Wildlife Management Areas during the period from May 1 through July 31 of each year, except on land areas designated and specifically posted with Authorized Dog Training Area signs. It shall further be unlawful for any Professional Dog Trainer, specific to his or her business activities, to exercise, run, or train dogs owned or controlled by him or her on State Wildlife Management Areas at any time. For purposes of these regulations, a Professional Dog Trainer is defined as a person who trains dogs

for a personal gain or livelihood. Dog owners or handlers are further prohibited from exercising, running, training, or hunting with dogs on areas where these activities are prohibited by special regulations. Trainers are also governed by special regulations dealing with dog training and dog trials.

018.05D Training or exercising dogs on areas designated and posted as Dog Trial Areas is prohibited. Such areas are restricted for Field Trial Use only.

018.05E Grazing or ranging domestic livestock or poultry is prohibited without prior written authorization by the Commission.

018.05F Horseback riding is permitted on State Wildlife Management Areas, except where prohibited by appropriate signs.

018.06 Fishing, Hunting, Trapping, and Target Shooting Regulations for State Wildlife Management Areas

018.06A Fishing is permitted on all State Wildlife Management Areas subject to general Chapter 2, Section 006, fFishing Regulations; provided that all or any portion of any area may be closed to fishing by the posting of appropriate signs.

018.06B Hunting or the use of firearms, bow and arrow, or other legal projectile device is permitted on State Wildlife Management Areas or portions thereof unless prohibited by appropriate signs, or where special area regulations restrict or prohibit these activities.

018.06C Target shooting or the shooting of Blue Rocks is permitted on State Wildlife Management Areas, unless these activities are restricted or prohibited by posted signs or by special area regulations. Blue Rock shooters may further be subject to Range Regulations as posted on designated areas.

018.06D The use of and/or possession of paint ball weapons of any type shall be prohibited on State Wildlife Management areas.

018.06E Except where restricted or prohibited by special area regulations, trapping is permitted on State Wildlife Management Areas in accordance with general State trapping regulations; provided that any area or portion thereof may be closed to trapping by appropriate signs.

018.07 Traffic Regulations for State Wildlife Management Areas

018.07A It shall be unlawful for any person to operate a motorized vehicle on other than roadways, parking areas, or trails specifically designated for vehicle use, provided persons may operate all-terrain vehicles and snowmobiles over ice according to the provisions of this section. Nothing in this section shall prohibit management personnel from using these vehicles for emergency or management purposes or special authorized events according to 018.12.

018.07B Definitions. Motorized vehicles shall include, but not be limited to, trucks, automobiles, motorcycles, trail bikes, mini-bikes, four-wheel drive vehicles, all terrain vehicles and snowmobiles.

018.07B1 All-Terrain Vehicles: Any motorized off-highway vehicle which (1) is fifty inches or less in width, (2) has a dry weight of six hundred pounds or less, (3) travels on three or more low-pressure tires, (4) is designed for operator use only with no passengers, (5) has a seat or saddle designed to be straddled by the operator, and (6) has handlebars or any other steering assembly for steering control.

018.07B2 Snowmobiles: A self-propelled vehicle designed for travel on snow or ice steered by skis or runners, and supported in part by skis, belts, or cleats.

018.07C It shall be unlawful for any person to operate any vehicle within the boundaries of any State Wildlife Management Area at a speed greater than is reasonable and prudent under the prevailing conditions, or in excess of any maximum posted speed limits.

018.07D It shall be the duty of each vehicle operator to obey all traffic regulatory signs as posted on each area.

018.08 Over-Ice Use Regulations for State Wildlife Management Areas

018.08A All-terrain vehicles and snowmobiles (as defined in Part 018.07B) may be operated in compliance with the requirements of this section on the frozen lake surface of the following areas:

018.08A1 Elwood Reservoir

018.08A2 Willow Lake BC

018.08A3 Big Alkali Wildlife Management Area

018.08A4 Cottonwood - Steverson Wildlife Management Area

018.08A5 Shell Lake Wildlife Management Area

018.08B Required Equipment

018.08B1 At least one head lamp and one tail lamp, each of minimum candle power as prescribed by the Department of Motor Vehicles.

018.08B2 A brake system maintained in good operating condition which shall conform to standards prescribed by the Department of Motor Vehicles.

018.08B3 An adequate muffler system in good working order which blends the exhaust noise into the overall vehicle noise and is in constant operation to prevent excessive or unusual noise. The exhaust shall not emit or produce a sharp popping or crackling sound.

