

TITLE 35. OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND FORESTRY
CHAPTER 48. WILDLIFE SERVICES [NEW]

SUBCHAPTER 1. GENERAL PROVISIONS [RESERVED]

SUBCHAPTER 3. AERIAL HUNTING

35:48-3-1. Definitions

The following terms as used in this subchapter shall mean:

(1) "Depredating animal" means feral hogs, coyotes, and crossbreeds between coyotes and dogs;

(2) "Management of depredating animals" means to manage by counting, photographing, relocating, capturing, or hunting by the use of aircraft; and

(3) "Aircraft" means non-fixed wing rotary aircraft only, so that lifting surfaces rotate on a vertical axis to generate lift and does not have a rear propeller that generates forward thrust. All aircraft shall be registered with the Federal Aviation Administration and shall be rated at a minimum of 200 horsepower with dual controls removed.

35:48-3-2. Permit required

(a) The Oklahoma Department of Agriculture, Food, and Forestry is may issue an aerial hunting permit to any person who holds a big game commercial hunting area license issued pursuant to Section 4-106 of Title 29 of the Oklahoma Statutes to engage in the management of depredating animals by use of aircraft only on land listed in the commercial hunting area license.

(b) The aerial hunting permit may be issued without limitation by statewide season regulations or bag limits.

(c) The aerial hunting permit shall be carried in the aircraft when performing management of depredating animals by the use of aircraft.

35:48-3-3. Application requirements

(a) Applications for an aerial hunting permit shall be submitted to the Department.

(b) The Department may issue an aerial hunting permit if it finds that it will aid in the management of depredating animals.

(c) The Department may deny an aerial hunting permit if it finds that it will have a deleterious effect on indigenous species.

(d) The aerial hunting permit shall include, but is not limited to, the following information:

(1) The name and address of each authorized person;

(2) A description of the animals and number of animals authorized to be taken;

(3) A description of the area from which the animals are authorized to be taken; and

(4) The issue date and expiration date of the aerial hunting permit.

(e) An aerial hunting permit to manage depredating animals issued pursuant to this section shall be valid for a period of one (1) year from the date of issuance.

(f) An aerial hunting permit shall not be bartered or transferred to any other person.

(f) Aerial hunting permits may be renewed by filing an application for renewal with the Department at least thirty (30) days prior to the expiration date.

(g) The permittee shall carry a minimum of \$300,000 in liability insurance and shall provide proof of liability insurance at the time of application and renewal.

(h) The only firearm designated for aerial hunting is a shotgun firing pellet ammunition.

(i) Aerial hunting shall occur during daylight hours only.

35:48-3-4. Reporting requirements

(a) The pilot of an aircraft used for the management of depredating animals shall:

(1) Maintain a daily flight log and report.

(2) Make the daily flight log current and available for inspection by authorized agents of the Oklahoma Department of Agriculture, Food, and Forestry employees at reasonable times.

(3) Comply with all Federal Aviation Administration (FAA) regulations for the specific type of aircraft.

(4) Hold a current pilot's certificate from the FAA.

(5) Maintain a minimum current FAA class II medical.

(6) Complete a minimum of 250 hours low level time for the aircraft type.

(b) The permit application and any required reporting may be transmitted to the Department by email with supporting written documentation.

(c) Copies of the required flight log and report shall be sent to the Department within thirty (30) days of flight activity.

(d) A permit holder shall notify the Department in writing of the date, time, and area where management of depredating animals by use of an aircraft will occur no less than twenty-four (24) hours prior to the flight.

(e) The holder of a permit to manage depredating animals shall, within thirty (30) days following the end of a calendar quarter or upon termination of a permit, file with the Department a report showing:

(1) The name, address, and permit number of the permit holder;

(2) The name and address of the pilot and any other person participating in the flights;

(3) The number and description of the depredating animals managed under the permit;

(4) The types of depredating animals authorized to be managed under the permit;

(5) Dates and times of authorized flights; and

(6) Any other information requested by the Department.

35:48-3-5. Indigenous species

The Commissioner of Agriculture shall appoint a Department representative to meet annually with representatives designated by the Director of the Oklahoma Department of Wildlife Conservation to determine if private aircraft activities have a "deleterious effect on indigenous species."

