

Utah Wildlife Board Meeting

January 9, 2014, DNR Auditorium
1594 West North Temple, Salt Lake City, Utah

AGENDA

Thursday, January 9, 2014

- | | |
|--|--------------------|
| 1. Approval of Agenda
– Jake Albrecht, Chairman | ACTION |
| 2. Approval of Minutes
– Jake Albrecht, Chairman | ACTION |
| 3. Old Business/Action Log
– Bill Fenimore, Vice-Chair | CONTINGENT |
| 4. DWR Update
– Gregory Sheehan, DWR Director | INFORMATION |
| 5. Presentation on Highway Deer Mortality
– Daniel Olson, Utah State University | INFORMATION |
| 6. R657-27 License Agent Procedures Rule Amendments
– Phil Gray, Business Analyst | ACTION |
| 7. R657-60 Aquatic Invasive Species Rule Amendments
– Jordan Nielson, AIS Coordinator | ACTION |
| 8. R657-43 Landowner Permits Rule Amendments
– Regional Wildlife Biologist | ACTION |
| 9. R657-10 Cougar Rule Amendments
– John Shivik, Mammals Coordinator | ACTION |
| 10. CRC – Recommendation
– Staci Coons, CRC Chair | ACTION |
| 11. Other Business
– Jake Albrecht, Chairman | CONTINGENT |
| • Winter WAFWA Report | |

Details of the specific recommendations can be found at www.wildlife.utah.gov

In compliance with the Americans with Disabilities Act - Persons needing special accommodations (including auxiliary communicative aids and services) for this meeting, should contact Staci Coons at 801-538-4718, giving her at least five working days notice.

Wildlife Board Motions

Following is a summary of Wildlife Board motions directing the Division to take action and the response to date:

Spring 2013 – Target Date – Preference Point Presentation

MOTION: I move that we ask the Division to give a presentation on the preference point system relative to the new 30 unit deer plan.

Assigned to: Judi Tutorow / Lindy Varney
Action: Under Study
Status: Final update to be presented June 5, 2014
Placed on Action Log: June 6, 2012

Late Fall 2013 – Target Date – Premium Limited-entry deer tags

MOTION: I move that we have placed on the action log that the Division look into a premium limited entry deer tag similar to the premium limited entry elk tag.

Assigned to: Bill Bates/Judi Tutorow
Action: Under Study
Status: Pending
Placed on Action Log: May 3, 2012

Late Fall 2013 – Target Date – Mineral Mountain Range

MOTION: I move that we ask the division to study the issues and concerns of making the Mineral Mountain Range (west side of Beaver unit) a limited entry buck deer unit and that it be discussed during the revision of the deer plan with the Deer Management Committee. This is to be placed on the action log.

Assigned to: Bill Bates
Action: Under Study
Status: Pending
Placed on Action Log: December 6, 2012

Late Fall 2013 – Target Date – Additional muzzleloader Pronghorn hunting opportunity

MOTION I move that we ask the division to study additional muzzleloader pronghorn hunting opportunity as presented in the November RAC meetings by Mr. Zundel. This is to be placed on the action log.

Assigned to: Bill Bates
Action: Under Study
Status: Pending
Placed on Action Log: December 6, 2012

Late Fall 2013 – Target Date – Non-Resident Sheep Permit Quota

MOTION: I move that we ask the division to prepare a sheet for the Board and the NRO RAC that shows the sheep unit grouping and permit percentage rules that were passed (by the board) last year – and subsequent total permits and breakout between OIAL, conservation and convention permits, for each sheep species and each unit group.

Assigned to: Bill Bates
Action: Under Study
Status: Pending
Placed on Action Log: May 2, 2013

Summer 2014 – Target Date – Hunting Turkeys with Falcons

MOTION: I move that we put the hunting turkeys with falcons proposal on the action log for consideration when the Upland Game Guidebook comes up for review.

Assigned to: Jason Robinson
Action: Under Study
Status: Pending
Placed on Action Log: June 9, 2011

Summer 2014 – Target Date – Additional Benefits for Limited-Entry turkey tag holders

MOTION: I move that we have placed on the action log that the Division look into the possibility and feasibility of a limited entry turkey permit holder who is unsuccessful to turn in their limited entry tag and purchase a general season tag.

Assigned to: Jason Robinson
Action: Under Study
Status: Pending
Placed on Action Log: May 3, 2012

Summer 2014 – Target Date – Group Applications for Limited-Entry turkey permits, sage-grouse and sharp-tail grouse permits.

MOTION: I move for the DWR to present a proposal to the RACs that group applications be allowed for the limited entry turkey, sage-grouse, and sharp-tailed grouse hunts.

Assigned to: Jason Robinson
Action: Under Study
Status: Pending
Placed on Action Log: June 4, 2013

Summer 2014 – Target Date – Use of 28 gauge shotgun for taking Wild Turkeys

MOTION: I move that we place on the action log the request for use of a 28 gauge shotgun for turkeys.

Assigned to: Jason Robinson
Action: Under Study
Status: Pending
Placed on Action Log: June 4, 2013

Summer 2014 – Target Date – Fish Surveys (2 motions)

MOTION: I move that we ask the division to place on the action log the two questions from the SRO RAC concerning the next fisheries survey, and that both questions be included in the next survey.

Question 1 – To include in the next fisheries survey a question regarding instating an 8 fish limit statewide.

Question 2 – To include in the next fisheries survey a question regarding the taking of catch and kill species by spear fishermen in all waters where it applies.

MOTION: I move that we ask the division to place on the next survey questions concerning the 3-day possession limit and processed fish in order to obtain public input.

Assigned to: Drew Cushing
Action: Under Study
Status: Pending

Placed on Action Log: November 7, 2013

Fall 2014 – Target Date – Management Buck Tags on the Book Cliffs

MOTION: I move that the Division be asked to review the buck management tags on the Book Cliffs. People are always reporting the presence of big two and three point bucks in that area. Perhaps these permits could be given to youth. This is to be addressed during the revision of the Deer Management Plan in 2014.

Assigned to: Bill Bates

Action: Under Study

Status: Pending

Placed on Action Log: December 1, 2011

Fall 2014 – Target Date – Goat Seasons

MOTION: I move that we add Ben Lowder's request to extend the goat hunt season to the action log and have the Division evaluate the hunt structure and report on their findings at the same time next year.

Assigned to: Bill Bates

Action: Under Study

Status: Pending

Placed on Action Log: December 5, 2013

Utah Wildlife Board Meeting

December 5, 2013, DNR, Boardroom
1594 W. North Temple, Salt Lake City, Utah

Thursday, December 5, 2013, Board Meeting 9:00 am

- | | |
|--|--------------------|
| 1. Approval of Agenda
– Jake Albrecht, Chairman | ACTION |
| 2. Approval of Minutes
– Jake Albrecht, Chairman | ACTION |
| 3. Old Business/Action Log
– Bill Fenimore, Vice-Chair
–Preference Point Update
–Nine Mile Range Creek Update
–Transfer of Permits to Veterans Update
–Exemptions for Companion Hunters of Disabled Sportsmen
–Update on Dedicated Hunter Projects | CONTINGENT |
| 4. DWR Update
– Greg Sheehan, DWR Director | INFORMATION |
| 5. Bucks, Bulls & OIAL 2014 Season Dates and Application Timeline, Amendments to Rule R657-5 and deer transplant sites
– Justin Shannon, Wildlife Program Coordinator | ACTION |
| 6. CWMU Management Plans and Permit Numbers for 2014
– Scott McFarlane, Wildlife Program Coordinator | ACTION |
| 7. Landowner Permit Numbers for 2014
– Scott McFarlane, Wildlife Program Coordinator | ACTION |
| 8. Utah Hunter Mentoring Program (New Rule)
– Greg Hansen, Assistant Attorney General | ACTION |
| 9. Dedicated Hunter Rule Amendments
– Bryan Christensen, Dedicated Hunter Program Coordinator | ACTION |
| 10. Oak Creek Rocky Mountain Bighorn Sheep Management Plan
– Dustin Schaible, Wildlife Biologist | ACTION |
| 11. Other Business
– Jake Albrecht, Chairman | CONTINGENT |

Utah Wildlife Board Meeting
December 5, 2013, DNR Auditorium
1594 West North Temple, Salt Lake City, Utah
Summary of Motions

- 1) Approval of Agenda (**Action**)

The following motion was made by Kirk Woodward, seconded by John Bair and passed unanimously.

MOTION: I move that we approve the agenda as presented.

- 2) Approval of Minutes (**Action**)

The following motion was made by Mike King, seconded by Calvin Crandall and passed unanimously.

MOTION: I move that we approve the minutes of the November 7, 2013 Wildlife Board Meeting as presented.

- 3) Old Business/Action Log (**Contingent**)

4 action log items were addressed:

Preference Point – Lindy Varney

Nine Mile Range Creek – Brad Crompton

Transfer of Permits to Veterans – Robin Cahoon

Exemption for Companion Hunters of Disabled Sportsmen – Kenny Johnson/Martin Bushman

Update on Dedicated Hunter Projects – Bryan Christensen

- 4) Bucks, Bulls & OIAL 2014 Season Dates and Application Timeline, amendments to Rule R657-5 and deer transplant sites (**Action**)

The following motion was made by John Bair, seconded by Calvin Crandall and passed 5-1. Mike King voted against the motion.

MOTION: I move that the Central Mountain/Nebo/Wasatch West sheep unit be available to sportsman tag holders on even number years and available to governor tag holders on odd number years.

The following motion was made by John Bair, seconded by Kirk Woodward and passed

5-1. Mike King opposed.

MOTION: I move that we add Ben Lowder's request to extend the goat hunt season to the action log and have the Division evaluate the hunt structure and report on their findings at the same time next year.

The following motion was made by Steve Dalton, seconded by Bill Fenimore and passed 5-1. John Bair dissented.

MOTION: I move that we approve the Division's recommendation for primitive weapons only spike hunt on the Monroe unit.

The following motion was made by John Bair, seconded by Calvin Crandall and passed unanimously.

MOTION: I move that any deer transplant include predator control as part of the process and be evaluated prior to the transplant.

The following motion was made by Calvin Crandall, seconded by Steve Dalton and passed 4-2. John Bair and Kirk Woodward dissented.

MOTION: I move that we keep the extended archery bull elk hunt in the Sanpete Valley.

The following motion was made by Calvin Crandall, seconded by Bill Fenimore and passed unanimously.

MOTION: I move that we approve the remainder of the Bucks, Bulls and OIAL Season Dates and Application Timeline, Amendments to Rule R657-5 and deer transplant sites as presented by the division.

5) CWMU Management Plans and Permit Numbers for 2014 (**Action**)

The following motion was made by Bill Fenimore, seconded by Kirk Woodward and passed unanimously.

MOTION: I move that we approve the CWMU Management Plans and Permit Numbers for 2014 as presented by the division.

6) Landowner Permit Numbers for 2014 (**Action**)

The following motion was made by Mike King, seconded by Kirk Woodward and passed unanimously.

MOTION: I move that we approve the Landowner Permit

Numbers for 2014 as presented by the Division with the inclusion of the Diamond Mountain variance.

- 7) Utah Hunter Mentoring Program (New Rule) (**Action**)

The following motion was made by Steve Dalton, seconded by Calvin Crandall and passed unanimously.

MOTION: I move that we approve the Utah Hunter Mentoring Program as presented by the Division.

- 8) Dedicated Hunter Rule Amendments (**Action**)

The following motion was made by John Bair, seconded by Bill Fenimore and passed unanimously.

MOTION: I move that we approve the Dedicated Hunter Rule Amendments as presented by the Division.

- 9) Oak Creek Rocky Mountain Bighorn Sheep Management Plan (**Action**)

The following motion was made by John Bair, seconded by Steve Dalton and passed unanimously.

MOTION: I move that we approve the Oak Creek Rocky Mountain Bighorn Sheep Management Plan as presented by the Division.

Utah Wildlife Board Meeting

December 5, 2013, DNR Auditorium

1594 West North Temple, Salt Lake City, Utah

http://wildlife.utah.gov/public_meetings/board_minutes/audio/13-12-05_part1.mp3

Wildlife Board Members Present

Jake Albrech – Chair
Bill Fenimore – Vice Chair
Greg Sheehan – Exec Sec
Calvin Crandall
John Bair
Kirk Woodward
Mike King
Steve Dalton

RAC Chairs Present

Southern – Kevin Bunnell
Southeastern – Chris Wood
Central – Gary Nielsen
Northern – Robert Byrnes
Northeastern - Boyde Blackwell

Public Present

Deloss Christensen Mile Moretti – Mule Deer Foundation
Ryan Cowley Lee Sorenson – North Bend Hunting 5 Land Owners
Bryce Pilling – SFW Bill Christensen – Rocky Mtn Elk Foundation
Byron Bateman – SFW
Tye Boulter – UWC
Todd Black – CWMU Association
Ben Lowder – UT Bowmen’s Association

Division Personnel Present

Mike Fowlks	Greg Hansen
Mike Canning	Scott McFarlane
Rory Reynolds	Dustin Schaible
Staci Coons	Justin Shannon
Thu Vo-Wood	Bryan Christensen
Kenny Johnson	Phil Gray
Robin Cahoon	Teresa Griffin
Brad Crompton	Martin Bushman
Kent Hersey	Riley Peck
Dax Mangus	Judi Tutorow
Eric Edgley	Randy Wood
Covy Jones	Lindy Varney
Anita Candelaria	Dean Mitchell
Martin Bushman	Bill Bates
Gary Ogborn	Vance Mumford
Justin Dolling	Rick Olson
Leslie McFarlane	Mark Hadley

Chairman Brady welcomed the audience and introduced the Wildlife board and RAC Chairs.

- 1) Approval of Agenda (**Action**) **00:02:44 – 00:03:09 of 04:40:28**

The following motion was made by Kirk Woodward, seconded John Bair by and passed unanimously.

MOTION: I move that we approve the agenda.

- 2) Approval of Minutes (**Action**) **00:03:10 – 00:04:14 of 04:40:28**

The following motion was made by Mike King, seconded by Calvin Crandall and passed unanimously.

MOTION: I move that we approve the minutes of the November 7, 2013 Wildlife Board Meeting as presented.

3) Old Business/Action Log (Contingent) 00:04:21 – 00:19:23 of 04:40:28

4 action log items were addressed:

Preference Point – Lindy Varney 00:04:49 – 00:05:32

There is no new data at this time. A report will be compiled after the close of the big game drawing March 6, 2014, and presented at the June board meeting.

Nine Mile Range Creek – Brad Crompton 00:05:34 – 00:010:12

The 2013 bull harvest data is not available yet; however, after two seasons with the expansion of the any bull hunt, the increase in hunting opportunity did not show a significant rise in bull harvest or trespassing issues. Educating hunters about private property boundaries in the area has helped address trespassing concerns.

Transfer of Permits to Veterans – Robin Cahoon 00:10:15 – 00:13:52

DWR has been working with CWMUs to accommodate David Gurr's petition. A provision in rule R6357-37-9(10) allows for donations of unused vouchers to 501(c)(3) organizations. The establishment of the Military Installation Permit Program will further enable the Division to address Gurr's request.

Exemption for Companion Hunters of Disabled Sportsmen – Kenny Johnson 00:13:54 – 00:16:33

After reviewing the issue from a legal, law enforcement, and licensing aspect, it is the Division's recommendation to keep the rule as is rather than pursue a statutory amendment to alleviate a negative social perception.

Update on Dedicated Hunter Projects – Bryan Christensen 00:16:35 – 00:19:23

Bryan provided an overview of dedicated hunter participants, their total contributed hours, and the various projects they completed.

4) DWR Update (Informational) 00:19:27 – 00:50:49 of 04:40:28

Greg Sheehan announced the passing of a previous board member, Dick Diamond.

Scofield Reservoir has witnessed tremendous fishing records this year. Various wildlife projects are taking place around the state. Greg invited the board and public to participate in the post-season deer count.

DWR will be facing some challenges with the closing of the federal hatchery program at Jones Hole.

UDOT has committed to revisiting highway fencing along Hwy 89 in Sanpete County. A highway deer mortality study and effectiveness of highway crossings report will be added to the January agenda, presented by Daniel Olson.

DWR representatives and sportsmen representatives attended a public hearing in Arizona on wolf delisting.

The Henry bison hunt was not severely impacted by weather. Twelve permits were surrendered and reallocated with the exception of four.

- 5) Bucks, Bulls & OIAL 2014 Season Dates and Application Timeline, amendments to Rule R657-5 and deer transplant sties (**Action**) **00:50:52 – 03:06:10 of 04:40:28**

Justin Shannon presented the recommendations for the 2014 Bucks, Bulls & OIAL Season Dates and Application Timeline, amendments to Rule R657-5 and deer transplant sites.

Board Questions 01:03:13 – 01:09:30

Mike King wanted to know the reasoning behind changing Antelope Island's hunt date. This was to accommodate traffic flow for hunters and visitors at the park.

John Bair asked if the Division surveyed the Nebo/Wasatch West units prior to making a recommendation to add Rocky Mountain bighorn sheep hunts to the area. The Division identified at least five rams during their survey and is recommending that this unit be a limited harvest area. The low density of rams in the unit did not warrant addressing the sportsman's or governor's tags. Other sheep units have an abundant population and provide better opportunities for harvesting bigger sheep.

Steve Dalton asked for clarification on the Division's recommendation for the Monroe unit. DWR would like to remove the any weapon hunt on the unit and only allow primitive weapons (muzzleloader, archery).

Steve Dalton and Calvin Crandall asked for the Division's justification on the Sanpete Valley extended archery hunt. By eliminating the bull elk hunt from the Sanpete Valley extended archery hunt, the Division can curtail the negative social perception of allowing archers into a limited entry unit after the close of the hunt. Cow elk hunts will continue to maintain pressure in the area.

Public Questions 01:09:37 – 01:12:12

Public questions were accepted at this time.

RAC Recommendations 01:12:33 – 01:18: 35

Northeast and Central RACs passed the 2014 season dates and application timeline recommendations unanimously. Southeast RAC passed the recommendation, with an exception to increase predator control. Northern RAC passed the recommendation 8-5, adding an amendment, which failed. Southern passed it with an added motion to keep the spike elk hunting on the Monroe as is.

Public Comments 01:18:40 – 01:48:23

Public comments were taken at this time.

Board Discussion 01:48:28 – 03:06:10

Justin Shannon revised the bull elk harvest on the Sanpete to 8-12/year and 4-8/year for cow elk. He explained there are three hunts: depredation permits, late season cow hunts (limited entry draw), and extended archery (over-the-counter). The Board delved further into the Sanpete Valley discussion – history and evolution, social factors, landowner concerns.

There was some discussion about whether or not the spike hunt on the Monroe unit was a temporary fix or a long term effort.

Jake Albrecht summarized the public's comments: Sanpete Valley extended archery hunt; possible action log item on mountain goats; predator control before transfer of mule deer; sportsman and governor tags on sheep unit; and landowner concerns on Monroe spike elk hunt. The Board tackled each issue individually.

02:10:11

The following motion was made by John Bair, seconded by Calvin Crandall and passed 5-1. Mike King voted against the motion.

MOTION: I move that the Central Mountain/Nebo/Wasatch West sheep unit be available to sportsman tag holders on even number years and available to governor tag holders on odd number years.

There was some concern about harvesting more than one animal in the same unit; however, all units face the same problem with sportsman or governor tag holders. Alternating these tags limit the take to two rather than three. Greg Sheehan cautioned the Board that there may be some confusion with conservation groups who market these tags.

02:15:51

The following motion was made by John Bair, seconded by Kirk Woodward and passed 5-1. Mike King opposed.

MOTION: I move that we add Ben Lowder's request to extend the goat hunt season to the action log and have the Division evaluate the hunt structure and report on their findings at the same time next year.

Ben Lowder requested extending the goat season date so goats can lengthen their hair and become more like trophy animals. Some Board members felt extending the goat season date would not adversely affect hunters' success rates. It could lower it because of weather conditions and access, but those factors are prevalent in any hunt.

02:22:32

The following motion was made by Steve Dalton, seconded by Bill Fenimore and passed 5-1. John Bair opposed.

MOTION: I move that we approve the Division's recommendation for primitive weapons only spike hunt on the Monroe unit.

Vance Mumford did a quick presentation on the Division's proposal to reduce spike harvest in the Monroe area. Several options were considered and reviewed. It is not the Division's intent to reduce the overall spike permit allocation statewide; the permits are sold from the same quota.

02:43:45

The following motion was made by John Bair, seconded by Calvin Crandall and passed unanimously.

MOTION: I move that any deer transplant include predator control as part of the planning process and be evaluated prior to the transplant.

02:54:00

The following motion was made by Calvin Crandall, seconded by Steve Dalton and passed 4-2. John Bair and Kirk Woodward opposed.

MOTION: I move that we keep the extended archery bull elk hunt in the Sanpete Valley.

There was some discourse over the Sanpete Valley hunt –mitigating depredation; generating extra income for landowners; baiting elk onto landowner properties; potentially setting bad precedence continuing with the program; negative social perception on over-the-counter permits in a limited entry unit.

03:05:07

The following motion was made by Calvin Crandall, seconded by Bill Fenimore and

passed unanimously.

MOTION: I move that we approve the remainder of the Bucks, Bulls and OIAL Season Dates and Application Timeline, Amendments to Rule R657-5 and deer transplant sites as presented by the division.

- 6) CWMU Management Plans and Permit Numbers for 2014 (**Action**) **03:06:43 – 03:25:55 of 04:40:28**

Scott McFarlane presented the 2014 CWMU Management Plans and Permit Numbers.

Board Questions 03:18:27 – 03:22:53

Jake Albrecht requested further explanation on the high pronghorn number, the Deseret permit allocation, and the outcome of cow elk tags retained by the CWMUs.

RAC Recommendations 03:23:08 – 03:24:49

All RACs voted unanimously to accept the CWMU management plans and permit numbers as presented.

Board Discussion 03:24:49 – 03:25:57

The following motion was made by Bill Fenimore, seconded by Kirk Woodward and passed unanimously.

MOTION: I move that we approve the CWMU Management Plans and Permit Numbers for 2014 as presented by the division.

- 7) Landowner Permit Numbers for 2014 (**Action**) **03:25:57 – 03:33:36 of 04:40:28**

Scott McFarlane presented the Landowner voucher recommendations for 2014.