018.08B4 A bicycle safety flag which extends not less than five feet above ground attached to the rear of all terrain vehicles. The safety flag shall be triangular in shape with an area of not less than thirty inches and be day-glow in color.

018.08B5 Snowmobiles must have a minimum of sixteen square inches of reflective material mounted on each side forward of the handlebars.

018.08C Operation

018.08C1 The Director of the Game and Parks Commission and his designated representatives reserve the right to temporarily close these areas listed in 018.08A or portions thereof to all-terrain and snowmobile activities for the following reasons: insufficient lake ice (less than eight inches), safety, weather, resource protection, civil emergencies or other management considerations at the sole discretion of the Director.

018.08C2 The operation of all-terrain vehicles and snowmobiles on the lake surface is at the sole risk of the operator. The Commission assumes no responsibility for safety of said operation.

018.08C3 All-terrain vehicle and snowmobile operators are responsible for inspecting frozen lake surfaces for sufficient ice thickness (minimum 8 inches) and for possible hidden hazards prior to any such operation. Operators are cautioned to be alert for soft ice caused by flowing springs, streams, and rivers and also caused by variations in temperature.

018.08C4 All-terrain vehicles and snowmobiles shall not be operated within any portion of a designated area which has been marked off or otherwise posted as closed to vehicle operation.

018.08C5 All-terrain vehicles and snowmobiles shall not be operated in any manner intended to or reasonably be expected to harass, drive or pursue any wildlife.

018.08C6 All-terrain vehicles and snowmobiles shall not be operated at speeds exceeding that which is safe and reasonable when passing

within thirty (30) yards of any property, ice fishing shelter, boat ramp, immobile snowmobile or all-terrain vehicle, or a person walking on or fishing through the ice. In no case, shall any person or persons operate a vehicle so as to cause discomfort, hazard or damage to the person or property of others.

018.08C7 All-terrain vehicles and snowmobiles may be operated on the frozen surfaces of these areas listed in 018.08A only between the hours of 30 minutes before sunrise and 9:00 p.m., or as posted.

018.08D Who May Operate

018.08D1 Any person operating an all-terrain vehicle or snowmobile on these areas listed in 018.08A shall be at least sixteen years of age and shall have a valid motor vehicle operator's license.

018.08E Unlawful Acts

018.08E1 It shall be unlawful for any person to drive or operate any all-terrain vehicle or snowmobile in the following unsafe or harassing way:

018.08E2 At a rate of speed greater than reasonable or proper under existing conditions;

018.08E3 In a careless, reckless, or negligent manner so as to endanger the person or property of another or to cause injury or damage thereto;

018.08E4 While under the influence of intoxicating liquor or narcotics or habit-forming drugs; and,

018.08E5 Without a lighted head and tail lamp when required for safety.

018.08F In Case Of Accident

018.08F1 The operator of any all-terrain vehicle or snowmobile involved in a collision, accident, or other casualty shall give his or her name, address, and the number of such vehicle in writing to any injured person and to the owner of any property damaged in such collision, accident, or casualty.

018.08F2 When a collision, accident, or casualty involving an all-terrain vehicle or snowmobile results in death or injury to a person or damage to property in excess of one hundred dollars, the operator of such vehicle shall file with the Department of Motor Vehicles a report of same as prescribed in D.M.V. regulations.

018.09 Swimming, Wading, Boating, and Water Skiing Regulations for State Wildlife Management Areas

018.09A Swimming is prohibited in all waters related to State Wildlife Management Areas, except on areas where facilities are specifically provided, or where posted signs permit this activity. Where permitted, swimming shall be at the sole risk of the participant.

018.09B Wading for the purpose of fishing or hunting is permitted on State Wildlife Management Areas at the sole risk of the participant, except that wading shall be prohibited on those areas that are posted with appropriate signs, or where prohibited by special area regulations.

018.09C Boating is permitted on State Wildlife Management Areas subject to restrictions as posted on each area, or as specified in state boating regulations, or as specified in special area regulations.

018.09D Water skiing is prohibited on State Wildlife Management Areas, except where permitted by special area regulations, or where designated as "Open Waters" in State Boating Regulations.

018.09E Flotation devices are prohibited on State Wildlife Management Areas; provided that nothing herein shall prohibit the use of Coast Guard approved life preservers , life vests or belts, and similar devices for the purposes prescribed by the Nebraska Boating Laws and Regulations.

018.10 Building and Property Regulations for State Wildlife Management Areas

Except otherwise provided in this subsection (018.10), the construction or maintenance of any building or other structure is prohibited.

