

***Effective 5/12/2020***

***Renumbered 7/1/2023***

**23-14-3 Powers of division to determine facts -- Policymaking powers of Wildlife Board.**

- (1) The Division of Wildlife Resources may determine the facts relevant to the wildlife resources of this state.
- (2)
  - (a) Upon a determination of these facts, the Wildlife Board shall establish the policies best designed to accomplish the purposes and fulfill the intent of all laws pertaining to wildlife and the preservation, protection, conservation, perpetuation, introduction, and management of wildlife.
  - (b) In establishing policy, the Wildlife Board shall:
    - (i) recognize that wildlife and its habitat are an essential part of a healthy, productive environment;
    - (ii) recognize the impact of wildlife on humans, human economic activities, private property rights, and local economies;
    - (iii) seek to balance the habitat requirements of wildlife with the social and economic activities of man;
    - (iv) recognize the social and economic values of wildlife, including fishing, hunting, and other uses; and
    - (v) seek to maintain wildlife on a sustainable basis.
  - (c)
    - (i) The Wildlife Board shall consider the recommendations of the regional advisory councils established in Section 23-14-2.6.
    - (ii) If a regional advisory council recommends a position or action to the Wildlife Board, and the Wildlife Board rejects the recommendation, the Wildlife Board shall provide a written explanation to the advisory council recommending the opposing position.
- (3) No authority conferred upon the Wildlife Board by this title shall supersede the administrative authority of the executive director of the Department of Natural Resources or the director of the Division of Wildlife Resources.