RAC Recommendations 03:29:14 – 03:32:19

Southern, Southeast, and Northern RACs unanimously passed the 2014 voucher recommendations as presented. Central RAC passed it with one abstaining vote.

Northeast passed it 6-2 with the Diamond Mountain Landowner variance.

Board Discussion 03:32:20 – 03:33:36

The following motion was made by Mike King, seconded by Kirk Woodward and passed unanimously.

MOTION: I move that we approve the Landowner Permit Numbers for 2014 as presented by the Division with the inclusion of the Diamond Mountain variance.

- 8) Utah Hunter Mentoring Program (New Rule) (Action) 03:36:40 – 03:56:11 of 04:40:28

Greg Hansen presented the new Utah Hunter Mentoring Program rule.

Board Questions 03:42:41 – 03:48:55

The Board asked for clarification on the qualification and responsibility of the mentor, ownership of the permit, and qualifying minor. They also wanted to know if concerns about compensation and points were considered.

RAC Recommendations 03:49:05 – 03:51:18

Southern, Northern, Southeast, and Northern RACs unanimously passed the Utah Hunter Mentoring Program. Central RAC passed it 9-1. Northern RAC included a motion to explore pursuing legislative amendments to qualifying minors, residency requirements, and inconsistent language with DWR rule age definitions.

Public Comments 03:51:49 – 03:52:35

Public comments were taken at this time.

Board Discussion 03:52:36 – 03:53:09

The following motion was made by Kirk Woodward, seconded by Calvin Crandall and passed unanimously.

MOTION: I move that we approve the Utah Hunter Mentoring Program as presented by the Division.

Martin Bushman explained the thought process in crafting the program to better enable it to pass legislation.

- 9) Dedicated Hunter Rule Amendments (Action) 03:56:52 – 04:19:49 of 04:40:28

Bryan Christensen presented the Dedicated Hunter Rule Amendments.

Board/RAC Questions 04:07:10 – 04:13:39

The Board asked for details on service hour accountability and handling of poaching reward permits.

Wasatch Front limited archery is considered part of the general season hunt.

RAC Recommendations 04:14:11 – 04:18:03

All RACs unanimously passed the rule amendments. Southern and Northern RACs included stipulations in their motions.

Board Discussion 04:18:04 – 04:19:49

Kevin Bunnell explained the Southern RAC's concern about losing the ability to bank hours.

The following motion was made by John Bair, seconded by Bill Fenimore and passed unanimously.

MOTION: I move that we approve the Dedicated Hunter Rule Amendments as presented by the Division.

- 10) Oak Creek Rocky Mountain Bighorn Sheep Management Plan (**Action**)
04:19:52 – 04:32:53 of 04:40:28

Dustin Schiable presented the management plan for Oak Creek Rocky Mountain Bighorn Sheep.

Board Questions 04:23:26 – 04:29:10

Mike King, Bill Fenimore, and Calvin Crandall asked for clarification on sources for transplant, proximity to domestic grazing units, buffer zone concerns, and response to handling conflicts.

RAC Recommendations 04:29:30 – 04:31:08

Southern and Central RACs passed the Oak Creek Rocky Mountain Bighorn Sheep management plan.

Public Comments 04:31:10 – 04:32:01

Public comments were taken at this time.

The following motion was made by John Bair, seconded by Steve Dalton and passed unanimously.

MOTION: I move that we approve the Oak Creek Rocky Mountain Bighorn Sheep Management Plan as presented by the Division.

- 11) Other Business (**Contingent**) **04:32:54 – 04:40:28 of 04:40:28**

There was a discussion about Northern RAC's request to change the age restriction for applying for big game permits, which was brought about because of the mentoring program presentation. The Board agreed it was not necessary to pursue the request since the point of the program is to introduce and encourage young people to the sport.

Meeting adjourned.

**Regional Advisory Council Meeting
December 2013
Summary of Motions**

LICENSE AGENT PROCEDURES RULE AMENDMENTS R657-27

SRO, SERO, CRO, NRO:

MOTION: To accept License Agent Procedures Rule Amendments R657-27 as presented.

VOTE: Unanimous

AQUATIC INVASIVE SPECIES RULE AMENDMENTS R657-60

SRO, SERO, CRO, NRO:

MOTION: To accept Aquatic Invasive Species Rule Amendments R657-60 as presented.

VOTE: Unanimous

LANDOWNER PERMITS RULE AMENDMENTS R657-43

SRO, SERO, CRO, NRO:

MOTION: To accept the Landowner Permits Rule Amendments R657-43 as presented.

VOTE: Unanimous

COUGAR RULE AMENDMENTS R657-10

SRO: **MOTION:** To accept the Cougar Rule Amendments R657-10 as presented.

VOTE: Unanimous

SERO: **MOTION:** To reject the landowner depredation amendments as presented.

VOTE: Unanimous

MOTION: To accept the new definitions of cougar rule R657-10 as presented.

VOTE: Unanimous

CRO: **MOTION:** To accept the proposal as presented for private land with the additional provision that a permit can only be issued on public land within four weeks, before or after, of when sheep will be on an allotment.

VOTE: Passed 6 to 1

NRO: **MOTION:** To accept the Cougar Rule Amendments R657-10 as presented.
MOTION to AMEND: Subsection 4a. Depredation permits would be taken out of the sport take permits available

MOTION TO AMEND CARRIES: For: 6 Against: 4

MOTION TO AMEND: The Division will define numerous and chronic depredation in policy and the 4a. permit season would be one month before and after the documented chronic depredation.

MOTION TO AMEND FAILS: For: 5 Against: 6, Vote was a tie. RAC Chair voted in opposition.

MOTION CARRIES: For: 8 Against: 2

NERO failed to have a quorum of RAC members in attendance and therefore could not take any motions.

**Southern Regional Advisory Council Meeting
Beaver High School
Beaver, UT
December 10, 2013
7:00 p.m.**

1. REVIEW & ACCEPTANCE OF MINUTES AND AGENDA

MOTION: To accept minutes and agenda as written.

VOTE: Unanimous.

2. LICENSE AGENT PROCEDURES RULE AMENDMENTS R657-27

MOTION: To accept License Agent Procedures Rule Amendments R657-27 as presented.

VOTE: Unanimous

3. AQUATIC INVASIVE SPECIES RULE AMENDMENTS R657-60

MOTION: To accept Aquatic Invasive Species Rule Amendments R657-60 as presented.

VOTE: Unanimous

4. LANDOWNER PERMITS RULE AMENDMENTS R657-43

MOTION: To accept the Landowner Permits Rule Amendments R657-43 as presented.

VOTE: Unanimous

5. COUGAR RULE AMENDMENTS R657-10

MOTION: To accept the Cougar Rule Amendments R657-10 as presented.

VOTE: Unanimous

**Southern Regional Advisory Council Meeting
 Beaver High School
 Beaver, UT
 December 10, 2013
 7:00 p.m.**

RAC Members Present	DWR Personnel Present	Wildlife Board Present	RAC Members Not Present
Dave Black Rusty Aiken Brian Johnson Clair Woodbury Mike Staheli Mike Worthen Sean Kelly	Kevin Bunnell Teresa Griffin Lynn Chamberlain Stephanie Rainey Brent Farnsworth Kody Jones Jordan Nielson John Shivik Phil Gray	Steve Dalton	Dale Bagley (excused) Sam Carpenter (excused) Harry Barber (excused) Cordell Pearson (excused) Mack Morrell Layne Torgerson

Dave Black called the meeting to order at 7:09 p.m. There was approximately 1 interested party in attendance in addition to RAC members, members of the Wildlife Board, and Division employees.

Dave Black: Okay, I guess we're going to get started. Since we don't have anybody in the audience, everybody knows each other, we're going to skip the introductions. We're also going to skip the first action item until we get a quorum; so we won't approve the agenda or the minutes until we get one more person, but, we will start with the informational items and hopefully we get one more board, or committee member here. So, actually Kevin's is going to do the board update this time since I wasn't able to get my flight to Salt Lake, so he'll give us an update.

**Wildlife Board Update:
 -David Black, Chairman**

Kevin Bunnell: Okay. Um, the board pretty well supported um, everything that came out of this council expect for two things. On the dedicated hunter hours, you know, with how they're going to do hours for the dedicated hunters, the, our council voted to allow for a banking provision to start in January and go

through when they are notified of the permits. The Board opted to go with the, to just go with the Division's recommendation instead of allow for banking, because it will accomplish the same thing but there may be a one year delay in that. But I did get a promise from our dedicated hunter folks in Salt Lake that they will, you know, any of those spring projects here in the Southern Region, that they will advertise the heck out of them and they guaranteed me personally that they would make sure that the sportsman's organizations in the Southern Region that have activities going on during that time period where it's, where people are kind of in limbo on dedicated hunters, that they would make sure that they get, that we get the help that we need. So, um, so let's hold them to it I guess is what I would, you know, uh Dave, with your fishing derby and that kind of stuff. Um, let's held them to their word on that. So, the other thing that took probably the majority of the time at the Board meeting, also the majority of the time at our RAC meeting was the Monroe Mountain recommendation, and what we do with the spike hunt on the Monroe Mountain. Similar to down here, that was, that took a lot of time at the Board meeting. The Board in the end did opt to go with the Division's recommendation so there will be no rifle spike hunt on the Monroe for the next two years. Now it will just be for the next two years, or possibly things could change in two years because that's when the elk management plan, the statewide elk plan will be revised and I know they'll take a hard look at the spike hunt, especially relative to age objectives and what that mean on the backside. So other than that, you know, it was pretty straightforward. But I'd be glad to answer any questions if I can on those two items.

Brian Johnson: I have a question on another item. Did they discuss uh, mountain goat hunting later in the season at all?

Kevin Bunnell: They did, and I think they did an action log item on that, Brian. The archery, I can't remember his name right now, Ben Louder brought that up. And I think they took it serious and they, I believe uh, Teresa or Steve, do you remember, wasn't there an action log item on having the once in a lifetime hunts go later? So, so I think that will be looked at serious. And I think it's got some validity. Any other questions? Okay. Do you want me to just roll into the regional update Dave?

Dave Black: Yes, please.

Regional Update:

-Kevin Bunnell, Southern Regional Supervisor

Kevin Bunnell: Um, as far as a, I'll run through each of our sections and just give you a flavor of what's going on with our wildlife section.

- Um, obviously right now they're right in the middle of deer classifications which - - - There's our quorum, just walked in. Thanks Sean. They're right in the middle of deer classifications. And as you know those have always been very important but they're especially important now because of the, you know, with the new, with having each unit managed as a unit, you know, the buck to doe ratios become even more important. And so we put a lot of time and effort into making sure that we get that right. And I will throw it out that if anybody is interested in riding along with one of our biologists or conservation officers while they're doing deer classification I would be more than happy to facilitate that. When I say I would I mean Teresa would be very happy to facilitate that.

- We've got a lot of transplants and capture projects coming up. It's going to be a really busy in January but also, you know, exciting. We've got bighorn sheep that we'll be bringing from the Newfoundland Mountains, and Antelope Island down to the Oak Creeks. Last I heard that may be as many as 70 sheep that are coming which will give that, you know, the population on the Oak Creeks a jump-start. But really, as we mentioned before the, that project's more about protecting Antelope Island and the Newfoundland from getting too high a density and having disease problems, is really the emphasis there, even more so than creating a new population. But obviously we're excited to see what we can do with sheep on the Oak Creeks. We'll also be capturing sheep on the Zion unit and moving most of those over to the Southeastern Region, Teresa? To the Pine Valley, or not the Pine Valley, the um, the Abajo unit, is that correct? Okay, so if you didn't hear that, so some to the Southeastern Region, some to the just moving them within the Zion unit, and some potentially to the north end of the Pine Valley unit. We'll also have capture projects going on on the Parowan Front to continue the translocation study. We'll be collaring deer on the Pine Valley, on the Monroe, and just collaring them and to, for the survival data that we get from that. And then we will also be conducting another deer translocation with deer from Antelope Island to the Oak Creeks. And so it's going to be really busy for our wildlife section over the next several months. Lastly, within the wildlife section a few months ago this council took a vote and requesting an update on the cougar research, if you remember? John has been working on that and probably in February we will hold some open houses around the state specifically to try to get that information out. We've, we're thinking we'll probably go with open houses rather than a, than doing it during a RAC meeting simply because there's 17 years of research and to try to summarize that in 15 minutes, which is kind of what you would get in a RAC meeting, probably wouldn't do it justice and so we're thinking, you know, a little more lenient time frame and we'll certainly get that advertised and let everybody know when and where it's going to be so that we can - - - And it will probably be a 45 minutes presentation from the researchers and plenty of time for questions and answers and that sort of thing. Anything you want to add to that John? Okay.
- Um, from our aquatics section the one thing that Richard wanted me to mention, and he was out sampling this morning, is that the ice is on all of the reservoirs except for Fishlake. He was out on Panguitch Lake this morning and he said three of them caught 30 fish in a couple of hours through the ice at Panguitch Lake. And that's, you know, pretty typical. Typically fishing is really good when the ice first comes on. So now is the time to get out and do that if you're, if you'd like.
- Our habitat section is still working hard on all the projects that they're doing. Fall and early winter are really busy for them.
- Our law enforcement section, most of you are probably aware, you know, we've got a very big effort going to try to find out and prosecute who ever it was that killed the great big, poached the great big buck there south of Cedar City. Last I heard the face book page that's associated with that has had over 100,000 hits in the last 10 days. You know, I just hope that, I'm sure

somebody out there knows something, and there's a fairly large reward, at least \$8,000.00 that I know of. I've heard that there may be some additional outside funding for rewards and we may be pushing \$15,000.00 to \$20,000.00 in reward money for information on that. And so, you know, I just hope, as I'm sure the rest of you do, that we find out who did that and we take care of it. Um, there's another fairly significant poaching incident that took place on the Fishlake with a trophy bull and we've also put out a lot of media on that to try to, um, to get some tips and hopefully take care of that one as well. I will say on that buck there south of Cedar that we have had a fair number of tips come in that our guys are following up on. I don't have any idea if any of them have much credibility to them or not, but certainly they're following up on any leads that they get. And then in addition to that, you know and it's along the same thing, our law enforcement guys are doing the winter range patrols. Have you started winter range patrols already or are they coming? So, and that's specifically to try to stay on top of anybody that may be taking advantage of deer this time of year when they're vulnerable.

- From our administrative services we've got the St. George Bird Festival coming up in the end of January. Maybe I'll just give Lynn a minute to talk about that if you would. Just dates and times and what people might expect.

Lynn Chamberlain: Actually I've got 3 events that we can cover really quickly, if that's okay.

Kevin Bunnell: Yeah, please do.

Lynn Chamberlain: That being one of them, and that's the outreach section, not the administrative services.

Kevin Bunnell: Oh, sorry. You're right.

Lynn Chamberlain: Uh, yeah, January 23rd, 24th, and 25th, the St. George Winter Bird Festival. We have several hundred people come down to St. George from the Wasatch Front and areas around the state, and Nevada as well, to come down and go on field trips and attend workshops and whatnot on bird watching in the St. George area. It is a great place for winter birds; it's south for a lot of species, so they're down there to enjoy what used to be really nice weather until lately. Anyway, that's the 23rd, 24th, and 25th of January. Then February 8th is bald eagle day. Uh, the location on that is either going to be Cedar Valley, but it's probably going to Kannaraville. I'm going to try and hold it in Kannaraville this year so that we can attract people from St. George and Cedar City as well to come to a more central location. Also, we have an ice fishing clinic going on at Fishlake on the 8th, the same day as bald eagle day.

Kevin Bunnell: Oh thank you. I'd forgotten about that one.

Lynn Chamberlain: And that will be taking place up there and Richard Hepworth will probably be involved with, well he will be involved with that as well.

Kevin Bunnell: And that one, that's a joint thing between the Division and SFW is helping to host that as well. We're hoping it to be a good event.

Lynn Chamberlain: Great, right. And then the 21st and 22nd of February is the snow goose festival in Delta. Last year we had, the first time we've had any kind of a challenge getting birds at all. We're hoping to have a contingent of 20 to 25,000 of them there in town again this year like we normally have. So those things are coming; yeah the 21st and 22nd of February.

Kevin Bunnell: Thank you Lynn.

- And then lastly, with admin. Services, the one thing that's going on is the turkey application period is open. Um, anything else Steph that's? Everybody's waiting, and that, obviously that application period will open toward the end of January and things will get really busy. So, you know one item of note that Greg covered at the Board meeting, in his Division update, you know, Utah continues to kind of buck the trend against all the other western states in terms of the strength of our permits and people applying for the draw. And just as another demonstration of that the sportsman's permits that just happened, applications were up 20% again for that this year. So, you know I think that's a credit to this process and the product that it puts on the ground as well as a credit to the people that work for the Division and work hard to make sure that we do put a good product on the ground. So, um, and you know and that's not the case in the other western states; they're struggling mightily to get interest in their product and in the hunting that's happening; and we're just not seeing it. So that's good for us. I think that's it unless anybody has any questions.

Mike Worthen: Yeah Kevin, what's happening on the Navajo Lake dike? Is that going to go forward this year or is it still a problem?

Kevin Bunnell: No that's a, that's a, we're looking at 2015 for that. And we've been looking, that's kind of been the date from the beginning. We are, we'll continue to work closely with, um, not only Kane County, but also there's a large interest with Iron County because that's where most of the people that use Navajo come from. We're in the process of raising money; it's about a 3 million dollar project to replace that dike. We're also talking about putting a new boat ramp in and so we're working with federal aid and everything on that. But our target date would be the summer of 2015 to do that project. Any other questions? All right, thank you.

Review and Acceptance of Agenda and Minutes (action)

Dave Black: Thank you Kevin. Let's move back up to item number 2. We need to approve the agenda and the minutes. Do we have a motion to do so? Rusty?

Rusty Aiken: I'll make a motion to approve the minutes and the agenda.

Dave Black: Okay, we have a motion to do that. Do we have a second? We have a second from Mike. All those in favor? Okay, that's unanimous.

Rusty Aiken made the motion to accept the agenda and minutes as presented. Mike Worthen seconded. Motion carried unanimously.

Dave Black: Okay, now we can move down to item number 5, which is an action item, license agent procedure rule amendment; and Phil Gray will present that to us.

License Agent Procedures Rule Amendments R657-27 (action) 17:23 to 22:57 of 59:19

-Phil Gray, Business Analyst

(see attachment 1)

Questions from the RAC:

David Black: Thank you. Do we have any questions from the RAC? Any questions from the public? Bryce, you're the only public one here. Okay, Rusty.

Rusty Aiken: So have you contacted a lot of the agencies and they're pretty savvy with the stuff, especially the small ma pa stuff?

Phil Gray: Yep, we haven't had any pushback on it at all. Like I said, the really only big pushback on this initially when I took this position was Wal-Mart didn't want their employees getting anywhere on the Internet other than the license sale site and walmart.com. And I've worked that out with them. They can get to any page on wildlife now.

Questions from the public:

None

Comments from the public:

None

RAC discussion and vote:

Dave Black: Okay. I don't have any comment cards. Do we have any comments from the RAC? If now we're . . .

Kevin Bunnell: Let me make one comment that's related to this. Phil mentioned that there's a portion of the sale that goes to the license agent. Our admin services group has been successful with some of the larger retail outlets that do this in getting them to donate that portion back to the Division and we use it for a variety of things; and I think they're working pretty diligently with some of the others so.

Phil Gray: For example, on that, three out of every four licenses in the state of Utah goes through a Wal-Mart, and Wal-Mart doesn't keep any of their remuneration; it all comes back to the Division; so that 10 percent that they should be keeping comes right back to the state.

Kevin Bunnell: And we use that for youth hunts and all sorts of things don't we.

Phil Gray: Yep. Mostly outreach projects and stuff like that.

Kevin Bunnell: I just thought that would be something you'd be interested in knowing.

Dave Black: That's good information Kevin, thank you. Okay, I think we're ready to entertain a motion. Rusty.

Rusty Aiken: I'll make a motion to accept the plan as read, which the Division presented.

Dave Black: Okay. Do we have a second? Okay, we have a second. That was by Sean. Okay. Do we have any discussion? All those in favor? Okay, that's unanimous.

Rusty Aiken made the motion to accept License Agent Procedures Rule Amendments R657-27. Sean Kelly seconded. Motion carried unanimously.

Dave Black: We'll move onto the next action item, which is number 6, and that's the aquatic invasive species rule. And Jordan Nielson is going to present that to us.

Aquatic Invasive Species Rule Amendments R657-60 (action) 25:47 to 34:49 of 59:19
-Jordan Nielson, AIS Coordinator
(See attachment 1)

Questions from the RAC:

David Black: Thank you. Do we have any questions from the RAC?

Brian Johnson: I just have a question cause I am kind of dumb when it comes to these mussels. So when a lake gets them and you test positive once, I mean and you go back and test and they're not there, so what happens to them? Do they, I know that they are bad and they're not good, but how did the lake get, did they just not take in the lake or what generally happens there?

Jordan Nielson: Right, there's enough boat traffic in Utah from water bodies that are infested with mussels that I'm fairly confident in saying that every single water body that can receive a boat in Utah has had some kind of contact with mussels, um, most likely in the larval form, the small veligers. Now those veligers, their survival rate is extremely low, a fraction of a percent. One female can produce up to 1 million veligers in a year and the survival rate is extremely small. So if we go and sample at a reservoir and find a veliger it doesn't necessarily mean that there's an adult there reproducing. It could have come from a boat, ballast water, a fishing livewell, and we could have just been luck and found it. But if we do find that, it makes us hyperaware to anything that might be going on there to make sure that we don't have an infestation.

Dave Black: Kevin.

Kevin Bunnell: Question just on your declassification. What if you went from, you know if we take Lake Powell, we've got Quagga mussels there. If we went five years without finding Quaggas, and I don't know how we'd ever get there, I hope we figure out a way, but then you find a zebra mussel on your sixth, does it keep the infested or does it change to another classification?

Jordan Nielson: It would retain the infested classification.

Kevin Bunnell: Even if you switch species?

Jordan Nielson: Um, that's a good question. I haven't really thought about switching species. I suppose that we would retain a classification as infested for Quagga mussels specific to a species and then it would be suspect water for zebra mussels.

Kevin Bunnell: Okay, I guess that was my question, would the time reset for the Quagga mussel infestation?