018.10A ~~The possession, construction, destruction, injury, defacement, removal, or disturbance of any building, sign, equipment, monument, statue, marker, or other structure, or of any animal or plant matter and direct or indirect products thereof, including but not limited to petrified wood, flower, cane or fruit, egg, nest, den, or of any soil, rock, or mineral formation, artifact, relic, historic or prehistoric feature, or of any other public property of any kind is prohibited on State Wildlife Management Areas; provided that the Commission and other authorized management personnel may issue special permission or authorization permitting such activities where it is in the best interest of the public and wildlife resources.~~

018.10B Abandoned Property

018.10B1 Abandonment of any vehicle or other personal property is prohibited and such property may be impounded by the Wildlife Area Manager or Law Enforcement Officer.

018.10B1a Leaving any vehicle or other personal property unattended for longer than 24 hours, without prior permission of the Wildlife Area Manager is prohibited and any property so left may be impounded by the Wildlife Area Manager or Law Enforcement Officer. In the event unattended property interferes with the safe or orderly management of the Wildlife Management Area, it may be

impounded by the Wildlife Area Manager or Law Enforcement Officer at any time, and such property shall be impounded at the expense of the owner.

018.10B2b Disposing of household or commercial garbage or trash brought as such from private property is prohibited.

018.10C Ice Fishing Shelters may be placed and used under proper permit on all State Wildlife Management Area Waters for the period ending February 10 of each year. The size of any ice fishing shelter shall not be larger than 54 inches in width by 96 inches in length with 8 inch wide runners that are 6 inches in distance from the floor, and constructed of floatable materials. Ice Fishing Shelter Permits shall be \$5.00 each.

018.10C1 Fishing shelters must display on the outside door the name and address of the owner; and the permit number shall be affixed to the door of same in letters not less than 6 inches in height.

018.10C2 The door to any fishing shelter shall be constructed so that it can be opened from the outside at all times when in use, and the shelters may be locked when not in use. The Commission shall remove, burn, or otherwise destroy or dispose of such structures found on the ice after the time herein limited. The contents of any such structures left on the ice shall be seized by the Commission and held for a period of thirty days. After such period, shelters and articles which have not been claimed by the owner may be retained by the State for disposal through the State Property Officer.

018.10C3 The above regulations do not apply to temporary, portable shelters that are erected and removed from frozen surfaces daily.

018.10C4 Hole size made for ice fishing on any area shall not exceed 10 inches in diameter.

018.10D Regulations for waterfowl hunting blinds on State Wildlife Management Areas.

018.10D1 Portable waterfowl hunting blinds may be used on State Wildlife Management Areas, provided that no blind shall be used on areas posted as closed to such activity, or on areas that restrict this activity by special area regulations.

018.10D2 Portable blinds shall be removed from the State Wildlife Management Area at the close of each hunting day. Portable blinds and other personal property remaining on a State Wildlife Management Area following the close of hunting each day may be considered abandoned, and shall be subject to removal and disposal.

018.10D3 Seasonal blinds for waterfowl hunting may be installed and used on designated State Wildlife Management Areas at the following reservoirs: Lake McConaughy, Keith County; Enders, Chase County; Swanson, Hitchcock County; Red Willow, Frontier County; Medicine Creek, Frontier County; Elwood, Gosper County; Sherman, Sherman County; Merritt, Cherry County; Calamus, Garfield and Loup Counties; Lewis and Clark in Knox County; and on the Whitetail Wildlife Management Area in Colfax County.

Installation and use of such blinds shall be subject to the following regulations (018.10D4 - 018.10D10).

018.10D4 Seasonal blinds must legibly display, on the door, the name and address of the owner, except at Lewis and Clark Lake where, in addition to the name and address of the owner, the phone number of the owner and the Corps of Engineers permit number for the blind will be displayed on the door of the blind as required by Corps of Engineers regulations.

018.10D5 The door to any seasonal blind shall be constructed so that it can be opened from the outside at all times when not in use.

Blinds may not be locked when not in use. This restriction shall not apply to Lewis and Clark Lake where unoccupied blinds may be locked.

018.10D6 Seasonal blinds shall not be installed and used on areas of land or water posted with appropriate signs which prohibit such activity.

018.10D7 The first person to occupy a blind each day shall be entitled to occupy the blind for that day, except at Lewis and Clark Lake as provided in 018.10D7a.

018.10D7a The holder (permittee) of an authorized Corps of Engineers blind permit who occupies the permitted blind prior to sunrise shall be entitled to occupy the blind for that day. Blind sites (the blind and its environs) not occupied by the permittee prior to sunrise shall be open for occupancy on a first come basis.

018.10D8 Persons who install seasonal blinds on land or water of the wildlife management areas listed in 018.10D3, shall remove all blinds and materials before May 1 following the close of the waterfowl season.

018.10D9 Blinds shall not be placed nor constructed prior to September 1 each year. Blind sites and hunting areas shall not be staked, marked or otherwise identified or claimed.

018.10D10 Seasonal waterfowl hunting blinds on lands leased to the Commission by the Corps of Engineers at Lewis and Clark Lake (including Bazile Creek WMA and all other WMA lands under lease) shall be registered and permitted as required by Corps of Engineers regulations.

018.10E Portable Type Tree Stands may ~~shall not be placed and used~~ installed, utilized or left in place from February 1 through August 31 on State Wildlife Management Areas. In addition, portable type tree steps that attach to the tree with chains

or ropes, or that screw into the tree are permitted on these areas. ~~Portable tree stands and portable steps must be removed from trees and areas within fifteen (15) days following the close of the hunting season.~~

018.10E1 The construction or use of permanent or semi-permanent tree stands that attach to any tree with nails, screws, bolts or wire is prohibited.

018.10F The introduction, injury, disturbance, removal or destruction of any animal or plant matter and direct or indirect products thereof found on the premises including, but not limited to, petrified wood, flower, cane or fruit, egg, nest, den, or of any soil, rock or mineral formation provided that the Commission and other authorized management personnel may issue special permission or authorization permitting otherwise prohibited activities where it is in the best interest of the public and wildlife resources. Lawfully conducted activities as described in 018.06 are allowed.

018.11 Vending Regulations for State Wildlife Management Areas

018.11A The vending of various goods, services, products, or commodities is prohibited on all State Wildlife Management Areas, except by written permission or by concession as authorized by the Game and Parks Commission; and no area shall be used as a residence or headquarters by any person or group engaged in any commercial or professional activity, without first securing written permission from the Commission or authorized agent.

018.12 Permits/Agreements - Special Events - Regulations and Permits for State Wildlife Management Areas

018.12A Sports events, pageants, reenactments, regattas, entertainments and the like, characterized as public spectator attractions or participant activities, are prohibited on State Wildlife Management Areas unless written permission has been given by the Commission. The Commission may enter into cooperative access agreements on

Wildlife Management Areas with sponsoring entities or groups of more than one (1) person for the purpose of facilitating hunting or fishing by disabled persons as described in 37-217 or veterans as described in 37-420. Eligibility shall be determined by the Commission. Participants shall be required to provide documentation of eligibility on a form prescribed by the Commission. Such permits or agreements shall be authorized only after a finding that the issuance of such will not be inconsistent with the purposes for which the area is established and shall not unreasonably interfere with the rights of other area users. The permit or agreement may contain such reasonable conditions and restrictions as to duration and area occupied as are necessary for the protection of the area, wildlife, and other public use.

018.12B Public meetings, assemblies, gatherings, demonstrations, parades, religious services, and other expressions of views are prohibited on State Wildlife Management Areas unless written permission has been given by the Commission.

018.12C The filming, for commercial purposes, of still or moving pictures of lands, wildlife, and facilities, is prohibited unless written permission has been given by the Commission.

018.12D Applications for Special Occasion Permits shall be received by the Commission not later than thirty (30) days prior to the event, and shall list the following: The name of the applicant, the date, time, duration, nature, and place of the proposed activity, an estimate of the number of persons expected to attend, and a statement of the equipment and facilities to be used.

018.12E As a condition of the permit issuance, the Commission may require the filing of a bond with satisfactory surety payable to the State, to cover such costs as restoration, rehabilitation, and cleanup of the area used, and other costs resulting from the permittees' activity. In lieu of a bond, a permittee may elect to deposit cash equal to the amount of the required bond.

018.13 Special Hunt Regulations for State Wildlife Management Areas

018.13A Special hunts, conducted during general seasons, as authorized by the Commission, may be permitted on State Wildlife Management Areas, or portions thereof.

018.13B Special hunts will be subject to general hunting statutes, regulations, seasons, bag limits and other restrictions.

018.13C State Wildlife Management Areas or portions thereof, upon which special hunts are being conducted, will be closed to the general public for the duration of the special hunt, as posted by appropriate signs.

018.13D Special hunt participants shall be selected by drawing, lottery, nomination or other methods as deemed appropriate by the Commission. The Commission will designate a maximum number of participants and a cutoff date by which applications must be received.

018.13E Special rules pertaining to special hunts on individual State Wildlife Management Areas will be developed and posted by the Commission.