Jordan Nielson: It wouldn't for Quagga mussels but I would imagine that if we had zebra mussels that if we found a zebra mussel there would be more and uh, we would be out sampling more to figure that out.

Kevin Bunnell: I don't even know the difference between the two but I know there are two different kinds.

Jordan Nielson: Yeah, Quagga mussels are slightly bigger and a lot more aggressive; it can live in deeper water. Otherwise they are very closely related and very similar.

Kevin Bunnell: All right, thank you.

Dave Black: Any additional questions?

Questions from the public:

Dave Black: Questions from the public?

None

Comments from the public:

Dave Black: Comments from the public? I have no cards.

None

RAC Discussion and Vote:

Dave Black: Comments from the RAC? Okay, we're ready to entertain a motion. Brian, oh Mike. Go ahead Mike.

Mike Worthen: I'll move that we accept the modifications to Rule R657-60, the Aquatics Invasive Species interdiction.

Dave Black: Okay, do we have a second? Another Mike. Okay, we have a motion and a second to approve this rule. Any comments? All those in favor? It is unanimous.

Mike Worthen made the motion to accept Aquatic Invasive Species Rule Amendments R657-60 as presented. Mike Staheli seconded. Motion carried unanimously.

Dave Black: Okay, we'll move onto our next action item, which is the landowner permits rule, and that will be by Teresa.

Landowner Permits Rule Amendments R657-43 (action) 38:33 to 39:22 of 59:19
-Teresa Griffin, Wildlife Program Manager
(See attachment 1)

Questions from the RAC:

Dave Black: Wow, that's the shortest one on record. Okay, do we have any questions from the RAC?

Rusty Aiken: (Off mic)?

Teresa Griffin: We have to do them annually right now.

Dave Black: I have a question on where that, the picture of that buck was taken.

Teresa Griffin: I do not know. Maybe somewhere near Morgan.

Kevin Bunnell: I would venture to guess it was Morgan County because Scott put this together.

Dave Black: Any addition questions? Any comments?

Questions from the public:

None

Comments from the public:

None

RAC discussion and vote:

Dave Black: Okay, we're ready to entertain a motion. Brian.

Brian Johnson: I make a motion that we pass the rule amendment R657-43 as presented.

Dave Black: Thank you. Do we have a second to that motion? Okay, Clair. We have a second. So we have a motion and a second to pass this rule. Any comments? Okay, all those in favor? It is unanimous.

Brian Johnson made the motion to accept Landowner Permits Rule Amendments R657-43 as presented. Clair Woodbury seconded. Motion carried unanimously.

Dave Black: Great. And we'll move onto our next action item, which is the cougar rule. And John is going to present that to us.

Cougar Rule Amendments R657-10 (action) 41:10 to 47:02 of 59:19

-John Shivik, Mammals Coordinator

(See attachment 1)

Questions from the RAC:

David Black: Okay, thank you. Do we have any questions from the RAC?

Rusty Aiken: So, if you have an allotment and they are chasing a cougar in pursuit and it goes off of the allotment, can they continue to pursue it?

John Shivik: We've discussed that quite a bit, I think we've settled on yes they have to be on the allotment. It ought to be clear that they've started that process on the land. As we know these things can go a ways. So um, they would still be able to take it but there would be some reasonable distance and really, really they'd have to prove that they started it on the land that they were in for.

Mike Worthen: Yeah, John, what does that, I think you defined this but the definition of ongoing depredation, is that within the year or within two years or?

John Shivik: That's something that is in this rule that isn't addressed. The way the rule's actually written it says chronic or numerous. And we're leaving that either for input from the RACs and Board to define it more narrowly. But right now we're leaving that, you know, we're not trying to paint ourselves into a corner because some of the discussions kind of come up as, you know, how many is numerous as how many is chronic. And if you've only got 20 sheep out there and you killed, two are killed then that's a huge impact versus killing two on a bigger operation; it's still an impact but it's less. So in that, most all of these operations and all the producers, all the situations are different; we left it this way to give us a little more discretionary authority to help people out if it looks like this will help them out.

Mike Worthen: Now, you have mentioned that you left it so the, maybe for discussion with the RAC, is that what you want is discussion with the RAC on this to develop the definition for an ongoing problem or?

John Shivik: I guess I look at this process, this is the public process and this is the time to have input onto that. So this question's come up. A lot of these are for the unclear things that have come up in the RACs that I've done so far. And they've discussed it and have more or less gone with what we've, with little tweaks with what we've presented. But it's promoted some pretty good discussions (recording error, recording garbled) that's saying something as well.

Dave Black: Okay, Sean.

Sean Kelly: Any cats killed on these tags, are they going to be counted against the harvest objective for

that unit?

John Shivik: The way we are going at it right now they would be, if it's done on say a split unit they would be more limited entry, they would be counted towards the permits there. And that's something the Northern Region, I guess the Northern Region attached that as an amendment asking that we count these towards the quota. They will be counted.

Dave Black: Brian can you repeat that in the microphone?

Sean Kelly: Okay, I'll do this for real this time. Do you have any estimates of how many of these permits may be issued in a year, Southern Region, rough guess?

John Shivik: I'm thinking very few. My guess is, you know, statewide, 5, 10. Maybe somebody, you know, by this door opening it might change things but I don't think it would, I don't think this will be a huge impact biologically.

Dave Black: Brian, could you repeat your question?

Brian Johnson: My question was just clarifying that they do count on the quota in the unit.

John Shivik: Yeah. Yes, to clarify again, that detail is not in the rule but we expect to, any cougars taken out with these permits would be counted against the quota for that area or unit.

Dave Black: Okay, Mike.

Mike Staheli: My question is who determines if this is a depredation problem? Does the livestock owner, does the landowner, or does the Division, the state? Who makes that determination?

John Shivik: We would rely heavily on Wildlife Services to, that would be our third party that says, yes this was cougar depredation and these were three cougar depredations, and then start from there.

Dave Black: Kevin.

Kevin Bunnell: Yeah John, just noticing the language that I hadn't noticed before. You said that the Division will specify the method of take. Does that open it up to private trapping in some instances?

John Shivik: We would right, woo, yeah, I, well - - - Certainly, I'm trying to think if we've got conflicting with trapping for cougars. I forget how it's written in the cougar rule. Um ...

Kevin Bunnell: Probably just something to clarify with Marty maybe as you go forward.

John Shivik: Because we can already, yeah we might be able to. Which would be, which would be . . . Yeah, I'm not sure exactly but I think we'd be able to allow it but I'm not exactly sure. I'd have to double check.

Dave Black: Okay, I have a quick question, just for the RAC. Did everybody receive a letter from the Utah Houndsman, in your e-mails? Okay. Instead of reading this letter into the minutes I just, I'd leave

this up to you guys at your discretion if you want to incorporate any comments here in ways of a question or a comment. Or we don't have to address it at all. (Attachment 2 – letter from Utah Houndsman. This was not read during the minutes).

Dave Black: Mike, do you have a question?

Mike Worthen: I just had one other question regarding what Kevin brought up about trapping. If you do trap I would imagine you're going to write in the size of trap that they, trappers need to use or the size of snare?

John Shivik: I think that's excellent advice.

Mike Worthen: Before they let them loose.

John Shivik: Right, I think that's excellent. I think there's some, a lot of this is in that the level of detail and getting a precise good boundary for what the boundary is. and what weapons, or what devices we can use. That's excellent.

Dave Black: Okay, any additional questions?

Questions from the Public:

Dave Black: Do we have any questions from the public?

None

Comments from the Public:

None

RAC discussion and vote:

Dave Black: Do we have any comments from the RAC? Okay, I guess we're ready to entertain a motion. Okay, Clair.

Clair Woodbury: I move that we accept as presented, the cougar rule amendment R657-10.

Dave Black: Okay, do we have a second? We have a second from Brian. Do we have any discussion on this motion? Okay. All those in favor? It is unanimous.

Clair Woodbury made the motion to accept the Cougar Rule Amendments R657-10 as presented. Brian Johnson seconded. Motion carried unanimously.

Other Business

David Black: Okay the last item on the agenda is the other business. And the other business includes looking at the agenda, or the schedule of RAC meetings for next year. And so everybody should have it in front of you and so we would have the ability to discuss the dates and also the locations of these meetings.

Kevin Bunnell: Dates are a little more difficult to change. And so unless there's a huge conflict let's try to stick to location because there's a lot that, it adjusts lots of other things in other parts of the state if we start messing with dates.

Brian Johnson: Does sound fun though.

Dave Black: Mike.

Mike Staheli: What about the items on the agenda? You know some of our meetings are really loaded, other meetings like this one aren't. Can't we move some of the items to a different time?

Dave Black: I'll let Kevin address that. I think they try to do that but certain things come in in a certain order.

Kevin Bunnell: Yeah, the order of the RAC meetings really has to do with, it's really tied to the application period and the draw process, and when we get data. So like the big game, the permit recommendations um, have to be in April because we've got to add those numbers to the contractor but we can't have them earlier than that because the data on all of our classifications and our population estimates and all that stuff that goes in to us determining how many permits we don't have before that. And so it's pretty, we do recognize as a Division and we have for years that there are some meetings that are very long but I'll remind ya that, and some of you may not be aware, we used to have the antlerless permit numbers set separately from the bucks and bulls. And there was a, they're pretty intimately tied and people wanted to understand how the two went together and so it was about two or three years ago we combined those and that made for a really long meeting but it also cancelled a meeting which is why we now have January, February, and March without any RAC meetings. So there's certainly a tradeoff there but we do recognize that with, you know, condensing and having fewer RAC meetings, um, you know it's fewer meetings but they are, they certainly can be lengthy meetings.

Dave Black: Well I remember when we did the fishing guide recommendations, it seemed like there wasn't, correct me if I'm wrong, it seemed like there wasn't a lot of comments, or it wasn't a very long meeting but we drove clear to Richfield to go through that. Maybe that's, but again, I'm from St. George and so maybe, I don't know, there's some comments there that you know we might think about. The other thing is there's you know some critical meetings, the big game permit numbers and some of these that are highly attended, it doesn't make sense, it seemed like last year we did that one in Richfield. You know, I just throw these things out for you guys to think about and comment if we want to make any suggestions or, especially on the location. It seems like that's our biggest ability to comment on.

Kevin Bunnell: I would point out so that the April RAC that's currently scheduled to be in Beaver is also been scheduled at 5 o'clock instead of 7 o'clock. So just be aware of that. And then I think the November meeting is at a different time at 6 o'clock because those are the two meetings that tend to be longer than the others. If you want to change anything you probably ought to do it in the form of a

motion, but if you like it the way it is . . .Or, you know, there probably ought to be a motion to just accept it as laid out, either way that way it is covered.

Rusty Aiken: I'll make a motion to accept the annual agenda for the Southern Region RAC meetings as presented.

Dave Black: Okay. We have a motion. Do we have a motion? Sean has a second. Do we have any discussion on the motion? Okay, all those in favor? It's unanimous. That was easy.

Rusty Aiken made a motion to accept the 2014 RAC locations as presented. Sean Kelly seconded. Motion carried unanimously.

Dave Black: Okay, we'll adjourn.

Meeting adjourned at 8:06 p.m.

**Southeast Region Advisory Council
John Wesley Powell Museum
1765 E. Main
Green River, Utah
December 11, 2013**

Motion Summary

Approval of minutes and agenda

MOTION: To accept the agenda as written

Passed unanimously

R-657-27 License Agent Procedures Rule Amendments

MOTION: To accept the License Agent Procedures Rule Amendments as presented.

Passed unanimously

R-657-60 Aquatic Invasive Species Rule Amendments

MOTION: To accept Aquatic Invasive Species Rule Amendments as presented.

Passed unanimously

R-657-43 Landowner Permits Rule Amendments

MOTION: To accept Landowner Permits Rule Amendments as presented.

Passed unanimously

R-657-10 Cougar Rule Amendments

MOTION: To reject livestock depredation amendments to the cougar rule as presented. Passed unanimously

R-657-10 Cougar Rule Amendments

MOTION: To accept the new definitions of the cougar rule R657-10 as presented.

Passed unanimously

**Southeast Region Advisory Council
John Wesley Powell Museum
1765 E. Main
Green River, Utah**

December 11, 2013 6:30 p.m.

Members Present

Members Absent

Kevin Albrecht, Chairman, USFS

Trisha Hedin, Sportsperson

Seth Allred, At Large

**Sue Bellagamba, Environmental
Blair Eastman, Agriculture**

Jeff Horrocks, Elected Official

**Wayne Hoskisson, Environmental
Todd Huntington, At Large & Vice Chair
Karl Ivory, BLM representative
Derris Jones, Sportsmen
Darrel Mecham, Sportsmen
Christine Micoz, At Large**

Charlie Tracy, Agriculture

Chris Wood, Regional Supervisor

Others Present

Dr. Mike King

1) Welcome, RAC introductions and RAC Procedure

-Kevin Albrecht, Chairman

I would like to welcome everybody out, appreciate everybody braving the elements to get here and with this cold weather. Let's start here with the approval of the agenda and the minutes. Everyone have a chance to go over both?

Wayne Hoskisson- Do you want to do both at once?

Kevin Albrecht- Ok.

Wayne Hoskisson- I move to approve the agenda and the minutes.

Kevin Albrecht-Motion by Wayne to accept both the agenda and the minutes. Seconded by Darrell Mecham. All in favor? Passed unanimous.

2) **Approval of the Agenda and Minutes (Action)**
-Kevin Albrecht, Chairman

VOTING

Motion was made by Wayne Hoskisson to approve the agenda as printed
Seconded by Darrel Mecham
Motion passed unanimously

3) **Wildlife Board Meeting Update**
-by Chris Wood

Ok, we had our Wildlife Board meeting last week. We will do the easy ones first. So, most of the items passed unanimously. They approved and accepted the Division's proposal unanimously. Those included the Dedicated Hunter rule amendment. The Board had a lot of the same questions our RAC had. But it was approved unanimously. The Utah Hunter Mentoring Program which is our new rule passed unanimously. The Landowner Permit Numbers for 2014 also passed unanimously as did the CWMU Management Plans and Permit Numbers for 2014. All of those things passed unanimously. The majority of the meeting was spent discussing different components of the Bucks, Bulls and the Once in a Lifetime season dates and applications and amendments to the rule and the deer transplant. On that one agenda item they actually broke it up into six different motions. Let me just discuss basically what happened there. It was interesting to see, depending on what region you are in, can generate a lot of discussion. So in our RAC some things weren't a discussion item at all, but at other RACs, they were a big discussion item and a big discussion item to the Board. An example of that would be, there was a lot of discussion on the Sanpete Valley extended archery elk hunt. It is basically an extended archery hunt where mature bull elk are coming off a limited entry area and there is a hunt that is on basically private lands adjacent to this limited entry area where the private and the agricultural land owners are able to sell trespass rights and fees and to allow hunters to go in and take some of these larger mature bulls. It was our Division's recommendation to eliminate the bull aspect of that hunt. There was quite a bit of discussion on the Board and among the Division and among the private landowners that were there, particularly the agricultural representatives that were there. They wanted to see that hunt continue. After a lot of discussion the Board ended up voting to continue that hunt. So they went against the Division's recommendation and it was a vote 4:2. So that will continue. The Board also approved to open up the bighorn sheep hunt in the Central Mountains/Nebo/Wasatch west unit. It looks like that herd is big enough to allow hunting now. We don't know what the

numbers will be in that unit, either 1 or 2 permits. The discussion there was whether the sportsman tag or the governor's tag should be allowed to hunt that brand new unit. They were worried that by allowing both the sportsman tag and perhaps the governor tag plus the one or two tags that people will draw out. You could have three or four rams being taken in that unit. So after a lot of discussion, the Board passed it 5:1. This is what they came up with, on the even number years, it will be open to the sportsman tag to hunt in that unit and on the odd number years the governor's tag can hunt in that unit, so every year the drawing winner will be able to hunt that unit. So that kind of reduces some of the fear that that unit might be over hunted the first few years as that unit is still trying to build. There was a motion regarding the mule deer transplant there. At our RAC last month there was concern and a motion that carried to encourage or to have predator control before there was a mule deer transplant. The Board agreed with that philosophy from what I could understand. The sportsmen groups also backed it. In the end there was concern though that they didn't want to make us do or make the division do predator control on every single transplant. Some transplants will be quite large, but some transplants might just be three or four deer from a golf course to another unit. If it was on a small scale like that. The Board thought that we didn't necessarily need to do the predator control. It might not be warranted and it might get in the way of the actual transplants, so what they passed 6:0 was they said predator control will be evaluated on every transplant and when warranted, predator control will be done. There was quite a bit of discussion on the Monroe, where the Division was recommending that we eliminate the any legal weapon spike elk hunting component on the Monroe and just have it primitive weapons only. Again there was quite a bit of discussion there. In the end, the Board voted 5:1 to accept the Division's proposal. So the Any Legal Weapon spike elk hunt will be eliminated until the state wide elk plan is redone and approved. And in the statewide elk plan they will address that issue again. And then finally one of the audience members I think was from the Bowmens' Association I believe brought up an idea that the Board consider regarding mountain goats and prolonging the season of the mountain goat. It is from my understanding that what makes mountain goats trophy or more desirable is the longer the hair the better. And so he pointed out that our season dates are sometimes earlier than a lot of our adjacent states that have mountain goats and he wanted to see hunters have the option of hunting later to allow the hair to grow longer. The Board ended up making this an action log item that means the Division needs to look at this idea and bring it back to the Board in a year from now. And that is all I have got. Dr. King does that sound right?

Mike King- Yes.

Chris Wood-Ok.

Questions from the RAC

Derris Jones- Was there much discussion on splitting the Book Cliffs by the board?

Chris Wood- yes, but there was more discussion here. I can't remember how that went.

Do you remember Dr. King? Splitting of the Book Cliffs.

Mike King- There really wasn't hardly any discussion at all.

Questions from the Public

No questions

Comments from the Public

No comments

RAC Discussion

No Discussion

4) Regional Update

-Chris Wood, Regional Supervisor

We have had some big fish caught the last month or so up at Scofield. You can see the pictures up here. There was a time before the ice started freezing, when it was a really good time to fish. Of course now we are into our ice fishing part of the year. This time of year as an agency we are slowing down just a little bit as this is the time of year that we are writing or analyzing our data. We are writing our reports and we are writing proposals for what we are going to do for the upcoming year. Our Outreach section has been very busy we had a turkey shoot in Green River on the 16th. We had over 25 people show up and it was a great time. We have had a very successful mule deer watch as well we had 21 participants. We capped it off at that number. It was a pretty high demand. There was a big group of both sportsmen and wildlife viewers and photographers. A lot of them came from the Wasatch Front but they all met at Nash Wash and Brent gave them a tour and they had a good time seeing the big bucks. I think there was almost 200 deer that day. Our bighorn sheep watch happened last Saturday. It wasn't as good as it has been in the last few years. Well, it didn't happen at all actually. The sheep are up high this time of year. Higher than they are normally. They are usually along the Green River, but because of the summer rains and the green forge we have up on higher elevations they haven't come down yet. So a lot of the bighorn sheep are high. We knew that a week or two prior to the actual watch, and tried to get that word out that people might not see a whole lot of sheep. But we had seven people show up last Saturday anyway. It ended up being a really foggy and snowy day. So we met here and sent everybody home. Hopefully next year it will be better. It has been great in years past, so I am sure it will be. Brent will be busy the next few months working with schools, talking about wildlife careers and wildlife programs and wildlife in Utah. The Habitat section has been doing restoration projects all summer and all fall. We are wrapping up our projects now. Daniel Eddington was our restoration biologist for the last six and a half years here in the SERO. He is now our habitat manager. Nicole Nielsen was our oil and gas biologist the last four years and she is our restoration biologist. So there has been a little bit of change in personnel, but they will continue to do great things. Nicole has done a great job the last four years working with oil and gas companies to implement habitat restoration projects around oil and gas developments. She has a lot of experience in restoration and she will jump into where Daniel has left off and continue to do great restoration projects in our region. Law enforcement officers have been busy patrolling the winter range and checking traps. We have some exciting news, Ben Stearns used to work in Emery County, but a little over a year ago he left the state to pursue some other professional goals. He decided that he

really liked being a CO so he is back into Utah. Surprisingly, he wanted to go live in Bullfrog, which is a vacant position that we had down there. This is a really hard place to fill, because it is kind of remote and sometimes wives don't want to live down there. So he and his family are willing to go to Bullfrog and he chose Bullfrog over a few different places. So he is excited about living in Bullfrog and of course that includes the Henry Mountains as well. So we are excited to have Ben Stearns back. The Wildlife Section has been busy. They are flying in the helicopter, looking for bighorn sheep and doing bighorn sheep surveys. We do our deer classifications this month and the Board approved Elk Ridge to be a transplant unit, so hopefully we will have deer transplanted to the Elk Ridge area. One thing that I should let the RAC aware of is that a few days after our last RAC meeting, we had an issue with bighorn sheep near our Nash Wash WMA. The bighorn sheep we didn't think would move that far east. I think they were seven to nine miles away from where the herd unit boundary is, and so we located and observed 11 bighorn sheep just NE of our Nash Wash WMA and the concern there is that it is in a domestic sheep allotment, and we didn't know how long they had been there. There was a potential that they have been there for a year and have been in contact with domestic sheep and the concern there was disease. They give each other diseases and potentially those 11 sheep could go back to the main herd and wipe out 1,000 bighorn sheep. It is quite a serious issue there. We worked with our director's office. What we ended up doing is we brought in a hunter from our alternate list. He ended up being a 17 yr. old youth, who had no bonus points. He just put in that year and he ended up shooting a five yr. old ram. There were 10 other division folks there and we had to take down the other sheep unfortunately. But we are doing more bighorn sheep surveys in that same area later this week and early next week. Hopefully we don't see any additional bighorn sheep. This has prompted additional discussions on we can prevent this in the future. I think we are talking about double fencing. We are talking about some allotment trading, so we don't have to do this in the future. When we took down the sheep we didn't know that they had been in contact with domestic sheep or not. We erred on the conservative side to protect the larger herd, so we took them down a week later. We got the test results back and they were dirty, so they had been in contact with domestic sheep and there were some disease issues there. Any other questions?

Questions from the RAC

No questions

Questions from the Public

No questions

Comments from the Public

No comments

RAC Discussion

No discussion

5) **R-657-27 License Agent Procedures Rule Amendments (Action)**
-Phil Gray, Business Analyst

Questions from the RAC

Kevin Albrecht- Questions from the RAC?