018.13F Rules pertaining to special hunts, will be announced or advertised at least 30 days prior to the hunt.

~~018.14 Dog Training/Trials~~

~~For purposes of this section, sporting dog trials shall be as defined in 37-412 R.R.S. 1998.~~

~~For purposes of this section, dog training shall mean the use of dogs in a non-competitive process solely intended to enhance the hunting skills of dogs and shall not apply to dog trials as defined in 37-412 R.R.S. 1998 or to activities associated with or requiring a Controlled Shooting Area Permit (Section 015). Landowners, their lessees or guests may allow for or participate in the release and/or pursuit of pen-reared birds for dog training purposes on private land, only according to the~~

~~provisions of this subsection. If any service relating to procurement or release of birds is provided by the landowner or lessee to bird harvesters, the landowner or lessee must qualify for and obtain a Commission-authorized Game Breeding and Controlled Shooting Area permit (015) for the lands to be used for dog training. The requirement to obtain a Game Breeding and Controlled Shooting Area permit shall not apply to persons conducting Commission-authorized field trials, youth-mentored hunts, or persons who have received designation as a "Private Dog Training Area" prior to November 12, 2004.~~

018.14A Dog Training

~~018.14A1 All game birds purchased and released for training purposes must be obtained from a Captive Wildlife Permit holder or licensed nonresident breeder; must be banded by the sponsor or trainer with official bands authorized by the Game and Parks Commission and any person who purchases game birds from the holder of a Captive Wildlife Permit or licensed nonresident breeder shall have in his or her possession a sales tag from the Captive Wildlife Permit holder or sales receipt from the licensed nonresident permit holder listing the date, species and number of birds purchased. Sales Tag or sales receipt must be returned to the Game and Parks Commission after the fourteen (14) day time frame (018.14A5).~~

~~018.14A2 All game birds purchased and released for dog training purposes, but not taken during the training session, shall be considered wild birds and subject to the rules and regulations covering taking of the same upon completion of the training session, provided that holders of a Recall Pen permit may recapture birds according to 018.15.~~

~~018.14A3 Only pen-raised pheasants (hens only), quail, partridge, mallards, and pigeons may be purchased and released for dog training purposes.~~

~~018.14A3a~~ Limits for the harvest of game birds per dog during any training session are:

~~Hen Pheasants: Two (2)
Quail: Five (5)
Partridge: Unlimited
Mallards: Unlimited~~

~~018.14A4~~ A training session shall be confined to one day, defined as sunrise to sunset.

~~018.14A5~~ Game birds obtained under authority of this section may be kept in captivity without a Captive Wildlife Permit for a period not to exceed fourteen (14) days following date of purchase of those birds.

~~018.14B~~ Dog Trials

~~018.14B1~~ Application for approval of Sporting Dog Trials shall be made in writing on forms provided by the Game and Parks Commission, and shall provide information as specified by the Commission.

~~018.14B2~~ All game birds purchased and released for field trials must be obtained from a Captive Wildlife Permit holder or licensed nonresident breeder; must be banded by the sponsor or trainer with official bands authorized by the Game and Parks Commission and any person who purchases game birds from the holder of a Captive Wildlife Permit or licensed nonresident breeder shall have in his or her possession a sales tag from a Captive Wildlife Permit holder or sales receipt from the licensed nonresident permit holder listing the date, species and number of birds purchased. Sales tag or sales receipt must be returned to the Game and Parks Commission after thirty (30) days (~~018.14B3~~).

~~018.14B3~~ Persons holding a valid Sporting Dog Trial authorization may hold pen-raised birds for a period not to exceed thirty (30) days beyond the date of purchase of those birds.

~~018.14B4~~ Trials may be authorized by the Commission on any lands in the state, providing permission from the landowner is obtained.

~~018.14B5~~ Trials conducted on Commission administered lands shall be further subject to the other state regulations or requirements pertaining to those lands.

~~018.14B6~~ Authorization for trials may be revoked by the Commission at any time upon violation of these regulations, violation of game laws, or other just cause.

~~018.15~~ Use of Recall Pens

~~018.15A~~ Sporting dog trainers, who desire to use a recall pen, shall make application on a form entitled "Application for Recall Pen Permit". The application shall provide information as specified by the Game and Parks Commission.

~~018.15B~~ The owner of any recall pen shall place his name, address, telephone number, and recall pen permit number on each recall pen in a manner that provides for clear and immediate visual identification.

~~018.15C~~ All game birds used in a recall pen must be purchased from a licensed nonresident breeder or Captive Wildlife permittee, and must be banded by the owner with leg bands provided by the Game and Parks Commission at a fee of \$ 0.10 per band.

~~018.15D~~ Sporting dog trainers shall not use a recall pen without having a valid recall pen permit in their possession.

~~018.15E~~ All recall pen permits shall expire on December 31 of each calendar year.

~~018.15F~~ It shall be the duty of recall pen operators to immediately release all wild birds that might accidentally enter recall pens. Failure to do so is cause for revocation of recall pen permits, seizure of recall pens and prosecution.

~~018.16~~ ~~018.14~~ Lands Controlled For Public Access

The following applies to lands which are not designated as Wildlife Management Areas but are controlled for public access through agreement with other entities; areas with additional special provisions are listed in ~~018.17~~ ~~018.15~~.

~~018.16A~~ ~~018.14A~~ Permitted Activities

~~018.16A1~~ ~~018.14A1~~ Hunting is permitted on lands controlled for public access during legal hunting seasons and using legal methods for all huntable species, unless further restricted as posted with signs on individual areas. Trapping is permitted on lands controlled for public access during legal trapping seasons for all species in accordance with general state trapping regulations (001.03, 005.03), as they apply to Wildlife Management Area, unless further restricted as posted with signs on individual areas.

~~018.16A2~~ ~~018.14A2~~ Hunting Dogs are allowed on lands controlled for public access for hunting purposes only.

~~018.16B~~ ~~018.14B~~ Structures

~~018.16B1~~ ~~018.14B1~~ Temporary portable waterfowl blinds may be used on lands controlled for public access, unless further restricted as posted with signs on individual areas. Temporary waterfowl blinds must be removed daily at the close of the hunting day.

~~018.16B2~~ ~~018.14B2~~ Portable tree-stands may be placed and used on lands controlled for public access except where prohibited by signs. Portable type tree stands shall not be installed, utilized or left in place from February 1 through August 31. In addition, portable-type tree steps that attach to the tree with chains or ropes, or that screw into the tree, are permitted on these areas. Portable tree stands and steps must be removed within fifteen (15) days following the close

~~of the hunting season for which they were used.~~

~~018.16C~~ ~~018.14C~~ Prohibited Activities

~~018.16C1~~ ~~018.14C1~~ Use of motor vehicles related to hunting or trapping activities is prohibited except on trails specifically designated with signs for this activity.

~~018.16C2~~ ~~018.14C2~~ Horseback riding is not a contracted activity and is therefore not permitted under these rules, except on any trails specifically designated with signs for this use.

~~018.16C3~~ ~~018.14C3~~ The construction of or use of permanent or semi-permanent tree stands that attach to any tree with nails, screws, bolts or wire is not a contracted activity and is therefore not permitted under these rules.

~~018.16C4~~ ~~018.14C4~~ The construction of or use of permanent or semi-permanent waterfowl blinds is not a contracted activity and is therefore not permitted under these rules, provided that permanent or semi-permanent waterfowl blinds may be constructed by the Nebraska Game and Parks Commission to facilitate youth hunts or other special hunts.

~~018.16C5~~ ~~018.14C5~~ Dog training is not a contracted activity and is therefore not permitted under these rules.

~~018.16C6~~ ~~018.14C6~~ Camping is not a contracted activity and is therefore not permitted under these rules.

~~018.16C7~~ ~~018.14C7~~ Fishing is not a contracted activity and is therefore not permitted under these rules, except on specific areas designated with signs for this activity.

~~018.16C8~~ ~~018.14C8~~ Swimming is not a contracted activity and is therefore not permitted under these rules.

~~018.16C9~~ ~~018.14C9~~ Target shooting is not a contracted activity and is therefore not permitted under these rules.

~~018.16C10~~ ~~018.14C10~~ Boating is not a contracted activity and is therefore not permitted under these rules.

~~018.17~~ ~~018.15~~ Lands Controlled for Public Access With Additional Provisions

The following applies to lands which are not designated as Wildlife Management Areas but are controlled for public access through agreement with other entities; these are areas with additional special provisions.

~~018.17A~~ ~~018.15A~~ Alliance Airport Authority Cooperative Management Unit

A plat map outlining the Alliance Airport Authority Cooperative Management Unit is attached hereto and made a part hereof.

~~018.17A1~~ ~~018.15A1~~ Public Hunting Area Regulations: All Chapter 4, Section ~~018~~, General Regulations Governing Administration and Use of Property - Wildlife Management Area regulations shall apply except as noted in ~~018.17A1a~~ ~~018.15A1a~~ and ~~018.17A1b~~ ~~018.15A1b~~.