Todd Huntington-Is accounting cost-prohibitive to a smaller license agent? Is that why they are not doing it?

Phil Gray- Honestly, I don't know if there is a cost to maintaining the account I can find out. I don't know for sure. I don't deal with billing. Somebody else in the section does that, so I couldn't tell you for sure. But I know a lot of the agents use it, especially the mom and pop shops. I am going out on a limb to say no it is not cost prohibitive, but I couldn't tell you exactly how much it costs. I am sorry.

Kevin Albrecht- Any questions from the public? Any comments?

Questions from the Public

No questions

Comments from the Public

No comments

RAC Discussion

Wayne Hoskisson- The very last paragraph in R657-27-4 states the applicant has been convicted, pleaded guilty, pleaded no contest, the form should be just pled.

Phil Gray- I am sorry. Where is that?

Wayne Hoskisson-In R657-27-4, it the very last thing, so it would be 8e. It is just a less preferred usage there.

Phil Gray- You're looking at pleaded?

Wayne Hoskisson- Yes

Phil Gray- Ok, thank you. That was another reason they sent me out on this--to clean up. This rule hasn't been looked at in seven yrs. It just keeps getting renewed. That is one thing that we want to look at.

Todd Huntington- I just don't want it to become a burden to the smaller license agents, especially in rural areas where I don't want to affect them, so if it doesn't affect them, then it should be fine.

Todd Huntington- I move that we accept the Rule as presented.

Kevin Albrecht- We have a motion on the table to accept the rule as presented by Todd Huntington.

Kevin Albrecht- Seconded by Chris Micoz. So again we have a motion by Todd Huntington to accept Rule R-657-27 and seconded by Chris Micoz.

Kevin Albrecht-All in Favor?

Kevin Albrecht- Unanimous

VOTING

Motion was made by Todd Huntington to accept the License Agent Procedures Rule

Amendments as presented.
Seconded by Chris Micoz
Motion passed unanimously

6) R-657-60 Aquatic Invasive Species Rule Amendments as presented. (Action)
-Jordan Nielson, AIS Coordinator

Questions from the RAC

Kevin Albrecht- Thank you Jordan. Any questions from the RAC?

Todd Huntington- Is that the only way to get rid of these little guys is to like to drain the water and treat them that way, or is there some water-borne way to treat them?

Jordan Nielson- Well there is certainly a lot of chemicals that will kill them, and in fact a company is working on a bacterial strain that they introduce to the water, which will kill the muscles. The problem is that it is so cost prohibitive on large reservoirs that it is just not feasible. We could not really do that at a place like Lake Powell. It would take more resources than we possibly could round up to do it. Drying them out is by far the most effective way of killing everything and so for the small reservoirs, drying out there is the best hope of eradicating it.

Kevin Albrecht- Questions or comments from the audience?

Kevin Albrecht- Comments from the RAC?

Questions from the Public

No questions

Comments from the Public

No comments

Discussion from the RAC

Wayne Hoskisson- What happened with Electric Lake and Red Fleet? Are they cleared up?

Jordan Nielson- In 2008, we took some samples and found a single veliger in those lakes. The veliger in Electric Lake returned as a zebra mussel when we did the genetic work and Red Fleet returned as a Quagga mussel. To kind of give a roundabout answer to your questions that I am pretty confident that with the amount of boat traffic that our reservoirs receive that every place in the state has been exposed at some point and in some form to these invasive mussels. However, their survivability is extremely low, so a boat that has ballast water or a live well in it could very well pump the water out exposing the reservoirs to Quagga or Zebra mussels, but their survivability is low enough that they don't take.

Kevin Albrecht- Is the survivability in high elevation lakes lower than say at Lake Powell?

Jordan Nielson- Certainly. High elevation lakes are what we call oligatrophic not conducive to life in general, and yes, there is a lower probability that those become

infested.

Derris Jones- I make a motion that we accept the R657-60 rule amendment as presented.

Kevin Albrecht- Motion by Derris to accept R657-60 Aquatic Invasive Species Rule amendments.

Todd Huntington- Second

Kevin Albrecht- Seconded by Todd Huntington, All in favor?

Kevin Albrecht- Unanimous

VOTING

Motion was made by Derris Jones to accept the Aquatic Invasive Species Rule Amendments as presented.

Seconded by Todd Huntington

Motion passed unanimously

7) Landowner Permits Rule Amendments (Action) -Guy Wallace, Regional Wildlife Biologist

Questions from the RAC

Kevin Albrecht- Questions from the RAC?

Wayne Hoskisson- So is all of this just a cut and paste job from the CWMU Rule?

Guy Wallace- Pretty much so, yes.

Wayne Hoskisson- Ok

Kevin Albrecht- Other questions from the RAC?

Kevin Albrecht- Questions from the audience?

Kevin Albrecht- Comments from the audience?

Kevin Albrecht-Comments from the RAC?

Karl Ivory- I will make a motion here. I will make a motion that the proposed rule changes for R657-43 Land Owner permits be accepted as presented.

Kevin Albrecht- Motion by Karl Ivory that Rule R657-43 Landowner Permit Rule amendment be accepted as proposed.

Derris Jones- I second it

Kevin Albrecht- Seconded by Derris Jones. All in favor?

Kevin Albrecht- Passed unanimous.

Comments from the Questions from the Public

No questions.

Comments from the Public

No comments.

RAC Discussion

No discussion

VOTING

Motion was made by Karl Ivory to accept the Landowner Permits Rule Amendments as presented.

Seconded by Derris Jones

Motion passed unanimously

8) Cougar Rule Amendments (Action)

-Guy Wallace, Wildlife Biologist

Questions from the RAC

Darrel Mecham- Do you have statistics on this and actually how often this happens?

Guy Wallace- Apparently this has happened in the northern part of the state. I have not had it happen in my area. I have not had any incidence where this has been a problem. I talked to both of our biologists, Wade and Brad on the Manti and they have not had situations either, where they feel like this is something they would need to use. This has come up, but I am not sure what other regions or where this came from.

Wayne Hoskisson- Morgan County, where they raise a lot of sheep probably.

Guy Wallace- We don't anticipate it being used very often. There will be very few permits annually for this. It doesn't appear to being an impact, especially where there is no incentive to sell the permits or keep the lions.

Derris Jones- I guess I am confused, How is this different from a livestock operator if he is receiving damage, he can kill the cougar currently, right?

Guy Wallace- Correct

Derris Jones- This is just if he has documented past problems?

Guy Wallace- Yes

Derris Jones- When can he go in and get a permit?

Guy Wallace- At the time that these animals are on the allotment.

Derris Jones- Ok

Guy Wallace- That time can be specified. That is kind of up to debate on how much time would be allowed for him to try and remove a cougar after his animals have left that allotment.

Derris Jones- Will that be at the Division's discretion when the permits are issued?

Guy Wallace- Yes

Derris Jones- So it will vary from circumstance to circumstance?

Guy Wallace- Correct.

Derris Jones- Is running with hounds or shooting the animal like a spot-and-stalk the only options available to that person, or can he set snares and traps?

Guy Wallace- Right now, it is just spot-and-stalk or running hounds. Wildlife services is the only ones that can set snares or traps for depredating cougars.

Kevin Albrecht- If the landowner receives his permit, will he also be paid for the livestock depredation?

Guy Wallace- Yes. Nothing will change in terms of the compensation through Wildlife

Services for those losses, so that will still be the same.

Darrell Mecham- So can he take this permit and just bring a houndsman in to chase this lion and kill it?

Guy Wallace- I am sorry. I am not sure if I understood that.

Darrell Mecham- If the landowner doesn't have the dogs or the ability to do it, can he just go get someone, or ask someone to come in and take the lion?

Guy Wallace- Yes, yes he can. It doesn't have to be him or even a family member. He can bring somebody in and have it done.

Darrell Mecham- And just proactively clear even public allotments of lions? Sounds like you are ripe for big problems.

Guy Wallace- It does. That can be a problem

Kevin Albrecht- The shooter has to be one of those identified though, right?

Darrell Mecham- No, I don't think so.

Guy Wallace- No, it does not. It is whoever he designates.

Wayne Hoskisson- I think it talks about numerous livestock that have been killed. How do they document that, and how do you determine numerous? It is sort of like, if you have two sheep, and one of them gets killed. That's quite numerous. But how do you determine this kind of thing? How would you even apply this kind of vague language?

Guy Wallace- The definitions of chronic or numerous are pretty vague. So there isn't right now a specific rule or guideline of how many is deemed chronic. So it is going to kind of be up to the discretion of the Division of Wildlife in that, or whether that is numerous or chronic. You know, I think they are asking for input on this--input in terms of what kind of numbers that would be. But like you say, it is difficult, if you have two of ten for a landowner, then that's pretty significant; but if it is two out of a hundred, then it's not really very significant. So each situation is going to be different and that is kind of why it is left pretty open with some flexibility so that each situation can be handled as needed.

Kevin Albrecht- So if they have livestock depredation, it is deemed necessary? The Division would just give them a permit or permits to go in and pursue?

Guy Wallace- That is going to depend on the situation. It will allow for more than one permit. Every situation will be assessed, based on what the situation is and then we will decide how many permits and how big of an area and how long they can hunt.

Darrell Mecham-This part here in B says the Division may issue cougar damage permission to a person that has killed a depredating cougar. Does that mean they get to keep it?

Guy Wallace-No, they don't.

Darrell Mecham- So why are you even issuing a permit?

Guy Wallace- For the hunting

Darrell Mecham- Or am I reading this wrong?

Guy Wallace- The permit is for them to hunt the cougars.

Darrell Mecham-That says you're issuing a permit to someone who has killed a depredating cougar.

Guy Wallace- Well, to hunt it and to kill it, but they won't be able to keep it. It has to be turned in under this proposal. It would have to be turned in within 72 hours to the Division.

(Inaudible. Person was away from the mic.)

Guy Wallace- That was not in any of the information that I received on this.

(Inaudible. Away from the mic.)

Darrell Meham- It kind of seems like they will be issued a damage permit. Someone that has killed a depredating cougar. It doesn't mean that someone is going to kill a lion. It says has killed a lion. Past tense.

Guy Wallace- I am wondering if that isn't under the old regulation, under the 72-hour kill of a depredating cougar. They can keep those under that situation.

(Inaudible. Away from the mic.)

Guy Wallace- I really don't have an answer to that question, other than what I have been told. Right now with this proposal, it would not allow them to keep it.

Wayne Hoskisson- It does say in part B that it authorizes the person to keep the carcass provided that no more than one cougar is retained annually. So it is a depredation permit.

Guy Wallace- That is in the proposed rule.

Wayne Hoskisson- Yes. That is in the new language.

Darrell Meham- That is the new language?

Guy Wallace- Well, I am not familiar with that, so I don't know.

Wayne Hoskisson- It sounds like a lot to me.

Todd Huntington-It seems like 5a says "Shall remain the property of the state." And 5b says that they can keep it, so I don't get it either.

Guy Wallace-The information that I was given was that it would be surrendered.

Karl Ivory- With that said, it does say that this is just a clarification. It does say that under section 1a, that it authorizes that. Which is a depredation, compared to the new 4a.on that clarification. If that is worded the way it is there, if you can follow me there, 5C states:

"A person that takes a cougar under sub-section 1a. or 4a." Ok, there it is getting clarified: "may acquire and use a limited entry or a harvest objective cougar permit in the same year provided no more than one cougar is retained annually." So I guess that is the confusion.

Kevin Albrecht- The one permit that is retained is the limited entry. The cougar that is retained would be the limited entry.

(Inaudible. Away from the mic.)

Darrell Meham- That is kind of the way that I read it too. You know you have this chronic depredation. Is there any time period? Say, it kills what you determine is a numerous number of sheep, cows or whatever, how much time are you going to give them to do this? Can they do this two months later?

Guy Wallace-That's what is up for.

Darrell Meham- I mean your biologists, you guys are Fish and Game people and you know lions don't stay there like that. I mean this is not right. This is bad, but I would like for you to answer me about the time frame? How much time do they have?

Guy Wallace- There is no designated time frame right now.

Darrell Meham- WOW! Ok.

Guy Wallace- The time frame and the specified area will all be set up at the time when the permit is to be issued.

Karl Ivory- I guess the question I have then is How many of these would be issued in a year?

Guy Wallace- The information that John told me is that he didn't anticipate more than five of those a year state wide. Like I said, I asked our guys here if they anticipated using

that, and they didn't seem like they would be utilizing that in this region.

Wayne Hoskisson- That is based upon the current law. Once you add this to it that may change dramatically

Guy Wallace- Most of our depredation complaints in this region have been typically bears which is different. Wildlife service is usually able to go after the bear or set snares or do whatever. In this region we very rarely have chronic or even incidental cougar kills on livestock, let alone multiple situations.

Darrell Meham- In my experience, ADC is pretty good about going in on those livestock lion kills and getting the lion. And you know that. You have seen that because it usually happens in the winter, when your sheep are there. I just feel like this is an excuse for ranchers to kill lions or bears year round. I think this needs to be revisited and re-worked. This is too vague. It's not good.

Chris Wood- Do you know if it was left vague as a request from the Department of Ag or the partners you worked with to develop this?

Guy Wallace- It was just as they developed it. It was left vague so that there was flexibility in it for varying situations to be used if a situation required a longer period of time, then there would be flexibility to allow for that. But it doesn't preclude any input from the RAC or recommendation from RAC on setting time periods or areas. Part of the problem with setting areas was buffer areas, but that even makes it even more vague and a bigger area. Issuing permits for the whole unit is less likely to kill the depredating animal. So this is just another tool to narrow that down somewhat more than what we have. In most cases I think they will try to take that animal when livestock is there. But the problem with that is, just like most houndsman know, trying to track a cougar in the summer time is pretty difficult.

Wayne Hoskisson- I don't know of a single allotment at least on the forest. I don't know about some of the BLM allotments. It seems to me that catching a depredating cougar on an allotment doesn't mean very much. There are certainly multiple cougars in an area like that. It just doesn't seem to me that it is targeting cougars specifically enough to get the guilty cat.

Guy Wallace- There is that possibility that it could be just a lion wandering through that allotment at the same time.

Kevin Albrecht- So I think we are kind of getting to the point where we are into comments. So let's go ahead and ask for questions from the audience?

Kevin Albrecht- If you have questions, please come up and state your name.

Kevin Albrecht- Real quick, Are there any questions? Comments?

Questions from the Public

No questions

Comments from the Public

Guy Webster- This rule request was brought basically to the Wildlife Board by a gentlemen in northern Utah who claims he is losing all of his livelihood to depredation, but he is also a multi-millionaire. He sold off some ground for 3.5 million dollars so I don't think his livelihood is really in jeopardy. Go ahead and reads this. "The Utah Houndsmen Association is not opposed to a livestock owner who experiences predation of his livestock having every means to prevent further predation. We, as a group and as

individuals have stated many times that we are willing and able to assist in the capture of offending cougars. A cougar trailed and captured from the kill site is very likely the offending animal. A little disclaimer on that. I can catch lions year round. I do it all the time. If a livestock rancher calls, I would be happy to go help. There are a lot of houndsmen that are capable of doing such. This particular livestock landowner refuses to let houndsmen in on his property. We are however opposed to issuing a permit to take a cougar on public land weeks or even months after any livestock have been killed simply because grazing will occur in the area in the future. We support the right of the livestock owner to protect their livestock. They already have many avenues available to do this. R657-10-21 addresses Livestock Depredation in a reasonable and sufficient manner. We cannot see any need for a permit that would allow a livestock owner to take a cougar on public land, when there is no evidence that that cougar has ever been involved in livestock depredation. Killing a cougar on public land simply because it is found in the area where livestock may or may not have been killed by a cougar in the past is simply wrong, and is not a management practice based on science or biology. We support the right of a landowner to manage his land as he sees fit, but are strongly opposed to managing cougars on public land with this type of approach. We also feel that any cougar killed whether by a landowner, a Wildlife Services Agent or anyone else needs to be counted in the quota for the respective area. Another little thing on this. The entire eastern half of the state is Harvest Objective. If a livestock or landowner has a problem with a cougar; he can get a harvest objective permit and do this. This is just giving another avenue to kill another cougar that is not needed and it's going to be a bad thing for our future. Mark my words, we will see it pass for bears too within the next year or two. Let's shut it down right now.

Kevin Albrecht- Guy, thank you. Any other comments from the audience?

Kevin Albrecht- Seeing none, let's open it up to the RAC

RAC Discussion

Darrell Mecham- I will be straight up, this is written badly. It is too vague. I mean a lion that is in a certain range in December isn't going to be there in April. You know that once bear come out, they move up the mountain, down the mountain, around and over. Allowing someone to kill these animals on public land is just not responsible. This is just.. I don't even know how you would fix this one. I don't, and the bad part is I can tell right now I am agreeing with Wayne again. (Laughing) This is getting hard on me. You know what I am saying.

Wayne Hoskisson- Well, I am agreeing with Guy so... (Laughing)

Darrell Mecham- But it is. This seems like it is tailored to a land owner and I don't think that is what we are about.

Kevin Albrecht- I too see that if we have a depredation instance on a high mountain allotment or a sheep allotment or even a cow allotment high up on the mountain, most likely the landowner is going to wait until snowfall to bring in someone to hunt it. Very likely, you have no idea which animal you're pursuing and what animal may be in the area at the time. I can definitely see the intent of why you would want to do this, but it is written so vaguely and probably has to be. There could be some big problems in the vagueness.

Derris Jones- I have to agree also. I just can't see how this is going to solve the problem. .

It won't work, and if they have cougar problems, then maybe they need to issue more sport harvest cougar permits and allow more public access on private lands or in public allotments to target more cougars. But let's try to do it with more of a sport harvest and not depredation. A guy gets paid for everything he is losing anyway, at least a percentage of it. I just don't see a reason for this

Kevin Albrecht- That is a good point, Derris. And the other part of that is, he still has the option to have a trained Wildlife Services agent right away, right after the kills so they can target that animal.

Derris Jones- And he has the right to handle the problem as it is occurring, if he happens to be there or his agents, if he has a sheep herder. And without a sheep herder, then he deserves what he gets.

Chris Micoz- I also think that the verbiage is very contradictory, which will lead to problems down the road with people misinterpreting what the exact meaning is. So I just think that is not well thought out.

Kevin Albrecht- I will entertain a motion.

Wayne Hoskisson- I would move that we recommend that the Wildlife Board reject the proposed changes to R657-10-21.

Kevin Albrecht- Motion by Wayne to reject R657-10 Cougar Rule Amendment as presented.

Darrell Mecham- I second it.

Kevin Albrecht- Second by Darrell Mecham. Make sure you get that Brent. Motion made by Wayne Hoskisson and seconded by Darrell Mecham. (Laughing)

Guy Webster- Is that the current depredation rule? So that is just rejecting what is already on there. You might want to make sure what you are rejecting.

Kevin Albrecht- The amendment. Good clarification. The rejection is for the amendment

Kevin Albrecht- All in favor?

Kevin Albrecht- Unanimous

Derris Jones- What year are we working on? The cougar proclamation is three year What year are we on? Do you know, Guy?

Guy Wallace- We are in year one.

Derris Jones- Just barely starting?

Kevin Albrecht- So, real quick, is that just the amendment or are you presenting any other part of the rule? Do we need to accept the other part of the Cougar Rule? Or just the amendment?

Guy Wallace- Well, the clarification parts as well the first part.

Wayne Hoskisson- Oh, you mean the definitions? That is why I just specified that one section.

Kevin Albrecht- So let's go ahead and entertain a motion to accept the rest of his presentation.

Karl Ivory- I will go ahead and make the motion to accept the Rule clarification for R765-10-2 with the clarifications on the definitions.

Wayne Hoskisson- My motion was actually to recommend against the changes to R657-10-21. It wasn't the whole thing. So we do need to.

Derris Jones- Second

Kevin Albrecht- Did you get that motion? Karl, can you say it one more time?

Karl Ivory- I make the motion to accept the rule clarification on R657-10-2

Kevin Albrecht- That does make it very clear in here--for the rule clarification.

Kevin Albrecht- Derris Jones seconds it.

Kevin Albrecht- All in favor?

Kevin Albrecht- Passed unanimous. And on the motion that Wayne Hoskisson has made, if you would just add that is for R657-10-21.

Wayne Hoskisson- Which is the amendment, except that they are also amending the definitions in 2 but that is ok.

Kevin Albrecht- I think this might be a record.

VOTING

Motion was made by Wayne Hoskisson to reject the Cougar Rule Amendments as presented.

Seconded by Derris Jones

Motion passed unanimously

MOTION by Karl Ivory to accept the new definitions of the Cougar Rule R657-10 as presented.

Seconded by Wayne Hoskisson

Passed unanimously

Adjournment at 7:50 p.m.

The meeting adjourned at 7:50 p.m.

The next Wildlife Board meeting will take place on January 9, 2014 to discuss the Bear Guidebook and Rule and the Falconry Permit.

The next SER RAC meeting will take place on April 9, 2014 at 6:30 p.m. at the John Wesley Powell Museum in Green River.

NORTHEASTERN RAC MEETING SUMMARY OF RECOMMENDATIONS
Utah Wildlife Resources Office, 318 N Vernal Ave, Vernal
December 12, 2013

5.R657-27 LICENSE AGENT PROCEDURES RULE AMENDMENTS

RECOMMENDATION to approve agenda item 5 as presented by the state

6.R657-60 AQUATIC INVASIVE SPECIES RULE AMENDMENTS

RECOMMENDATION to approve agenda item 6 as presented

7.R657-43 LANDOWNER PERMITS RULE AMENDMENTS

RECOMMENDATION that R657-43 is accepted as presented

8.R657-10 COUGAR RULE AMENDMENTS

RECOMMENDATION to move forward with R657-10 as presented by the state

NORTHEASTERN REGION RAC MEETING SUMMARY
Utah Wildlife Resources Office, 318 N Vernal Ave, Vernal
December 12, 2013

RAC MEMBERS PRESENT:

Randy Dearth, Sportsmen
Mitch Hacking, Agriculture
Carrie Messerly, Acting Chair
Boyde Blackwell, NER Supervisor
David Gordon, BLM
Tim Ignacio, Ute Tribe

RAC MEMBERS EXCUSED:

Wayne McAllister, RAC Chair
Andrea Merrell, Non consumptive
Beth Hamann, Non consumptive
Dan Abeyta, Forest Service

RAC MEMBERS UNEXCUSED:

John Mathis, Public Official
Joe Batty, Agriculture

UDWR PERSONNEL PRESENT:

Jake Greenwood, NER Conservation Officer
Richard Gibbs, NER AIS Biologist
Phil Gray, SLO Business Analyst
Jordan Nielson, SLO AIS Coordinator
Dax Mangus, NER Wildlife Manager
Gayle Allred, NER Office Manager
Ron Stewart, NER Conservation Outreach Mgr.
Miles Hanberg, NER Habitat Manager

WILDLIFE BOARD MEMBERS PRESENT:

Kirk Woodward

1. WELCOME, RAC INTRODUCTIONS AND RAC PROCEDURE - Carrie Messerly (Acting Chair)

There are not enough members here to make a quorum, so we will present recommendations instead.

2. APPROVAL OF AGENDA AND MINUTES – Carrie Messerly (Acting Chair)

David Gordon Motion to Approve
Mitch Second
Unanimous

3. WILDLIFE BOARD MEETING UPDATE - Boyde Blackwell

Everything the Northeastern Region recommended was approved and accepted . A few other changes were made on other issues but nothing regarding what our region recommended. I have not received the minutes from Salt Lake yet.

4. REGIONAL UPDATE - Boyde Blackwell

Habitat Section:

Boyde Blackwell announced that we are going to do something different for the regional update this time. We will have a presentation from the Habitat section given by Miles Hanberg. List of projects completed and pending were outlined. Many projects are done with sage grouse in mind to keep them off the T & E list.

Ute Tribe Welcome:

We would like to welcome Tim Ignacio from the Ute Tribe, representing Tribal interests, to the Northeastern Regional Advisory Council. We're glad to have you.

**5. R657-27 LICENSE AGENT PROCEDURES RULE AMENDMENTS - Phil Gray,
Business Analyst
(See handout)**

Questions from RAC:

None

Questions from Public:

None

Comments from Public:

None

Comments from RAC:

None

RECOMMENDATION:

Randy Dearth recommended it go forward. NER RAC agreed unanimously.

Carrie Messerly: Northeastern Region RAC recommends to the Wildlife Board that they approve Agenda Item 5 as presented .

**6. R657-60 AQUATIC INVASIVE SPECIES RULE AMENDMENTS - Jordan Nielson,
AIS Coordinator
(See handout)**

Questions from Public:

Del Brady: On Lake Powell, what is the potential down the road?

Jordan Nielson: Decontaminations have tripled. We're not finding anything north of Antelope Flat Marina . Hopefully with our efforts we can hold them at bay for awhile. Eradication doesn't seem incredibly promising.

Kent Olsen: Five years ago you found them in Red Fleet?

Jordan Nielson: Yes.

Kent Olsen: Why haven't you found them since? Have they been eradicated?

Jordan Nielson: A femal quagga can produce 40,000 veligers in a single event. They're not very hardy when first released. I would guess every water has been exposed in Utah but has not taken off. A boater that has livewell water that goes into a lake that hasn't been decontaminated can dump veligers in there. Regardless of classification, we want decontamination. Because the survivability is so slow, a single veliger doesn't necessarily mean we have a problem.

Comments from Public:

None

Questions from RAC:

None

Comments from RAC:

None

RECOMMENDATION:

David Gordon recommended it be accepted as presented by the state.

Carrie Messerly: Northeastern Region RAC recommends to the Wildlife Board that they approve Agenda Item 6 as presented .

7.R657-43 LANDOWNER PERMITS RULE AMENDMENTS - Dax Mangus NER

Wildlife Manager

(See handout.)

(This was listed as agenda item 8)

Questions from Public:

None

Comments from Public:

I have a comment card regarding extended archery from Kent Olsen. This comment doesn't qualify until November's meeting. but you can talk with the biologists afterwards.

Kent Olsen: I'd like to do that.

Questions from RAC:

None

Comments from RAC:

None

RECOMMENDATION:

Randy Dearth recommendation to support the Division on this. No one opposed .

Carrie Messerly: The Northeastern Region RAC recommends that R657-43 is accepted as presented.

8. R657-10 COUGAR RULE AMENDMENTS - Dax Mangus

(See handout)

(This item was listed as agenda item 9)

The Division may issue depredation permits to take cougar.

Questions from Public:

None

Comments from Public:

None

Questions from RAC:

Mitch Hacking: A lot of allotments are fall and winter allotments when cougars are there.

Dax Mangus: We have good luck in this region. The motivation came from other regions. Our units are harvest objective units and wildlife services folks have been good in responding to livestock depredation issues. I don't foresee this being used a lot in this region.

Randy Dearth: If the permit is used, will it count toward the quota?

Dax Mangus: We have the discretion of counting it toward the quota. On most of the units, we're trying to reduce lions, so we would collect information but I don't think we'd count it toward our quota.

Randy Dearth: The landowner doesn't get the carcass unless the state gives it to him?

Dax Mangus: There is a 72-hour window where they could kill a lion. The way the rule is now, the Division could give the carcass to the landowner. Under the new situation they don't have that option. They surrender the carcass to the Division. The intent is not to create an opportunity but to remove offending lions.

Carrie Messerly: Define documented.

Dax Mangus: Canine toothmarks, broken neck, carcass pulled up under a tree and buried. If it doesn't have distinctive characteristics, no.

Carrie Messerly: If it's happened before?

Dax Mangus: If you have multiple instances in a single year or year after year.

Mitch Hacking: A livestock owner, if he catches a lion harassing his livestock, he can take it.

Dax Mangus: Yes. Under the 72-hour rule. If someone had a summer permit and consistently had a lot of sheep killed, it would give the Division the flexibility to issue them a permit during fall or winter.

Mitch Hacking: Now the landowner is getting something new.

Carrie Messerly: Can a designee harvest a lion?

Dax Mangus: Just the livestock owner, employee or family member for 72-hour take. No designees.

RECOMMENDATION:

Mitch Hacking. I would like to recommend accepting the cougar amendments as presented.

Carrie Messerly: The Northeastern Region RAC recommends that we move forward with R657-10 as presented by the state.

Boyde Blackwell: I want to thank you guys for coming and with a short agenda that may seem as though it wasn't as important as other agendas. Without a full quorum, our people don't get much of a voice. A recommendation takes away from the voice of the region, and I appreciate you coming out and taking this seriously and representing the people of this great basin area.

Mitch Hacking: I disagree. Action items 8 and 9 (7 & 8) are pretty important.

Boyde Blackwell: They're all important or we wouldn't bring them here. It is the perceived impression that they're not as important.

Randy Dearth: How often does this happen?

BoydeBlackwell: Not over the last two or three years. but it has happened.

Motion to adjourn:

Randy Dearth

Second by David Gordon

Meeting adjourned 7:50 pm

Next RAC Meeting: April 10, 2014

Central Region Advisory Council
Springville Public Library
45 S Main, Springville
December 3, 2013 @ 6:30 p.m.

Motion Summary

Approval of Agenda

MOTION: To accept the agenda as written
Passed unanimously

R657-27 License Agent Procedures Rule Amendments

MOTION: To accept the proposal as presented
Passed unanimously

R657-60 Aquatic Invasive Species Rule Amendments

MOTION: To approve the rule as presented
Passed unanimously

R657-43 Landowner Permits Rule Amendments

MOTION: To accept the proposed changes to the landowner permit rule as presented
Passed unanimously

R657-10 Cougar Rule Amendments

MOTION: To accept the rule as present on private ground and delay a decision on public ground until the cougar management plan is evaluated more
Failed 2 to 3 with 1 abstention

MOTION: To accept the recommendations as present
Failed 2 to 3 with 1 abstention

MOTION: To accept the proposal as presented for private land with the additional provision that a permit can only be issued on public land within four weeks, before or after, of when sheep will be on an allotment
Passed 6 to 1

Central Region Advisory Council
Springville Public Library
45 S Main, Springville
December 3, 2013 @ 6:30 p.m.

Members Present

Matt Clark, Sportsmen
Larry Fitzgerald, Agriculture
Sarah Flinders, Forest Service
Karl Hirst, Sportsmen
Richard Hansen, At large, Vice Chair
Kristofer Marble, At large
Gary Nielson, Sportsmen, Chair
Danny Potts, Non-consumptive

Members Absent

Timothy Fehr, At large
Michael Gates, BLM
George Holmes, Agriculture
Jay Price, Elected
Christine Schmitz, Non-consumptive

Division Employees

John Fairchild
Scott Root
Covy Jones
Amanda Bagley
John Shivik
Candace Hutchison
Jordan Nielsen
Phil Gray

Others Present

Calvin Crandall, Wildlife Board Member

1) **Approval of the Agenda (Action)**

- Gary Nielson, RAC Chair

VOTING

Motion was made by Matt Clark to accept the agenda as written

Seconded by Sarah Flinders

Motion passed unanimously

(Matt Clark, Sarah Flinders, Larry Fitzgerald, Richard Hansen, Danny Potts)

2) **Regional Update (Information)**

- John Fairchild, Central Regional Supervisor

Wildlife

- Wrapping up post-season deer classification
- New depredation technician Josee Seamons.
- New wildlife technician (Channing Howard) based in the Salt Lake Valley to handle urban wildlife issues
- Planning to move turkeys out of Pleasant Grove, Provo, and Sundance subdivisions
- Bear cubs will be released next week at a site in the Southern Region
- Section personnel and COs received chemical immobilization training required to administer drugs to wildlife
- Urban wildlife management plan nearing completion

Habitat

- P-J chaining project at Dairy Fork WMA still in progress. One-way chaining and seeding complete, 2nd pass in progress.
- Upland game projects (food plots) completed at Carr Fork and Fairfield planned for Nephi and Santaquin WMAs.

- Patch Springs fire rehab, aerial seeding 10,360 acres to take place in the next couple of weeks. One-way chaining to follow.
- WMA winter closures have begun. Allowing access to hunters during the closure to retrieve game on properties within the extended elk hunting areas.

Aquatics

- Refuge population of least chub established in a private pond near Fairfield
- Trout in the Classroom to begin in 3 Salt Lake Valley schools next week- Dec. 10th)
- Recently stocked excess trout into Burraston Ponds, Grantsville Res., Nine Mile Res. and Santaquin Res.
- Summarizing all 2013 AIS activities and public contacts from regional waters
- Finalizing update of the Strawberry Management Plan
- Summarizing creel survey and analyzing age and growth of SMB at Jordanelle Res.
- Writing proposals for future habitat, conservation and angler access projects
- Hot fall fishing coming to a close as ice will start to form on lakes and preparing for the ice fishing season (usually really good fishing as the ice first comes on)

Conservation Outreach

- Outreach section has been meeting to discuss implementation of the new Wildlife Recreation Program (shooting sports, mentored hunting and fishing, events, Hunter Education, etc.).

Law Enforcement

- CR law enforcement officers planning winter range patrols to curtail poaching on critical mule deer winter ranges
- New conservation officer intern (Heather Reich) in Wasatch County to handle urban wildlife issues

3) **R657-43 Landowner Permits Rule Amendments (Action)** - **Covy Jones, Regional Wildlife Manager**

Questions from the RAC

Gary Nielsen – I had an individual ask me about landowner permits. He was hunting on Paunsaugunt. If people have landowner permits and they are given a percentage of permits from that unit because of the amount of land they own can they keep everybody else off of their land?

Covy Jones – The answer to that is it depends. The rule in that area is not clear and we will be doing some clarification on that hopefully this coming year. There are some landowner associations that restrict all public access. There is a portion of the rule that allows them to do with an exemption. In most landowner associations the way the rule is written is they are supposed to allow access to an equal number of individuals on private lands.

John Fairchild – If they let someone on their private land they have to let somebody with a public tag hunt on their private land. That's how it reads but it's unclear and very difficult to enforce.

Covy Jones – That portion of the rule is hard to interpret and as John said very difficult to enforce.

Gary Nielsen – This guy had been watching some deer and they were on the public part but the private was right behind it so the private guys walked right through the public and pushed them off each day. He ended up paying a trespass fee so he could hunt on that land. He wondered if they got tags but were also able to charge him if that was right.

Covy Jones – As the rule is written now, I don't want to speak for the Paunsaugunt because I don't know what their agreement is, but there is a clause in the rule that says they don't have to allow access and some of the units don't allow any.

Danny Potts – If it lasts for three years but the number of animals harvested changes and a landowner may want out of the association within the three years how can he do that?

Covy Jones – They qualify for the number of permits they receive based on those signatures at the time. The percentage of property they own would become less.

Danny Potts – At some point it becomes not worth doing it at all.

John Fairchild – They have to have at least 51 percent of the private land in the unit to qualify.

VOTING

Motion was made by Matt Clark to accept the proposed changes to the landowner permit rule as presented

Seconded by Larry Fitzgerald

In Favor: Matt Clark, Sarah Flinders, Larry Fitzgerald, Richard Hansen, Danny Potts, Karl Hirst

Opposed: none

Motion passed unanimously

4) R657-10 Cougar Rule Amendments (Action)

- John Shivik, Mammals Coordinator

Questions from the RAC

Karl Hirst – What would constitute a documented history?

John Shivik – Right now we are operating on chronic meaning Wildlife Services documenting several, there is not a number in there but it would have to be three or more. This would be a good place to insert some input on this. We left it a little bit flexible other than it has to be documented by Wildlife Services and it has to be more than one.

Gary Nielsen – So they would have to have consecutive years of depredation to make this stick as far as getting permits in advance?

John Shivik – The way it is currently written there is some flexibility if it is three years in a row. Some people would want chronic to mean several ewes in one year and others look for that three year or multiple years. This is what we are here to hear is opinions on this.

Sarah Flinders – Are you seeing most of the problems with sheep or cattle?

John Shivik – Sheep. In 2013 there were 97 ewes killed about 51,000 dollars of sheep killed by cougars. That is a fairly typical year.

Sarah Flinders – And these are different livestock owners.

John Fairchild – Yes, I don't know how many different livestock owners.

Larry Fitzgerald – How many sheep?

John Shivik – 97 ewes and another 200 or so lambs. Typically one person gets hit really hard and someone else might not.

Larry Fitzgerald – Have you gone out and seen these cougar kills personally? It would be a good education.

John Shivik – Not these but I have in the past done a lot of this kind of thing.

Larry Fitzgerald – You may be surprised to see what a female with kittens does when she is training them. Out of the 97 ewes how many were consumed by the lion?

John Shivik – I don't have those numbers.

Questions from the Public

Jason Binder – Utah Houndsmen Association – Do we have a set number that a livestock owner can take?

John Shivik – It is not written in the rule. I think that would depend on the degree and magnitude of the damage. I think if you look at one place with private land with problems every year for five years that is a different situation than three ewes in one season. In some situations we would

be more comfortable with taking more than one cougar and in other situations maybe just one. I can't imagine more than a couple cougars for any one allotment.

Jason Binder – Are we going to have a Utah wildlife biologist go out and investigate these kill or is it going to be up to ADC? Who goes out and helps the landowner determine if it is a cougar kill.

John Shivik – Again, the process would be Wildlife Services going out and documenting several kills. They would call Covy and myself and we would decide if that justifies a permit. We are relying on Wildlife Services to do that.

Jason Binder – Are these landowners who are having problems allowing people to actually hunt their ground?

John Shivik – In a perfect world I think that would be a really good approach and I think that can be incorporated into this. For instance if someone had a problem and Wildlife Services couldn't get to it or they didn't have dogs we could have a list of houndsmen that we could call to work with the landowners. That would be great but the trick with it is to make sure that anybody that is on this list would take the offending animal. They can't pick and choose. There is nothing here excluding people getting along and helping each other out. The idea is to encourage a little more of that.

Jason Binder – I know ADC keeps their data yearly of how many lions they kill and what areas they come from. Do we have any of that data we can look at as far as areas to see if it is a statewide problem or more in certain areas?

John Shivik – I haven't considered that at this point but I will ask Mike.

Jason Binder – Are the landowners who get these tags still going to get their money for animals the lion kills if they tell ADC not to come back?

John Shivik – Those are two different processes. We will get a list of everybody with damage claims. There is nothing written in this that would prevent that payment from happening.

Jason Binder – If we change this rule now isn't it part of the management plan?

John Shivik – There are aspects of this that are in the management plan. This would modify the plan. If we go with the three years it fits in but if you go less than three years for a chronic definition then it would be a little change.

Jason Binder – Isn't the management group getting together this summer to review the whole plan?

John Shivik – No, that process is going to be simpler. We are not going to get the band back together or anything. We have looked at the complications internally. Right now it is keeping the thresholds the same it is just simplifying rather than having a crazy way of how we calculate cougar numbers. We are just streamlining what is in the plan, not changing any numbers or any thresholds.

Comments from the Public

Jason Binder – Utah Houndsmen Association – We want you to know we are not out here against the sheep or cattle ranchers. This was brought up by the management plan committee and was voted down by everyone but one because of the provisions that we already have with the 72 hours where the landowner or employee or family can already harvest the animal. The main thing we would like to see is if we are going back into the plan this summer we would like to see more input and more data about where we actually have chronic problems. We would like to see ADC's thought on this also. They are paid professionals. They target the lion that killed the sheep to the best of their ability. We would like to see more time and effort and use all the avenues we can to come up with the correct plan and get ADC involved before we make a decision on this.

Garrick Hall – Utah Farm Bureau – We are very much in favor of this proposed change. There are sheep guys in the state that are seeing problems year after year. We are not talking about one or two or even three kills. I was talking with a rancher this morning who said he has 30 to 50

head that he loses in a season. What we have been doing isn't solving the problem so we are just looking for one more tool and another way to try to get to the bottom of this. It's expensive for our guys. They are not looking for a trophy animal. They are going to turn them over to the state. They are happy in most cases to let hunter come on and hunt those in season but they are just looking for ways to protect their livestock. This problem has been ongoing year after year. We encourage you to pass this on to the Board. Thank you.

RAC Discussion

Richard Hansen – Does the Division have to pay out damage payments for sheep that are killed?

John Shivik – Yes, we have 250,000 dollars from the legislature and we pay that out up to that amount and if it goes over then it is prorated so they may not get a full payment.

Richard Hansen – It makes sense to me that we would want to take care of this so we don't have to keep paying those payments. I think we need to push that opportunity to the sportsmen.

John Shivik – We do some of that especially with problem bears and cougars. We will have a list of those who drew and were unsuccessful. We will call hunters and have them help us out.

Getting them or the private landowner to handle it themselves, we haven't always been able to connect the dots all the time but that is an option we attempt.

Gary Nielsen – I like that you said this doesn't rule out having everyone chip in and help on this. I think that is a good idea. Do we need to include something like that in the motion?

John Shivik – It would seem prudent. The more guidance you give to the Board to hear I think is definitely helpful. It would be nice to add all these thoughts into your motion so it's pretty clear that this has been considered and everybody's concerns have been heard and they can put together something decent. I would encourage you of course.

Larry Fitzgerald – Jason brought up a point I didn't think about. A lot of the kills are in the summer months but a lion is harder to kill in the summer months. With this if the landowner knew he had a chronic problem he could go out in winter months and would have a better chance of getting a lion before all the losses.

John Shivik – Maybe I didn't make that as clear as I should have. That is exactly the idea. The concern is that it is too difficult to get in summer. That is why they wanted the ability to take them in the winter outside of the 72 hour block.

Richard Hansen – Will these animals be part of the overall numbers you use to determine the number of permits you issue?

John Shivik – That's a good question. It would make sense for them to be part of that quota. That's makes the most sense to me.

Richard Hansen – Male cougars are territorial and if take one out another will just move into the area.

John Shivik – There is a fair amount of research out of Oregon on this. They do find sometimes removing especially these large males you end up with four smaller younger cougars coming in. So you are taking a chance. On one side you are removing a cougar from an area where you are going to have sheep but you are potentially inviting four more into the area. I don't have what is the exact solution. That is why we go through this process to try to mull through it.

Richard Hansen – On split units if they haven't met the quota then a landowner taking one shouldn't affect the numbers for the next year. On these units that are split or just harvest objective why don't you just leave the harvest objective in place for the entire year until you get the number you want to take out of that unit instead of closing them like you do now?

John Shivik – If it's a harvest objective it is open all year or until you hit that number.

Richard Hansen – But the split units are closed in May.

John Shivik – I am operating off the way it was designed and they way it is set up right now.

There are so many ways to do this and we want it all so we have limited entry and harvest

objective and the split so you try to get best of both worlds with the split. But of course nothing is perfect.

Karl Hirst – I am very comfortable with the 72 hours where we can put a kill with a kill. The current law I think is really good. If this were just going to be on private then I am pretty comfortable with what is proposed with a loose definition of numerous and a loose definition of documented history. Where we are moving out onto public ground and killing a lion three, four or five months away from any kill either after or before then I don't think we have a specific enough definition on that. What I am hearing is lots of questions. I am trying to come up with a motion in my mind that I would be comfortable with and it is difficult. I am just expressing that to the Board that I think there are lots of questions here and maybe we ought to take this gentleman's recommendation and look a little further.

Sarah Flinders – To follow up on that, I have been kind of waiting to see who says what, the Forest Service is concerned about the livestock owner receiving the depredation tags for public land. The depredation system is set up for private landowners, correct me if I am wrong, so that they can take care of predation problems on their private land whether its damage to their fields, grain or livestock. So when the livestock owners have a permit on public land but they don't own the land, the public owns the land and we manage the land, how do we justify keeping other public out of receiving some of those depredation tags if they are allowed to go on public land especially if its two or three months later. A concern that we have is does it stop here? If we start issuing depredation tags for cougar two or three months later or prior to a season on public land are we going to start doing that for elk and deer that are eating alfalfa. It is a concern of ours that it is not equality. The livestock owners have a lot of investment as far as fence work and everything they put into that but they don't own the land. We are concerned a little bit about the backlash also. Why do these folks get these tags? It's not their land. It is a gray zone right there.

John Shivik – I think you are pointing out the issues here. There is a lot of gray here. Let me pull out the current rule. The current rule definition for chronic is that the depredation is occurring on private land, the depredation has occurred in the same area for three consecutive years or four out of five years and Wildlife Services has attempted to remove the offending animal but has been unsuccessful. That is what we have been operating under. What I would ask all the RACs and the Board is you might want to consider should we do this permit as presented? Do you make it just private land? Do you make it just the winter or spring or only two months before or after? Or that number has to be three or something? You have identified where the difficulties are and it would be great to have a motion that says private or public, define what the allotment is, define where they can work and only work in January and it has to be three cougars to be considered chronic. Something like that.