~~018.17A1a~~ ~~018.15A1a~~ Open Dates: October 1 through March 1.

~~018.17A1b~~ ~~018.15A1b~~ It shall be unlawful to discharge rifles or handguns within the boundaries of Alliance Airport Authority Cooperative Management Unit situated in Box Butte County, Nebraska, provided that it shall not be unlawful to take game by either a muzzleloading rifle or a shotgun.

~~018.17B~~ 018.15B Powder Creek Public Access Area

~~018.17B1~~ 018.15B1 Area Regulations: All Chapter 4, Section 018, General Regulations Governing Administration and Use of Property - Wildlife Management Area regulations shall apply except as noted in ~~018.17B1a~~ 018.15B1a.

~~018.17B1a~~ 018.15B1a Target shooting shall not be allowed.

~~018.17C~~ 018.15C Mitchell Valley Public Access Area.

The following lands are managed by agreement between the Nebraska Game and Parks Commission and Platte River Basin Environments, Inc.: Lot 10 and ACCR Section 1, T22N, R56W (66 acres) and Lots 4 & 5 of E1/2 SW, SE1/4 (just those acres south of the North Platte River - 256.74 acres) all in Scotts Bluff County.

~~018.17C1~~ 018.15C1 Area Regulations: All Chapter 4, Section 018, General Regulations Governing Administration and Use of Property - Wildlife Management Area regulations shall apply except as noted in ~~018.17C1a~~ 018.15C1a and ~~018.17C1b~~ 018.15C1b.

~~018.17C1a~~ 018.15C1a Use of centerfire rifles, rimfire rifles, and handguns is prohibited.

~~018.17C1b~~ 018.15C1b Target shooting is prohibited.

~~018.17D~~ 018.15D Vencil's Island Public Access Area

The following lands are managed by agreement between the Nebraska Game and Parks Commission and the Papio-Missouri Natural Resources District: Tax Lot 1A in Section 5, T13N, R10E, together with all accretions; Tax Lot D in Section 29, T14N, R10E, together with all accretions; Tax Lot 1 in Section 32, T14N, R10E, together with all accretions; a tract of land in Tax Lot 5 in Section 33, T14N, R10E, described as: beginning at the NW corner of said Section 33, thence East along the north line of said Section 33, a distance of 420.00 feet;

thence southerly to a point on the south line of the NW1/4 of the NW1/4, being 410.00 feet east of the SW corner of the NW1/4;_thence southwesterly to a point on the south line of the NW1/4, being 225 feet east of the west 1/4 corner of said Section 33; thence continuing southwesterly to the SW corner of the NW1/4 of the SW1/4 of said Section 33; thence continuing north along the west line of said Section 33 a distance of 3960 feet to the NW corner of said Section 33 and the point of beginning, together with all accretions thereto, all in Sarpy County.

~~018.17D1~~ ~~018.15D1~~ Area Regulations: All Chapter 4, Section ~~018~~, Sub-Section ~~018.16~~ ~~018.14~~ Lands Controlled for Public Access shall apply except as noted in ~~018.17D1a~~ ~~018.15D1a~~ through ~~018.17D1c~~ ~~018.15D1c~~.

~~018.17D1a~~ ~~018.15D1a~~ Public access and hunting is limited to youth-mentored hunts officially sanctioned by the Nebraska Game and Parks Commission for deer, turkey and waterfowl.

~~018.17D1a(1)~~ ~~018.15D1a(1)~~ Youth-mentored waterfowl hunts shall be allowed only during Youth Waterfowl Season.

~~018.17D1b~~ ~~018.15D1b~~ Trapping is prohibited.

~~018.17D1c~~ ~~018.15D1c~~ Use of rifles and handguns is prohibited.

~~018.17E~~ ~~018.15E~~ Bead Mountain Public Access Area.

The following lands are managed by agreement between the Nebraska Game and Parks Commission and Platte River Basin Environments, Inc.: NE, E1/2 SE 11-20-55 (240 acres); SE 2-20-55 (160 acres); W1/2 SW 1-20-55 (84.3 acres); SW NE, NW NW, S1/2 NW S1/2 12-20-55 (480 acres); PT E1/2 SE 31-21-54 (55.5 acres); SW 32-21-54 (148.82 acres); N1/2 1-20-55 (320 acres); PT NE, S1/2 NW, SW 2-20-55 (387.4 acres); NW, NW SW 11-20-55 (200 acres); S1/2 S1/2 3-20-55 (160 acres); E1/2 NE 9-20-55 (80 acres);