Sarah Flinders – We definitely agree there is a problem and the livestock owners have an investment out there so they should, if they would like to, help take care of that. But when it moves onto public land maybe they should not be the only ones, which opens other problems.

John Shivik – I can feel some phone calls coming. I don't expect people to like me.

Gary Nielsen – The fact that they don't get to keep the cougar settles it down.

John Shivik – That is the idea but a lot of times people perceive all sorts of things. I have discussed this with folks and these issues has been brought up. There already is a federal trapper and a system to do this but the other side says the system is not working. One part says it's nice to empower people to solve their own problems and this guy is taking a financial hit so that is why we have put together what we are comfortable with so far. If you can narrow it down for us that is why we are here.

Matt Clark – Can't this be resolved with the management plan revision that is coming up next year, is that when it is?

John Shivik – I think we will just be having the same discussion three months from now.

Matt Clark – But you are going to get more input from more people on this. Who is involved with the cougar management plan? Whose input do you get for that?

John Shivik – Currently I'm just working with the regions and internally to try to streamline our targeting system. It is just one part; we are not revising the whole plan. It's just how you calculate permits.

Richard Hansen – I don't have a problem with killing them on public ground. It is public ground and they are part of the public too. If that cougar is coming on private ground and then going off onto public ground then I don't have a problem with it.

Sarah Flinders – We will field phone calls as well. The perception from the public is where you will get the backlash.

Larry Fitzgerald – Do you have any estimate of how many lions will be taken this way?

John Shivik – I suspect it will be pretty minimal, three or four. I don't have that many people calling with this. But if people realize this is an option I might get a lot more calls so I don't want to lock into a number. I just don't imagine it will be that many. One option is to just open to harvest object for a whole unit whereas that actually impacts the biology where one or two cougars from a specific area within a unit is not impacting the biology but might be helping a guy out.

Sarah Flinders – In the end this saves tax payer dollars.

Gary Nielsen – That sounds fairly specific. The problems still have to be documented and ongoing. It is fairly specific criteria for allowing them to remove a cougar. I think its fine to let the guys do something about it on their own. I think they might anyway.

John Shivik – Ideally we would set up a process where we could contact the houndsmen and we can figure something out. Whether or not I could pull it off I don't know.

Karl Hirst – But you can do that now and at least it is tied to a kill.

John Shivik – Exactly, there are options now but the difficulty is if you don't get on there or you don't get hounds or don't get the Wildlife Services guy in there at the right time it is going to be easier to remove cougars during the winter than in the summer.

VOTING

Motion was made by Karl Hirst to accept the rule as present on private ground and delay a decision on public ground until the cougar management plan is evaluated more

Seconded by Matt Clark

In Favor: Matt Clark, Karl Hirst

Opposed: Larry Fitzgerald, Danny Potts, Richard Hansen

1 abstention Sarah Flinders

Motion failed 2 to 3 with 1 abstention

Motion was made by Richard Hansen to accept the recommendations as present

Seconded by Larry Fitzgerald

In Favor: Larry Fitzgerald, Richard Hansen

Opposed: Matt Clark, Danny Potts, Karl Hirst

1 abstention Sarah Flinders

Motion failed 2 to 3 with 1 abstention

Gary Nielsen – It seems like this would be for very isolated circumstances and is not much different than what they are doing. Wildlife Services are pretty sharp at what they do and it seems like they could possibly tell which cougar they are tracking. A lot of times you can know which one you are after.

Karl Hirst – Another explanation, the kill may occur 50 miles from where the lion is killed. If it's easier to catch in the winter then the cougar may have killed the sheep on the mountain and then comes down to hunt deer and runs into the sheep again. I don't think there is a way to even come close to identifying the specific lion. Under the current law with the 72 hours I think they do a good job at rounding up people. I've gotten a call to go and kill specific lions that are doing damage. I still have difficulty killing lions up on public ground four months after they may have lost a sheep. On private ground I have no difficulty.

Richard Hansen – My question is, do you know a cougar that would turn a down a sheep to eat? I don't think any of them would given the opportunity. I am more on the side of the livestock owner and the difficulty that becomes. I think there are more losses that are not reported and those guys absorb that loss. I think we need to be a little more understanding and helpful to those guys that are trying to make a living in that business.

Karl Hirst – I don't want anybody to assume that I am against those guys but I would really rather put this in a sportsman's hands to kill it somewhere else rather than a landowner. I appreciate it on their own ground but I would rather have that harvest by a sportsman rather than a landowner's grandson or son. That is why I think it needs to be talked more. On their own ground, take them out but on public ground we need to talk about it a little more.

Gary Nielsen – So he is saying if there is an area where there are specific problems occurring yearly that they should just increase the harvest objective in that specific area and then allow the sportsmen to do it?

Karl Hirst – If we are talking three year chronic stuff, yeah. Let's give more tags or open it up to a harvest objective and take some more out. If we are looking at this and really looking at three year chronic then we ought to be able to say we have a problem and let's put some more hunters out there.

Sarah Flinders – You are going to look at each case separately, right? You are not going to allow a 50 mile radius from where they lost the animal on public land, right? Is it going to be smaller or is it going to be bigger, do you have an idea?

John Shivik – On private land it would be on their land. If it was allotments then we would have to work with you, the Forest Service, to outline the allotment. Right now another theoretical comes up. What if they track the cougar on the allotment and then it runs off? At this point what we are envisioning is there has to be clear evidence that they started within the identified area. The permit would say you will work on this persons land and here is the boundary for it. Unless it made sense that they are only in this one part during July and that is when they are having the problem with it then we would just do that part of it presumably. Completely case by case.

Gary Nielsen – I will entertain a motion...

Have they identified any of those that are having problems on their allotment? If a cougar kills sheep on a specific allotment are you going to try to restrict them to the area where the problem was?

John Shivik – Yes that is the idea. We are not going to say you have to start in the same field but it would be on their private land or if on public land on the allotment. Currently it is only on private land.

Sarah Flinders – And this wouldn't coincide with any other hunt?

John Shivik – Yes it would. It would get them out during the prime hunting season.

Larry Fitzgerald – I can give you an example of this. I use to be in the sheep business and I had this chronic problem every year. We would move off the desert and go up on our lambing range on Sadie Mountain. As soon as we got on Sadie Mountain we knew we were going to have a lion kill. We would get Wildlife Services out there and try to kill the lion. That is a hard area to hunt in the cedars and a lot of the time we would not get the lion. We would get sick of getting our sheep killed so we would move to Current Creek Mountain and we knew within a week we would have lion kills. On that particular area it was easy to trap lions so we would trap them. That was something that would happen every year starting from about 1984. Before 1984 I can't remember a lion kill. I never heard my dad talk about it. Through the 80's the lions expanded. Early 90's Wildlife Services took out a bunch of lions. That was when a bunch came into towns. That is when all the houndsmen came about. Everybody bought a dog and thought they were a houndsman. Since then they have kind of maintained the lions but they still have these chronic problems. The lions know when and where the sheep are going to be. Most of the time it is going to be the Wildlife Services guy that goes and gets the lion within the 72 hours. Sometimes they can't but the landowner is not going to get any reward for this other than saving his livestock. He can't sell the tag, he can't keep the hide. I had multiple lions killed on my private property. I would love to have a lion hide hanging on my wall but I couldn't keep the hide. These problems are going to continue on Forest Service, BLM and private.

Sarah Flinders – So do you think it was the same lion that would you follow you over to Current Creek?

Larry Fitzgerald – No. We had one that was a tom and we would have a kill on Current Creek Mountain over by Soldier Creek and then Bastians would have a kill a week to ten days later on Red Creek then a week to ten days later we would have a kill. This went on for two to three years and they finally killed the lion in Little Red Creek. If we could have taken that lion out between those two areas years before we would have saved thousands of dollars. We didn't get paid back then for losses.

Gary Nielsen – Do you want to form that into a motion?

Larry Fitzgerald – I would make a motion to accept as presented but that has already been shot down.

Richard Hansen – I would second it.

Matt Clark – Can you modify the motion with a caveat that it will be reviewed after two years? I also want to see the motion talk about sportsmen being a priority in this.

Richard Hansen – The problem is some of these guys don't want to do that.

Larry Fitzgerald – The average landowner doesn't own hounds and he wants someone who can go in there and get the job done. That is why I say most of the time it will be Wildlife Services doing it.

Sarah Flinders – So would you issue the tag to the livestock owner and then allow them to go outside of the immediate family?

Larry Fitzgerald – What incentive would the houndsmen have to do it?

Sarah Flinders – Practice, to run their hounds? I don't know, is there incentive?

Jason Binder – The average houndsman is probably not going to go out and just kill a lion.

Larry Fitzgerald – I see a problem in calling a houndsman because the houndsman would run the lion off. That is what will happen.

Jason Binder – That basically gives the average houndsman a black eye. For the longest time everyone thought houndsmen were just out there to kill everything. So if I send my buddy over

to Larry's sheep and he just kills this lion just because it is there he is probably going to get beat up when he gets back to town.

Karl Hirst – When is this review supposed to happen?

John Shivik – This is where I think there is some confusion. This plan goes until 2021. There isn't a date for a review of this whole plan that is in the current version of it. The Board was frustrated trying to follow the permitting process so they asked us to simplify it. That is what I have been working on. As far as putting a committee together and reviewing the whole plan that is not in the cards at this point unless that is what we are told which is frustrating. Maybe I can help you out with what is in your packet. There are just a couple issues. The first one is this adds the Division may issue depredation permits to take cougar on a specified private lands and public grazing allotments with a chronic depredation situation where numerous livestock have been killed by cougar. That is really the guts of it and from the discussion I have heard you have to agree on what numerous means and private and public and other than that it is really just that statement. The other thing is adding in you could probably do something informally by saying we work with the houndsmen to create a list of people. The next sentence says issue one or more depredation permits to the affected livestock owner or a designee so this designee could be from a pool of sportsmen who are willing to remove a cougar. So I guess the big thing is just sorting out private and public and what numerous means and whether to use a pool as the designee.

Kristofer Marble – What does numerous mean to you Larry?

Larry Fitzgerald – When I sold my sheep business in 1993 it got to the point when I had a coyote kill that didn't bother me because when a lion comes in it doesn't kill just one. It is a cat playing with a bunch of mice. They will knock down 20 or 30 lambs and they may drag one off to eat. Numerous to me is if they kill one that is good but when they kill 20 or 30 that is not unusual. This number of 97 ewes and 200 lambs that seems quite low to me? Does that take into account all the Wildlife Services?

John Shivik – That is depredation claims.

Larry Fitzgerald – It's too bad we don't have somebody from Wildlife Services that could state how many they see. In one night 20 lambs is not unusual for a lion to kill. 20 lambs is 2,000 dollars on today's market out of the producer's pocket.

Kristofer Marble – What if I made a motion to accept as presented with one change to define numerous as at least 10 animals taken?

Larry Fitzgerald – That would be fine.

Karl Hirst – Let me discuss one other comment. I'm ok with moving it out on public if it's within four weeks of when the sheep are going to be there or four weeks after the sheep have left so there is something to tie it to actual possibility of a kill. I'm ok with moving it out on public if there is a chronic problem on public and you know you are going to move the sheep on in June then you go in in May and kill it. But just to go in and kill it in January because you think it is going to kill one in June I still have some problem with.

Larry Fitzgerald – That actually makes sense to me too.

Karl Hirst – So I will make that subsequent motion.

Motion was made by Karl Hirst to accept the proposal as presented for private land with the additional provision that a permit can only be issued on public land within four weeks, before or after, of when sheep will be on an allotment

Larry Fitzgerald – That is on public land, what about on private?

Karl Hirst – On private it would be just as proposed.

Seconded by Matt Clark

In Favor: Matt Clark, Sarah Flinders, Larry Fitzgerald, Richard Hansen, Kristofer Marble, Karl Hirst

Opposed: Danny Potts

Motion passed 6 to 1

5) R657-27 License Agent Procedures Rule Amendments (Action)

- **Phil Gray, Business Analyst**

Questions from the RAC

Kristofer Marble – In today's world I think you are right, probably everybody has a computer but I know we sell a lot of licenses in rural Utah. Do you have a feel for how many small businesses are not on a computer system now days that might be license agents that would be impacted by this?

Phil Gray – None. If they are a license agent now they have to have a computer. It is only done online right now.

Matt Clark – What is the incentive to be an agent?

Phil Gray – By statute a license agent is entitled to 50 cents for any license under ten dollars and five percent of licenses over ten dollars. They do get money out of it but not a huge chunk. We have even had stores like Wal-mart ask if they can donate it back because it is not worth their time. Three fourths of every license sold in the state goes through a Wal-mart but that is a drop in the bucket for the guys back in Arkansas. They don't care about a few hundred thousand dollars a year. They would rather give it back. There is a financial incentive for them to be an agent but the biggest incentive is to get people in the store buying bait, tackle, guns, ammo.

VOTING

Motion was made by Danny Potts to accept the proposal as presented

Seconded by Karl Hirst

In Favor: All

Opposed:

Motion passed unanimously

6) R657-60 Aquatic Invasive Species Rule Amendments (Action)

- **Jordan Nielson, AIS Coordinator**

Questions from the RAC

Richard Hansen – Is there any way to get rid of these mussels other than what you have explained?

Jordan Nielsen – Unless you can completely drain and dry a reservoir currently there is no practical way of doing it. There are chemicals that will kill them and technology is developing with attenuated bacteria strains to be able to kill them but it is not at a level that we could treat a reservoir at this point.

Gary Nielsen – So Lake Powell is going to be contaminated for a really long time at this point.

Jordan Nielsen – That appears to be the case.

Karl Hirst – Does anything eat them?

Jordan Nielsen – Nothing that we have in the United States or that we want to introduce to the United States. I have also been asked if people can eat them and the answer to that is you can eat anything once. I would not recommend it. They bio-accumulate a lot of toxins.

Questions from the Public

Craig Bonham – Draper – Are they found only in lakes or are they found in rivers?

Jordan Nielsen – Currently we are only finding them in lakes. They tend to inhabit places where the water moves past them one meter a second or less. Faster than that they have trouble attaching.

Craig Bonham – I noticed a lot of places they are requiring boats to be stopped and checked. Is there ever going to be a possibility of stopping float tubes or pontoon boats at these stops?

Jordan Nielsen – It gets a little complicated as to what our authority is for stopping people.

Currently we can stop people at ports of entry. This last summer we ran a check station at the port of entry coming in from the south on I-15 at Bloomington and any watercraft was required to stop. If they didn't we had an officer there that would chase them down and talk to them. There are some plans to do some voluntary check points at different locations because we don't have the authority to make it mandatory anywhere except at check points. We are going to work on a model like that and see if it works.

Craig Bonham – Does Utah allow felt soled waders anymore?

Jordan Nielsen – Currently there is no restriction on felt soled waders. Personally I would love to see it but that is something that would have to go through the state legislature to make a law.

Craig Bonham – Even Alaska is not allowing them.

Jordan Nielsen – I just received a report that North Dakota just passed a law to ban felt soled waders as well.

Craig Bonham – I haven't heard much about whirling disease for a while. It used to be a big deal.

Jordan Nielsen – It is still a big deal and whirling disease is doing well unfortunately and that is probably why we don't hear so much about it because it is so ubiquitous at this point.

VOTING

Motion was made by Kristofer Marble to approve the rule as presented

Seconded by Matt Clark

In Favor: All

Opposed:

Motion passed unanimously

Meeting adjourned at 8:30 p.m.

21 in attendance

Next board meeting January 9, 2014 at the DNR boardroom, Salt Lake 9:00 a.m.

Next RAC meeting April 15, 2014 at Springville Public Library 6:30 p.m.

Northern Regional Advisory Council Meeting

December 04, 2013

Brigham City Community Center

Brigham City, Utah

Summary of Motions

Meeting Begins: 6:05 p.m.

Approval of the Agenda

Motion: Motion to approve the agenda for tonight's meeting.

Motion Passes: Unanimous

Approval of the Nov. 6, 2013 Meeting Minutes

Motion: Move to approve the minutes of Nov 6, 2013 as amended.

Motion Passes: Unanimous

R657-27 License Agent Procedures Rule Amendments

Motion: Recommend the Wildlife Board approve R657-27 License Agent Procedures Rule Amendments as presented.

Motion Passes: Unanimous

R657-60 Aquatic Invasive Species Rule Amendments

Motion: Recommend the Wildlife Board approve R657-60 Aquatic Invasive Species Rule Amendments as presented.

Motion Passes: Unanimous

R657-43 Landowner Permits Rule Amendments

Motion: Recommend the Wildlife Board approve R657-43 Landowner Permits Rule Amendments as presented.

Motion Passes: Unanimous

R657-10 Cougar Rule Amendments

Motion: Recommend the Wildlife Board approve R657-10 Cougar Rule Amendments as presented.

Motion to Amend: Subsection 4a. Depredation permits would be taken out of the sport take permits available.

Motion to amend carries: For: 6 Against: 4

Motion to Amend: The Division will define numerous and chronic depredation in policy and the 4a. permit season would be one month before and after the documented chronic depredation.

Motion Fails: For: 5 Against: 6, Vote was a tie. RAC Chair voted in opposition.

Amended Motion Passes: For: 8 Against: 2

Meeting Adjournment

Motion: Move we adjourn.

Motion Passes: Acclamation by RAC Chair

Meeting Ends: 8:20 p.m.

Northern Regional Advisory Council Meeting

December 04, 2013

Brigham City Community Center

Brigham City, Utah

Draft Meeting Minutes

Meeting Begins: 6:05 p.m.

RAC Present

Robert Byrnes- Chair, At Large
John Cavitt- Nonconsumptive
Paul Cowley- Forest Service
Joel Ferry- Agriculture
James Gaskill- At Large
R. Jefre Hicks- At Large
Russ Lawrence- At Large
Jon Leonard- Sportsman
Kristin Purdy- Nonconsumptive
Craig Van Tassell- Sportsman
John Wall- At Large

DWR Present

Jodie Anderson
Justin Dolling
Phil Gray
Jordan Nielson
John Shivik
Randy Wood
Sarah Seegert
Scott McFarlane
Mitch Lane
David Beveridge

Wildlife Board

Bill Fenimore

RAC Excused

John Blazzard- Agriculture
G. Lynn Nelson- Elected
Bruce Sillitoe- BLM

Unexcused

Bryce Thurgood- At Large

Agenda:

Welcome, RAC Introductions and RAC Procedure
Approval of Agenda
Approval of Nov 6, 2013 Meeting Minutes
Wildlife Board Meeting Update
Regional Update
R657-27 License Agent Procedures Rule Amendments
R657-60 Aquatic Invasive Species Rule Amendments
R657-43 Landowner Permits Rule Amendments
R657-10 Cougar Rule Amendments

Item 1. Welcome, RAC Introductions and RAC Procedure

Welcome: Robert Byrnes, RAC Chair
Introduction of RAC Members
RAC Procedure: Robert Byrnes, RAC Chair

Item 2. Approval of Agenda

Motion: Paul Cowley- Motion to approve the agenda for tonight's meeting.
Second: Jim Gaskill
Motion Passes: Unanimous

Item 3. Approval of Nov 6, 2013 Minutes

Motion: Jim Gaskill- Move to approve the minutes of Nov 6, 2013 as amended.
Second: Russ Lawrence
Motion Passes: Unanimous

Item 4. Wildlife Board Meeting Update

Robert Byrnes, RAC Chair

The Wildlife Board meeting for our Nov. 6 meeting will not occur until Dec 5, 2013. Emailed the Wildlife Board actions from the previous meeting, included their minutes.

Jim Gaskill- When they make a decision contrary to recommendations, that they are required by law to make a written explanation as to why they disagreed with us. I am not sure referring us to the minutes fulfills that obligation.

Robert Byrnes- Their response to any difference in action between what we recommended and what they did is in the official minutes of the Wildlife Board meeting. It has been that way for a while. I did give you my take on why they did what they did but you would have to listen to the recording.

Jim Gaskill- I am tempted to go back to school and get my law degree but it probably won't happen. In the meantime, I will continue to register my opposition.

Item 5. Regional Update

Justin Dolling, Regional Supervisor

Law Enforcement- Winter range patrols. Dec 19th the Division will graduate 4 new recruits from POST. Lieutenant Scott Davis will be retiring January 1st.

Wildlife- Post Season deer classifications. Big Horn Sheep transplant from the New Foundland's and Antelope Island along with a deer transplant from Antelope Island.

Outreach- Elk Festival Saturday, December 14th at Hardware Ranch.

Aquatics- Conservation team meetings talking about different species that are either sensitive or do not have stable populations. Removed another barrier from the Weber River. Fishing on Weber River has slowed.

The Division has been involved with Utah State University on long term cougar study. Discussion about holding open houses informing public and RAC members who want to attend and learn about that study with results.

Robert Byrnes- Will we be getting one of the graduates from POST?

Justin Dolling- Yes.

Jim Gaskill- Were you referring to that work on the Weber in the mouth of the canyon or was there another barrier.

Justin Dolling- My understanding is that it is further up than the mouth. They were doing some work on that big structure but this is further upstream.

Jim Gaskill- You might mention that. It is a pretty big thing they did at the mouth of the canyon.

Justin Dolling- Our aquatics folks redesigned a side channel passage so there is a really big, tall barrier that sits at the mouth of the canyon that diverts water into irrigation canals. It is a four or five foot drop. It is a physical barrier to the movement of fish. They created these side channels and redesigned the inlet portion of the irrigation canals so the fish can navigate through that and make it back up above the barrier. They have been monitoring the movement of fish and they have successfully moved back and forth through that system.

Jim Gaskill- I was nervous about that but I think it turned out very well. My other question is do you have a date on the bighorn sheep transplant out to the Newfoundland's?

Justin Dolling- I would ask Randy if they have settled on a date?

Randy Wood- January.

Justin Dolling- Probably mid-January.

Jim Gaskill- I am interested in that if you would let me know.

Justin Dolling- I think the chukar season is still open then too?

Robert Byrnes- You will send an email out to the council members when those transplants are going to occur won't you?

Item 6. R657-27 License Agent Procedures Rule Amendments

Phil Gray, Business Analyst

See Handout

RAC Questions

Paul Cowley- Anyone who is selling the license has to have access to the internet?

Phil Gray- The store itself. So, if you want to go in and buy a license, in the store the employees need to have access to the internet. We are not asking that Walmart provide everyone access. They do have to provide it to their employees but not to everybody. Right now, in order to sell a license, you have to have internet access. Everybody already has access, just some are restricting what sites they can and can't get to.

Joel Ferry- These stores that have policies in place, how is this going to work with their internal policy.

Phil Gray- The big road block was going to be Walmart. They did not even want their employees going to an external site to sell licenses. We told them this is the only way they could do it. Walmart has decided to allow access to our wildlife pages. There are a few places that their internal policy says they cannot visit any website unless it is work related which this is. As far as I know, the communities I have dealt with like Smiths, Macys and Kmart that have these restrictions in place. From what I can tell, their internal policies do not prevent it, it is just someone in the IT department has blocked everything.

Joel Ferry- You don't want to put this policy in place and someone goes to buy a license and they can't physically log onto your website.

Phil Gray- We are not going to shut off everybody who does not have access to it. All of these stores currently can get to our license sales website. It has kind of a back door domain that we can get them through. It is really easy to work around. I just have to call their corporate people and everyone is happy and fine with it.

Kristin Purdy- Did you say that all of the agents do have internet access?

Phil Gray- They have to in order to sell licenses.

Kristin Purdy- Even small seasonal bait shop owner at Flaming Gorge has got internet access.

Phil Gray- Yes, that is the only way they can sell licenses for us is to connect to our license sales website.

Kristin Purdy- If we adopt these new rules, I am not really worried about Walmart and Sportsman's Warehouse, it is the small business owner who might have their operation in a remote place, you are saying if they have internet access we are not shutting him out.

Phil Gray- That is actually already in the rule. The requirements for being an agent, you have to have a computer and be trained. You have to have access to the internet. We do have minimal system requirements in order to meet security demands to protect information.

Jim Gaskill- This is basically so they can answer questions from their customers.

Phil Gray- For the most part, these agents have our guidebooks on hand to refer to. If they can get online, they can also get those answers.

Motion

Motion: Jim Gaskill- Recommend the Wildlife Board approve R657-27 License Agent Procedures Rule Amendments as presented.

Second: John Wall

Motion Passes: Unanimous

Item 7. R657-60 Aquatic Invasive Species Rule Amendments

Jordan Nielson, AIS Coordinator

See Handout

RAC Questions

John Wall- Do the mussels in any of their lifespan, does water temperature cause them to die off or survive better?

Jordan Nielson- There are definitely optimal temperatures for mussels. Just for purposes of explanation, they produce most heavily between the temperatures of about 60 and 75degrees Fahrenheit. Once temperatures drop below that, reproduction stops. In wintertime in Utah, the expanse of their population is halted. For most of the state, wintertime is a pretty safe period. In the summer, we are definitely very concerned.

John Cavitt- Can you review the impacts of each of those classifications either on management and or enforcement? Do they change?

Jordan Nielson- The actual change in what we do for management is pretty much the same whether it is suspect, detected or infested. We will ask the director to put a closure order initially. With infested waters, we will come to the Wildlife Board and RAC to ask it be listed as infested. We will ask boaters to decontaminate their boat as they leave those waters and launch anywhere else. From that aspect, the effect on the boaters is the same. What we do internally is different in that we sample heavily for longer periods of time and keep a closer eye on it. Furthermore, it helps us to communicate with other states what is actually in that water body for the actions they choose to take depending on what we are finding.

Paul Cowley- I am wondering why we are having to go back to the RAC or the director to take action vs. saying it meets criteria and automatically gets listed under an infested, detected or suspected category.

Jordan Nielson- In the past, our classification system has been a moving target. By putting it in rule, it makes it so we have to follow a rule. With the infested classification, that is listed in law that it goes to the Wildlife Boards authority.

Paul Cowley- That helps. Thank you.

Kristin Purdy- What is behind the one year, three year, five year and seven year choices for each of those classifications?

Jordan Nielson- Invasive species management is basically risk management 101. As a western regional panel, we have chosen time periods based on what we feel like is a manageable risk. With a suspect classification, we find a single sample and feel it is a fairly low risk but want to keep our eye on it. Regionally, we felt like 3 years is a good time period to keep our eyes on it. Likewise, with five or seven years depending on what we found.

Kristin Purdy- Let's say it is infested and for 7 years you are going to test and hopefully get negative results. Do you change the incidence of testing or number samples and how frequently you do it?

Jordan Nielson- Yes. Currently with our boatable water bodies, we sample at least once a year. some only get sampled in the fall or spring where temperatures are optimal for reproduction.

Kristin Purdy- These are bodies of water that are not classified?

Jordan Nielson- That have no classification. Once we get some kind of a hit, we are going to up that to at least monthly if not biweekly so we can make sure we have what we think we have. If we put a classification on a water body, it will be sampled at least once a month for the duration of the time period. This time period does not start until we get a negative sample. Lake Powell, the time period for being infested did not start this spring, or for declassification from infested did not start this spring. It will start at some point in the future if we come up with a negative sample.

Jim Gaskill- Is there anything on the horizon that looks like it may prove successful in eradication?

Jordan Nielson- At the scale our reservoirs would require, no. There are chemicals that are effective at killing quagga and zebra mussels. There is also a bacterial strain that you would introduce that will kill mussels but the cost is so exorbitant, it is not practical to consider.

Jim Gaskill- Essentially, if it is infested, we are just hoping to find a negative.

Jordan Nielson- Apart from sampling heavily. If a water body warrant's some type of a classification, we also shift our operations from being preventative. Making sure no boats come in that might have a mussel in them to part of our operations shifting to contain it. Currently, with water bodies that don't have mussels in them, boats are free to leave at will. Water bodies where they have a classification, we encourage people to stop and be checked by a technician and be cleaned and drained. They get a tag identifying they have been at a water body with invasive mussels.

Craig VanTassell- When you say encourage, what does that mean?

Jordan Nielson- Legally, under our code, we cannot force people to stop. We can require they decontaminate but it does not give us the authority to stop people anywhere and everywhere. We encourage them to stop at the boat ramp and be cleaned, drained and checked by a technician. The incentive for that is it makes it much easier when they show up at another water body because they have a tag. I would love to have that authority and we have pursued it this year to try and change our law and we have been asked to wait and see if we can come up with better solutions than changing legislation which is always risky.

John Wall- From when they are a microscopic to adult, what is the time span on that?

Jordan Nielson- They are free floating microscopic for about a month. Then they will settle on a hard surface and attach what is called byssal threads. At that point, they have the potential of reproducing even though small to the naked eye. Within a year, they are large enough that you can identify them visually.

Joel Ferry- It seems odd that they spread so quickly and yet you would find only one sample and nothing else. Is that a common occurrence? Is that just a false positive?

Jordan Nielson- I would not call it a false positive. I would call it sheer dumb luck that we sample a single inoculation.

Joel Ferry- Is it common?

Jordan Nielson- For these things to be transferred around?

Joel Ferry- No, to find one sample and then not again in a year.

Jordan Nielson- No, it is not. As a matter of fact, Jordanelle is the first case where we have found something we cannot identify.

Joel Ferry- You have never found another in that lake since?

Jordan Nielson- Right. I wish we could sample an entire water body but we pull up samples and I would compare it to sampling a waterfall with a thimble. You are not going to capture much. We try and take the best sample possible and hope we catch mussels there. Boats move around a lot and I would not be surprised if every single boatable water in Utah has had contact with invasive mussels at some point. A female adult quagga mussel can produce up to a million of these Veligers every year. The survival rate is a fraction of a percent. If we do find a villager in a water body, it could have come from an engine or tank.

Joel Ferry- Doesn't mean it is going to survive.

Jordan Nielson- Right, in fact, it is very unlikely it would survive.

Motion

Motion: Joel Ferry- Recommend the Wildlife Board approve R657-60 Aquatic Invasive Species Rule Amendments as presented.

Second: Paul Cowley

Motion Passes: Unanimous

Item 8. R657-43 Landowner Permits Rule Amendments

Scott McFarlane, Wildlife Program Coordinator

See Handout

RAC Questions

Jim Gaskill- You might also make the process a little simpler. Maybe allow them to do electronic signatures and that kind of stuff. Is that part of your procedure?

Scott McFarlane- We have not considered electronic signatures. They can email or fax a signature from a landowner. We just have to have documentation from the landowner that is going to participate in that process. Currently, they have to go to every landowner every year to get that signature. This would make it valid for three years before renewal again.

RAC Comment

Jim Gaskill- It seems like this a pretty reasonable thing to do as long as we have the built in flexibility you had with the one year. It does not seem like a difficult decision to me.

Motion

Motion: Jim Gaskill- Recommend the Wildlife Board approve R657-43 Landowner Permits Rule Amendments as presented.

Second: Joel Ferry

Motion Passes: Unanimous

Item 9. R657-10 Cougar Rule Amendments

John Shivik, Mammals Coordinator

See Handout

RAC Questions

Kristin Purdy- Could you specifically define chronic depredation or the word numerous?

John Shivik- That is exactly what all the discussion was in the RAC last night. This is a little different because the current definition of chronic in the plan says chronic is depredation is occurring on private land. That depredation has occurred in three consecutive years or 4 out of 5 years and Wildlife Services has attempted to remove the animal but has been unsuccessful. This currently falls on numerous which gives the division a little more leeway. Last night they handled it as leaving it in terms of discretion but this is something we would love to hear input from the RAC about what numerous should or should not mean.

Kristin Purdy- My concern is we were talking about land that has a potential for depredation. Since the division has latitude for deciding the time and place when they have an application for a permit, they can determine what that is going to be. The potential for depredation is there if there is a livestock animal present. This is perhaps a broad view on my part but I am thinking, there is a sheep and I am hungry and I am going to take it. I am concerned about that being the circumstances for a permit being approved would be defined if there is a standard being used before a permit is approved or rejected.

John Shivik- I am not sure how to answer. It leaves the flexibility for differences in different places. If we are in a unit that is harvest objective, we would look at it one way vs. a unit that is limited entry vs. the number of allotments vs. is it on private or public land. We have left it at this point to give flexibility vs. that 3 out of 4 years.

Kristin Purdy- Is the division creating a standard, a decision tree to follow when you get a depredation permit application on an allotment of land to reduce the threat of cougar depredation.

John Shivik- No, it is leaving that vague

Kristin Purdy- So, it leaves it to a judgment call?

John Shivik- Yes, it does.

R. Jefre Hicks- where it says a person has taken a cougar can also get a cougar permit on a limited entry provided they only have one cougar as retained annually. By retained, does that mean if they killed one under depredation does that not count and they can shoot another one or however they get it under their different permit?

John Shivik- There are two sections. There are two things going on here. With the 72 hour one if they had traditionally taken a cougar, they could still ask for a permit and they could keep that cat that one time.

R. Jefre Hicks- So they could take two?

John Shivik- Only one could be retained.

R. Jefre Hicks- The one before was not retained because it was retained by the division.

John Shivik- Exactly.

R. Jefre Hicks- So, they can take two. Will the one that is not retained be reduced out of the bag limit or the tag total for the area come hunting season or permit season.

John Shivik- Yes and we had discussions about that as well and that is another thing that is left open and not really addressed in the rule. The way I was interpreting it is if an animal is taken out on one of these permits, it would count as harvest objective for that area.

R. Jefre Hicks- That is the way you are interpreting it?

John Shivik- Yes.

R. Jefre Hicks- But, what does that mean in rule? Nothing matters unless it is in rule. Do you need one of us to make a motion to add in the rule change.

John Shivik- If you need clarification and those points are important, then please do that. It helps us and that is why we are here to get that kind of input.

Robert Byrnes- Typically, a depredating cougar taken would not be considered in the quota or the number of animals harvested in a unit correct?

John Shivik- If a Wildlife Service's does a depredation take, it is not included in that as currently we do it. I thought it fit best just in trying to balancing the competing input I have heard on how to handle this one. It seemed to be best and count it towards the quota. There are arguments both ways on this.

Robert Byrnes- If you are in a unit where there is a quota and the unit is going to be closed, you could potentially count that. If it is a limited entry unit, there is no way to tell in advance how many you are going to be taking under depredation and subtract that from permits you are going to give on that unit.

John Shivik- Right. That is why we have to factor where a unit is and see how these things develop. I think it will be harder to write these permits for a limited entry unit than a split or harvest objective unit. Just because of that exact issue.

Robert Byrnes- The section Jefre was referring to was actually 5C. So, it is a person who takes a cougar under subsection 1A or 4A may acquire and use a limited entry or harvest objective cougar permit in the same year provided no more than one cougar is obtained annually. In reality, under subsection 4A, you can never retain a cougar.

John Shivik- Right.

Robert Byrnes- The wording, you have combined two things to cover yourself, but in reality you can never retain a cougar under 4A.

John Shivik- Exactly.

John Cavitt- How widespread are these cougar problems within the different areas of the state.

John Shivik- Just looking at compensation that we paid the claims of certified kills in 2013 there were 97 ewes killed and a couple hundred lambs as well. Overall statewide is 51,000 dollars' worth of damage. That is a pretty typical year.

John Cavitt- Is it restricted to certain areas?

John Shivik- I did not break it down to what regions or places. I hear more in this region than other places.

Joel Ferry- How many cougars do you anticipate will be taken through the depredation? Through this particular landowner?

John Shivik- I really do not anticipate very many at all.

Joel Ferry- Just a ballpark.

John Shivik- I would think maybe 5 or 10 if that. Just based on the number of complaints. This is just another tool because we have Wildlife Services. We have 72 hours. So, in those situations where those other things don't work, this just adds another tool but it is not a whole other change in policy.

Craig VanTassell- What are the steps the division takes to determine place, time and means of take? Who in the division makes that decision?

John Shivik- We will have the data first and use Wildlife Services to confirm they were cougar kills. We will hear from the landowner and work with the region and landowner to look at the units and other factors.

Presumably, it would be me or working with the regional supervisor and section chief. Which one of us would actually sign it? I assume it would be me.

Craig VanTassell- Who is going to give authority or set it up? I think that needs to be more spelled out.

John Shivik- Which person does it? It says the division in rule right now. It would be either me or higher up the chain in Salt Lake.

Jim Gaskill- Who issues it? The division issues it but usually we say somebody within the division like the director.

John Shivik- I would look at it and then physically with licensing and how this permit process would work, Justin would you help me out?

Justin Dolling- My guess is the regional office would issue the permit. The landowner would come into the regional office and explain they have a problem. The wildlife manager would coordinate or consult with John the program coordinator to confirm there is a documented problem and it is chronic and numerous. Then, if that was all determined, the region would issue the permit I believe.

Robert Byrnes- Could we assume you are going to establish a written procedure that you will follow in issuing these permits so these questions can be answered easily? Some kind of internal procedure?

John Shivik- Typically, it is done just as Justin described it where we discuss and go through everything according to rule. If you want us to have that checklist, we can put that together.

Jon Leonard- Why would it be different than the procedure used now for depredation permits?

John Shivik- If we have a chronic thing and we want to write a permit, the director can write a permit right now so a landowner or immediate family member can remove a cougar at a different time of year but the difference in what we are doing here, it allows another designee. Someone could call a houndsman or not an immediate family member. There is other things to do through different processes.

Paul Cowley- Wondering if we know we have a chronic problem and dealing with public lands, why would we not increase the harvest in that area. It does not make sense to me. I can understand if it is on private land but on public lands, why not just increase harvest?

John Shivik- If you increase harvest objective on a whole area to solve one problem. The idea is to keep the focus where the problems are. The problem is not a unit wide problem, it is on some allotment or private land and that is why we approached it this way.

Paul Cowley- Given what we just did on the deer harvest units where we separated those up into smaller units. Why would we not do the same with cougar if that is the issue?

John Shivik- Into smaller units?

Paul Cowley- Sure.

John Shivik- Because it is simpler to go case by case allotment or private land where there is a problem vs. proactively dividing the state up. The cougar plan is really complicated already and to further subdivide units, I see it much more efficient to resolve particular problems on particular areas rather than second guess and divide units into small pieces.

Paul Cowley- If we anticipate this only affecting 5 or 6 animals a year and you are saying we cannot get Wildlife Services to deal with those 5 or 6.

John Shivik- We can and they do a great job. They are out and about but not always. There are some people that have sheep and have hounds and they can do it and do it at any time. There are some times Wildlife Service's do not have hounds. This is not replacing any of those things, just adding another option and flexibility to take pressure off.

Jon Leonard- This is another tool we probably use last resort when all other tools either will not work or have been tried. It will be used judiciously and sparingly as a last resort.

John Shivik- Right. I do not envision as a last resort but not as the first one.

Jon Leonard- The most efficient tool to deal with that particular case. It will require subjective.

John Shivik- There is always some element of subjectivity and urgency.

Kristin Purdy- Do you have any stats from Wildlife Services on how many depredating animals they have removed over the last couple years?

John Shivik- I did not collect those. I do not have those with me right now but have a note to go look that up. The only numbers I pulled were those depredation numbers.

Public Comment

Bret Selman- We have had chronic lion losses and three different past years in three different units. They are all different cats and all different problems. Some have been over 10 years and some for 3 years in the same places. Numerous might mean 2 if you had a registered flock of 10 as a young man like my son trying to start a herd. I am trying to answer questions I heard. In my opinion, these cats that are the problems are females and no one wants them. These are the problems. The current system, we harvest the big toms and let the females go. It is even advised in the proclamation to let females go. We have to get these females out. I am in support of this and have met with John over and over again and with Kevin Bunnell. I was on the RAC for 8 years and off for 2 years. I have been after this for a decade. We need to work on this problem. Wildlife Services is stretched from Nevada to Wyoming. They are spread too thin. They don't have time to do all this. If we can come in and work on our own problem, it is great. If it was all harvest objective, we could buy tags over the counter all winter and the problem is solved. In the split units and limited entry units, what are we to do? If you are losing 20,000 dollars of livestock each year, you are supposed to sit there and let the cat eat? This helps us and gives us a tool where we can go. We know where these cats are. If a livestock owner does not have dogs, he can direct the houndsman where to go. We need a tool in order to get these problem cats.

RAC Comment

Robert Byrnes- On subsection 5C where you include a subsection that you cannot actually possess the cougar. That you would maybe make it generic. That it does not refer a specific subsection, and just says if you harvest a cougar using a depredation permit and you did not retain it, you could still use a limited entry or harvest objective permit to take a cougar and possess it.

John Shivik- This is written by Marty or our lawyer. I will do my best but he wins these arguments.

Robert Byrnes- You refer to something when it does not actually apply. In the guidebook, you want to maybe say that someone can do that right? If someone does use one of those depredation permits to take a cougar. If they do not keep it, they still can apply and harvest another cougar and keep it.

Jim Gaskill- I think that is an issue I had too. That seems to be very legally oriented and it seems like if you just say you can't keep one that you get on a depredation permit period, end of story. As I read this, it does not say you can't take more than two. You can take more if you take them on depredation permit. You can only keep those that you harvest with a license, not one you harvest with depredation.

Robert Byrnes- You can keep one that you take under the 72 hour rule. You can keep one there.

John Shivik- Right.

Jim Gaskill- I am saying it is easier if you can't keep any. Why do they want to keep them if they are just little females no one wants as Bret mentioned. It seems to me if you go out and take one on their depredation permit or one that is caught in the act of killing, give it to the division and if you want to keep one and go out during the season and kill a big tom and do with that whatever you want.

Robert Byrnes- You might be talking about two different groups of people though. A rancher that kills a cougar under the 72 hour rule or one of his employees might not have any interest in going out cougar hunting.

Jim Gaskill- But he has an interest in putting one on his wall. To me that is a bit of a conflict.

Robert Byrnes- It is an opportunity for him where he might not have that because he does not have hounds and does not go cougar hunting.

Jim Gaskill- To me it is road kill when we have depredation. We have rules for keeping road kill too I guess. It seems like unnecessarily complicating the issue by allowing them to keep one under this circumstance but not under this circumstance. It does not make a lot of sense.

R. Jefre Hicks- On the depredation permits, it seems like because they have half of the next year to go after this problem cat, whether it is the right cat or not that is causing troubles, the end result is basically a lowering of a population of that area. I don't know if that is the idea behind it, to lower the overall population in that general area. It seems a little loose to me to give them 3 or 4 months to go after a problem cat when a cat could be long gone.

Paul Cowley- I find my concern there with 4A where we talk about depredation permits for cougars on specified private lands which I am fine with. I recognize the need to control some of the predator populations on your own land. As we deal with public land grazing allotments, there is a bigger issue there with multiple uses and

multiple people looking for just raising livestock there. To go after non-offending animals seems to be a contradiction of the multiple use benefit of public lands.

Jon Leonard- I guess I see it a little differently. We have a serious problem with depredation and we are trying to target as best as possible at discretion and judgment of the division of the offending animal. This is a much needed tool. We have been listening to this for a very long time. I think it is necessary. I think landowners make a tremendous contribution to wildlife, particularly in the northern region. This tool will help mitigate or prevent their losses.

Joel Ferry- As a livestock owner myself, I see this as an excellent way to kind of pinpoint a problem and take care of that problem. By, whether it is on private or public land, this is going to be targeting those animals that are causing depredation problems. I think it is the right direction to go.

Paul Cowley- I think it is important to recognize the discussion in the presentation. This really does not target the offending animals. This rule is targeting all animals in an area of where there has been a chronic problem. It does not target the individual necessarily that may be causing that problem. It seems to me like we really ought to look at the cougar proclamation to really figure out how to better target the females and some of these others to actually reduce the numbers there. Instead of a just a broad sweeping of any animal in this general area.

Joel Ferry- I think that is the purpose of the Wildlife Services but sometimes they are not available. I have had instances where I have tried to get a hold of Wildlife Services and they are up in Wyoming chasing something. It can be very frustrating because it is an immediate issue with a financial impact. It is tough enough to make it as it is when you have to sit and not be able to do anything about it. I think this is not the first option but an option that can be used in specific instances. I don't think it will be widespread that will wipe out the cougar population. We are talking about small numbers here.

Russ Lawrence- From what I hear, I think what you are talking about is the animal.

Joel Ferry- I think so too. I can't prove that.

Russ Lawrence- So the language should be tightened up.