Title 163
Chapter 4

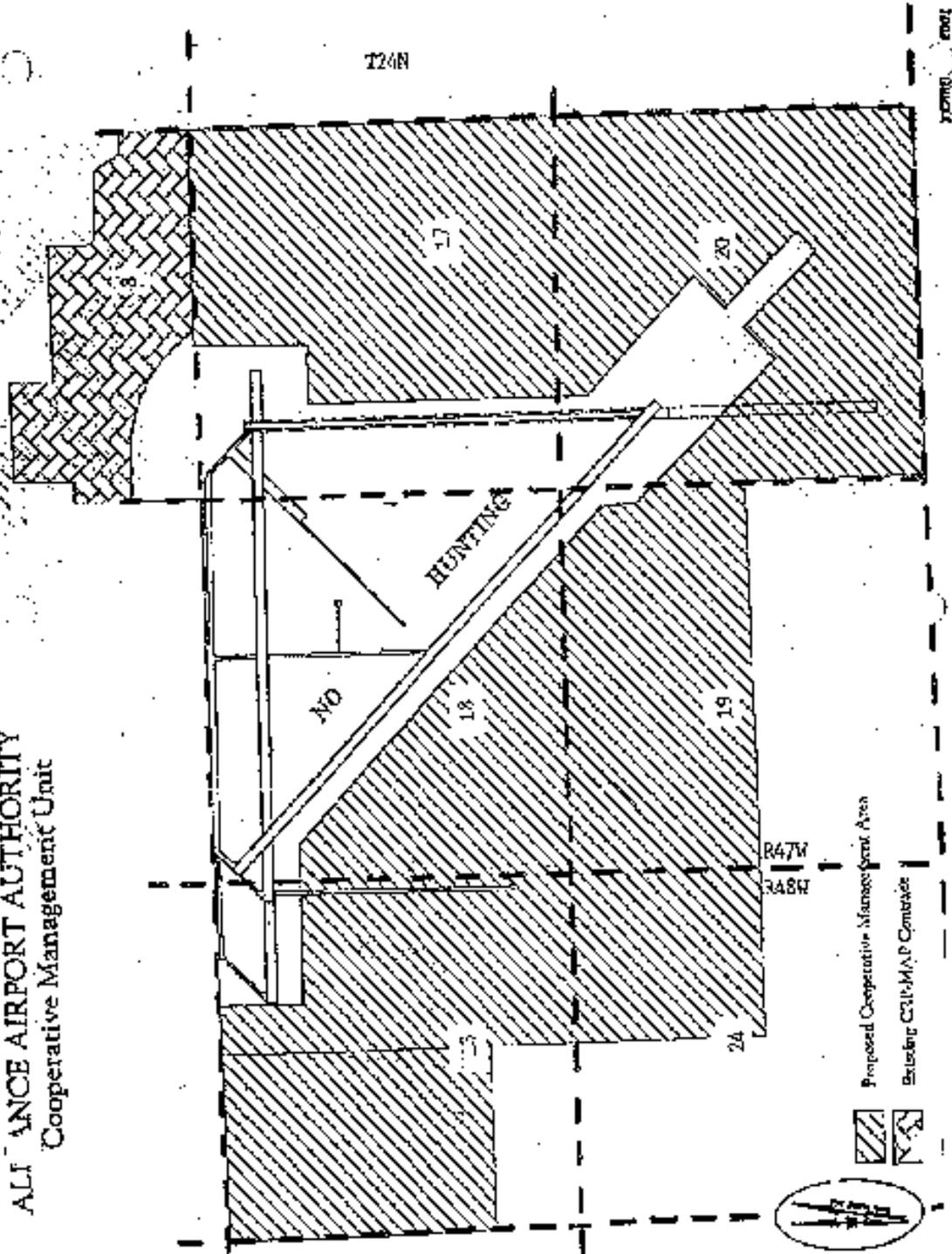
N1/2 N1/2 SE 10-20-55 (400 acres); E1/2 EX NE NE SE
4-20-55 (275.9 acres); all in Scotts Bluff County.

~~018.17E1~~ 018.15E1 Area Regulations: All Chapter 4, Section 018, General Regulations Governing Administration and Use of Property - Wildlife Management Area regulations shall apply except as noted in 018.15E1a and 018.15E1b.

018.15E1a Within the portion of the area so designated by signs, the use of rifles, handguns, muzzleloaders or shotguns using slugs is prohibited; this shall not prohibit hunting with shotguns using shot shells or hunting with archery equipment.

018.15E1b Target shooting is prohibited on the entire area.

ALLIANCE AIRPORT AUTHORITY
Cooperative Management Unit



Title 163
Chapter 4