Robert Byrnes- It is probably very hard to say you are going to target a specific animal.

Joel Ferry- If you have something happen on the Cache unit, they are not going to drive 30 miles on that same unit and take a different cat. They will take the one offending their animals.

Kristin Purdy- It seems like among everybody who has spoken, that there is an agreement in principle that this is a good tool. It is a useful tool to people whose livelihood is based on their livestock. The devil seems to be in the details. We talking about the definition of chronic vs. numerous and we have come up with a couple different interpretations of that and whether that is targeting a specific animal or a piece of land in general. Like I said, it seems like we have agreement and principle but we need to work out the details of how the division will act once you receive a depredation permit application. Can we go back to the definitions of chronic depredation and numerous. What did the other council come up with last night?

John Shivik- The other council had much discussion like there is tonight. They ended up going back and forth on numerous and ended up fine with it. What they zeroed in on was public vs. private land issue that you brought up here as well. They ended up with the rule ok as is except they wanted, on public land, that the temporal aspect of this permit to be one month before livestock would be put on that allotment. And one month after the livestock was put on the allotment. They stipulated it would be only the month before and the month after. That was only on public land permits.

Kristin Purdy- And does it only on land that has the history of depredation? Or because livestock is going on that land?

John Shivik- There still has to be some history of depredation. The numerous or chronic.

Craig VanTassell- I think we need a tool to solve this problem. I think this is a move in the right direction. I think if we make too many rules, it will be ineffective. I think if a wildlife owner and the division gets together and comes up with a plan which will be different for each situation. I don't know how you can put a lot of little things in it. I think we need the tool but don't know how to solve it. I have faith in the division and the livestock owner that they can come up with a plan to solve a problem. Maybe there does not need to be a lot of rules, just give them that option to do it.

Robert Byrnes- Reading the rule specifically on 4A, it does say that the division may issue depredation permits to take cougar on specified private and public lands grazing allotments with a chronic depredation situation or numerous. It is targeting a specific area. I do not think it is a widespread area where it can be used. Now, you are just looking at time.

Joel Ferry- On section 3, the division can specify the season that the permit is valid and so they can narrow that time down to months or whatever they decide.

Robert Byrnes- The division can specify. You are leaving it up to the division to specify the time period.

Joel Ferry- I like that part of the rule. The division has been charged with the responsibility to care for the wildlife of the state. This allows them to do that.

Jon Leonard- In my experience, these livestock producers can very closely target offending animals. They are very good at that. Maybe occasionally an innocent animal will be killed but I think that would be the exception rather than the rule.

R. Jefre Hicks- I think that they are capable of targeting a problem animal but I just have a hard time with giving them four months to do it. Whether it is on private or public land. It just does not seem like you can go after an offending animal four months later. Also, I have a hard time issuing a depredation permit without a specific definition of what a chronic problem is. Chronic might be if you have 10 cows, it only takes one for a big problem. It is hard to make a rule change on what a depredation permit should cover. As you brought it up, they have a pretty wide broad spectrum of things they could do. It could be 3 months later. It just seems too broad. You have 72 hours to go after them.

Joel Ferry- I don't know where you are getting the four months.

R. Jefre Hicks- When he first brought up this, you had some dates up there that I saw. I may be wrong.

John Shivik- It was more the season that is easier to track and find in winter than in summer. Probably it came from that.

R. Jefre Hicks- So is there a time limit on the depredation permits?

John Shivik- It is not in the rule but I would envision this as someone would call and have an issue. I would make sure it has been documented by Wildlife Services, it is not just one ewe or lamb, it is serious. I could work with the landowner, normally between December and January. If there was no access, we might come up with March or April on private land. If it was on public land, we would go to the Forest Service to find out the boundary of the allotment and when they would be able to get in there and not able to get in there. We then write the permit to match and be effective. It is about trying to focus it. Right now, the way the rule is written, that is how I would implement it. I am very happy if you do a motion that says these things can only be one or four months long. If you feel the need to add a definition of numerous or chronic, please do and we will do it. Right now, it is written so we have the flexibility to work with the landowner or with the specific problem.

Jim Gaskill- I think what we are concerned with is that it would be limited so that we have the best chance of getting the offending cougar. If you were to say that you can only take it around the time when livestock is going to be there, it would be a step in the right direction. What we are worried about is if you say we have had a lot of sheep killed in this area in past years so go in and kill all the cougars in there when maybe the offending cougar by now is 10-20 miles away. I think that is what we are concerned about. None of us want to hurt Bret Selman ever or any other livestock owner for that matter. We want them to take out the offending cougars but it is like issuing an injunction against cougars. With people we say you are not guilty until we prove something. Here we are saying you are guilty if you are in the wrong area and you may not have committed the crime.

Jon Leonard- I look at it differently. I have full confidence in the division's ability to deal with this without a bunch of oversight and regulation and policy written in. They will error on the side of wildlife.

Motion

Motion: Jon Leonard- Recommend the Wildlife Board approve R657-10 Cougar Rule Amendments as presented.

Second: Craig VanTassell

Discussion on the Motion

Motion to Amend: R. Jefre Hicks- Subsection 4a. Depredation permits would be taken out of the sport take permits available.

Second- Jim Gaskill

Robert Byrnes- I see some very complicated implications. Depending on the time of year, you could be affecting how many tags there are in a limited entry unit which we have already given those tags out to people. If it is harvest objective, it will end early.

R. Jefre Hicks- You brought that up earlier and I understand that but the overall effect of depredation permits is to lower the overall population. If hunting permits are population based, that is 1-10 less cougars available. I don't know why you would not adjust the permits, either that year or the next year as soon as you can.

Robert Byrnes- Let me check one thing. Your motion to amend is that any depredation permits would be taken out of the permits available within the unit.

Joel Ferry- I think if I am correct right now, when the Wildlife Services takes a cougar out through depredation, it does not count against harvest objective. But when it is under the 72 hour rule it does. So, we are talking about more cougars being taken than just this specific rule will do. We are talking about bigger numbers. It is going to have a drastic impact on harvest objective numbers. I don't think it is a good idea.

Justin Dolling- I think what Jefre is saying is that if a cougar is harvested using one of these depredation permits, it would be considered a sport harvest. When we calculate our permits, we would include that as a sport harvest vs. a wildlife service removal that does not.

Joel Ferry- What about the 72 hour permit?

Justin Dolling- I can't answer that.

Joel Ferry- They are both depredation permits.

John Shivik- That is not in rule as far as how those things are counted and calculated. Traditionally, we have been counting depredations by Wildlife Services and those things as a depredation and not sport harvest.

Joel Ferry- What about the 72 hour?

John Shivik- They are depredation

Joel Ferry- I thought you said they do count towards the harvest objective?

John Shivik- We would count this current one.

Joel Ferry- This new one?

John Shivik- Yes.

Joel Ferry- You are planning on counting this new one under the harvest objective as a sport take.

John Shivik- Right.

Robert Byrnes- Right now, we are just talking about this depredation permit rule. Potentially, this would have to be handled under the cougar rule where we determine how we account for permits. We are talking about approving this new rule. I don't know that a lot of the public has had the opportunity to comment on the kind of change we are talking about making.

Jim Gaskill- Would you read the proposed amendment again.

Robert Byrnes- The motion to amend would be that Depredation permits would be subtracted from the permits available in the unit. It would affect the harvest objective. It would also be potentially used in the calculation for the limited entry permits in the following year.

Jim Gaskill- It seems to me that the amendment would be appropriate at this point. We are talking about depredation permits and this is an issue of depredation permits. I don't think the amendment would be out of order.

Joel Ferry- Where these are depredation they are not able to keep the animal?

Robert Byrnes- Under the 72 hour rule, the 1A they can.

Joel Ferry- We are not talking about those right?

Robert Byrnes- It is all of them.

Joel Ferry- We are only talking about chronic cougar depredation.

Robert Byrnes- I don't think Jefre separated those. They are both depredation permits.

Joel Ferry- This rule that we are changing now is not a sport harvest and they are not able to keep the animals. So, it is taking from that pool. The animal is gone no matter what but the sportsman does not get the result right?

Robert Byrnes- I agree.

Jon Leonard- That is maybe creating some tension between sportsman and livestock producers. It is unnecessary given the small numbers and limited use this applies to.

Jim Gaskill- A depredation permit is anything, any matter of taking a cougar that is depredating 72 hours or whatever. It is not limited to where we have this new section 4A and that is the only thing that is a depredation permit.

Robert Byrnes- Is that right?

Jim Gaskill- In the amendment, is what I am asking. We are talking about the amendment. Do you intend that to mean all or do you intend that to only mean this new depredation permit.

R. Jefre Hicks- I was thinking about the new permits. The 72 hour gives me no grief at all.

Jim Gaskill- That was my understanding. Just wanted to make sure I am clear so I know how to vote.

R. Jefre Hicks- My amendment was for the depredation permit.

Robert Byrnes- The subsection 4A depredation permit.

Paul Cowley- I find myself concerned with the rule overall. When we talk about such critical terms as chronic and numerous and don't define them and don't lay out a solid process to where everyone can be treated equitably, I think therein lies potential errors and flaws that should be corrected prior to this new direction.

Motion to amend carries: For: 6 Against: 4

Robert Byrnes- The people that were opposed, if we can agree on a simple version of why you are opposed.

John Wall- Most sports tags have already been projected for that year. You might have one deprecating tag or you might have 10. That could range year to year. I think that really has no effect on this sport tag, the depredation one.

Jon Leonard- The division that is overseeing this and issuing tags certainly will take into consideration population effects and use that in their discretion. I think this is just burdensome barrier placed on that. It potentially has an effect of causing more tension and adverse consequences that are unnecessary.

Robert Byrnes- We are back to the amended motion. The original motion has been amended. Do we need any additional discussion on the original motion that has been amended?

Motion

Motion to Amend: Kristin Purdy- The Division will define numerous and chronic depredation in policy and the 4a. permit season would be one month before and after the documented chronic depredation.

Second: John Cavitt

Discussion on the Motion

John Cavitt- I agree with the motion and I think I am all for giving latitude to the division personnel and so forth. However, it is very important to be consistent in how this rule is applied. It is important these kinds of definitions are spelled out and can be applied in an equitable fashion.

Jim Gaskill- Do you have any specific recommendations? Do you have guidelines that you could give them?

Kristin Purdy- I do not but I wonder if John could give us some examples like choose A, B or C options.

John Shivik- If you instruct us to define it, we would have to define it before the board. It would be nice to get this question resolved.

Robert Byrnes- It is not going to happen until January.

John Shivik- We get in this weird position where we are changing mid-stream. I think the idea of this numerous and chronic time period fell back in some discussion you had and some of Bret's comments. There is a certain amount of what is numerous. Again, it is how small is that producer or how big is that flock? Public vs. private land issues. It makes it difficult to put in my head what an appropriate number would be.

Robert Byrnes- The motion to amend would require you to do that which would basically go in to your internal procedure on how you do that.

John Shivik- The rule would say we would define these things and then write it up. Would this become a policy?

Robert Byrnes- yes.

John Shivik- So, we would write it into that and have those definitions there.

Paul Cowley- I think you would want that defined before it hits the board.

Robert Byrnes- If Kristin said to define in rule, is that what you would prefer?

Kristin Purdy- I am not so sure if it needs to be defined in rule. I am looking for the warm fuzzy the division has guidelines to follow. John used the word equitable. Another fuzzy area which I just thought of when you are

trying to define chronic, it is different if you are talking about being able to trace it to one animal vs. tracing it to a patch of land. You don't have an easy job in front of you.

John Shivik- You touched on something very important. This is not focusing on animals, it is a patch of land approach here. That part is clear. I would ask that you have some suggestions as to what chronic or numerous or time period would mean going forward so we can have that discussion at the board and get it into rule if we need to at that point. We can already define better, numerous, chronic time period. The important aspect of these is either deferring to the division to work with landowners. Any depredation situation is never the same. It tends to help have that flexibility but if you want, it would be helpful to come up with numbers that would get into our rule.

Jon Leonard- The division is pleading for flexibility and application, yet we are trying to constrain it to the point they cannot be flexible. You are making something needed unworkable by putting too many strings attached and too many regulations. You may lose the effectiveness of change that is trying to be made.

Jim Gaskill- I suggest we take a page out of the central region and include that one month either side of the chronic documented depredation.

John Shivik- They did not say one month on either side of the depredation. One month of when the livestock would come.

Jim Gaskill- I know, I am making it a little looser than that. We may or may not have the same time period but according to Bret, he can tell when it is going to happen. It may not be when all of his animals were there. If you can say this is when it has happened in the past and give a month either way from that.

Robert Byrnes- Jim asked if the maker of the motion would be sympathetic to changing the term of it. That is up to her.

Kristin Purdy- I don't have any problem with changing the term of it. I can also appreciate what John had to say about trying to do something good and not over restricting the folks trying to do that. I do have some trepidation over wide latitude. Bret's examples are great if you are trying to start a herd with 10 animals, 2 is a horrific loss. If you are running 300 head, 2 is an economic loss for sure but a lower impact. When we try to figure out what is right and what is wrong, I think it needs a little bit more definition than just the adjective. I am worried about coming up with a specific number because it is not a one size fits all thing. What is the right words for chronic vs. numerous.

Joel Ferry- I think that you need to keep perspective the number of animals impacted by this rule. It is very small. The time is going to be the easiest thing to define. To define the other two, I think it is going to be very difficult. We may want to back off on that understanding how many animals will be impacted by this rule.

R. Jefre Hicks- Would Kristin be sympathetic to keeping it out of rule and let the definition of chronic be done in policy. That might allow for more flexibility rather than putting in a number in rule if that number is not acceptable, the whole thing is done anyway. By doing a rule suggestion that they come up with a definition, that is different.

Kristin Purdy- I agree. I am not hard over on it being a rule.

Robert Byrnes- Let me try to make it concise and you tell me if it is acceptable to you and John. The motion to amend would require the division to define numerous and chronic in policy and limit the season the 4A permit is valid to one month before and one month after the documented chronic depredation.

Kristin Purdy- I am ok with that.

John Cavitt- Affirmative.

Paul Cowley- I think those definitions, be it in policy or rule, are fairly important. Rather that is a percentage of the overall herd that is used or a count over a number of years, to me I think that is where we are working with the private landowner that owns the livestock and can help define the break point on a percentage of herd lost. It may or may not affect the viability of that operation. To me, that would be a much stronger way to go than trying to define how many animals. I do think it is important to define that very clearly.

John Shivik- If we have in a motion where any of these animals removed are going to come out of the quota, biologically this discussion is sort of mute in the sense that in terms of managing the cougars and the number of cougars taken off any given unit, it is going to be the same. Instead of a sportsman, it is one from a particular land. If we had a low threshold, it is capped by the overall permit numbers on that unit. It kind of does not matter relative to the way cougars are and the way you have it set up currently.

Robert Byrnes- That is already part of the original motion because we amended our original motion.

John Shivik- Exactly, so because you amended that way this discussion does not have as much relevance.

Robert Byrnes- The motion to amend would include in the original motion that the division will define numerous and chronic in policy. The 4A depredation permit time period would be one month before and one month after the documented chronic depredation.

Motion to amend Fails: For: 5 Against: 6, Vote was a tie. RAC Chair voted in opposition.

Robert Byrnes- I trust the division to determine the time period and to define chronic and numerous in a manner that is equitable to the wildlife and the livestock operator.

Jim Gaskill- Is the rule that you go by that only the opposition has to explain or the minority has to explain?

Robert Byrnes- It has never been asked that way Jim.

Jim Gaskill- That is why I am asking. What is the answer?

Robert Byrnes- I think we have discussed it enough that a member of the Wildlife Board that wants to know has to listen to our minutes just like we do theirs.

Jim Gaskill- I think they should have to anyway.

Amended Motion Passes: For:8 Against: 2

John Cavitt- I am still hung up on the definition issue. I think that is an important aspect. That kind of thing is done all the time.

Paul Cowley- Partially the same as Johns. The way this rule was discussed tonight was so vague. It leaves too much discretion and inconsistency to the private landowner and the division. A change in personnel could change the policy by the way it was applied. I also believe public lands should be left off the table if you are concerned about the harvest there.

Robert Byrnes- You all have new code books, please take them home and research them.

Meeting Adjournment

Motion: Gaskill- Move we adjourn.

Motion Passes: Acclamation by RAC Chair

Meeting Ends: 8:20 p.m.

LICENSING RULE CHANGES: R657-27 LICENSE AGENT ROCEDURES

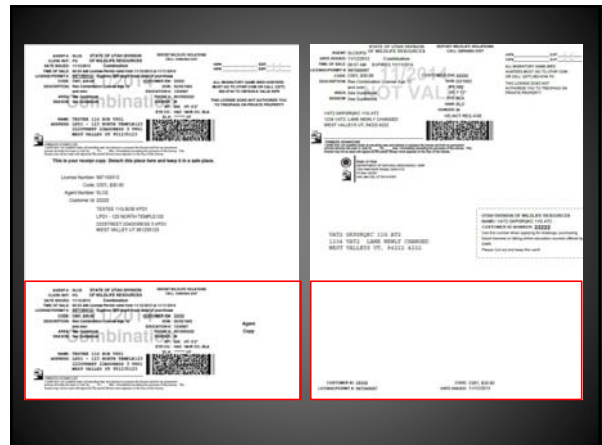
Presented by: Phil Gray, Business Analyst

Proposed changes

- Minor 'housekeeping' edits and corrections
- Provide the Division the authority to require license agents to use Automated Clearing House (ACH) for Division Payments.
- Require license agents to allow access to utah.gov from license sales locations.


Proposed changes

- Remove language that allows the Division to supply computer equipment (except the first printer) to license agents.
- Reduce the amount of time license agents are required to retain audit copies of licenses sold.



Thank you

Modifications to Rule R657-60 Aquatic Invasive Species Interdiction



Quagga mussels (*Dreissena bugensis*)

Consensus in the West


- Aquatic Nuisance Species Task Force
 - Western Regional Panel
- Identified a need to have some consensus among western states
- First step is to define certain program classifications the same way among states

Classification System

Current	New
• Inconclusive	• Inconclusive
• Detected	• Suspect
• Infested	• Detected
	• Infested


Classification System

Current	New
• Inconclusive	• Inconclusive
<ul style="list-style-type: none"> • Definition stays the same as the current system <ul style="list-style-type: none"> • Indicates a suspicious finding that can not be verified with a second method 	
<ul style="list-style-type: none"> • e.g. Jordanelle Reservoir 	



Classification System

Current	New
• Detected	• Suspect
<ul style="list-style-type: none"> • Suspect (new) and detected (old) have the same definition <ul style="list-style-type: none"> • From one sample – visual observation followed by two PCR verifications each from an individual lab 	
<ul style="list-style-type: none"> • e.g. Sand Hollow Reservoir 	



Classification System

Current	New
• N/A	• Detected
<ul style="list-style-type: none"> • Two Consecutive Samples - visual observation followed by two PCR verifications each from an individual lab 	
<ul style="list-style-type: none"> • e.g. Lake Powell 2012 	



Classification System

Current

New

- **Infested**
- **Two Consecutive Samples – multiple age classes of attached mussels**

- e.g. **Lake Powell 2013**



Declassification

- The light at the end of the tunnel
- Inconclusive – 1 yr
- Suspect – 3 yrs
- Detected – 5 yrs
- Infested – 7 Years
- Time begins with the first negative sample
 - Time resets with another positive detection
- Concessions for control plans that eradicate mussels immediately

What does this mean for Utah waters?

- **Lake Powell** – retains “infested” classification
- **Red Fleet Reservoir** – 5 yrs negative testing, removal of all classifications
- **Electric Lake** – 5 yrs of negative testing, removal of all classifications
- **Sand Hollow Reservoir** – reclassified as “suspect”, director designation after effective date of rule

Questions?

Thank You



LANDOWNER PERMIT RULE R657-43



Proposed Change to Landowner Permit Rule R657-43

Allow for a certificate of registration and associated variances to be valid for 3 years similar to the CWMU process.

Landowner Permit Rule Cont.

Allow for LOAs to amend a certificate of registration annually to allow for property ownership and other changes .

Allow the Division to adjust permit numbers annually if limited entry permit numbers change.



Cougar Rule Recommendations



Cougar Rule Recommendations

1. Edits, updates, clarifications to rule
2. New depredation permit



Rule Clarifications:

Definitions

“Immediate family member” means a livestock owner’s spouse, child, son-in-law, daughter-in-law, father, mother, father-in-law, mother-in-law, brother, sister, brother-in-law, sister-in-law, stepchild, and grandchild.

Rule Clarifications:

Firearms

A person may use the following to take cougar:

- (1) any firearm not capable of being fired fully automatic,
- (2) a bow and arrows,
and
- (3) a crossbow as provided in Rule R657-12

Rule Clarifications:

Firearms

A person may use the following to take cougar:

- (1) any firearm not capable of being fired fully automatic, *including a muzzleloader with or without a magnifying scope*
- (2) a bow and arrows, *with or without draw locks*,
and
- (3) a crossbow as provided in Rule R657-12

Rule Clarifications:

Firearms and pursuit

A person may not:

- ...possess a firearm or any device that could be used to kill a cougar while pursuing cougar
 - ...The weapon restrictions set forth in the subsection do not apply to a person licensed to carry a concealed weapon...

Rule Clarifications:

Firearms and pursuit

A person may not:

~~...possess a firearm or any device that could be used to kill a cougar while pursuing cougar~~

~~...The weapon restrictions set forth in the subsection do not apply to a person licensed to carry a concealed weapon...~~

New Livestock Owner Permits

Background

- Current 72 hour window to remove cougar
- Removal is more difficult in spring and summer
- Wildlife Services can't always help
- Need for proactive measures, winter removals
- Need for landowners to be able to help themselves
- Discussion arose during last cougar public meetings

New Permit:

The Division may issue depredation permits to take cougar on specified private lands and public land grazing allotments that have a documented history of ongoing cougar depredation on livestock.

New Permit:

The Division may:

- (i) issue one or more depredation permits to the affected livestock owner or a designee, provided the livestock owner does not receive monetary consideration from the designee for the opportunity to use the depredation permit;
- (ii) determine the legal weapons and methods of take allowed; and
- (iii) specify the area and season that the permit is valid.

New Permit:

Any cougar taken pursuant to this section ... shall be surrendered within 72 hours and remain the property of the state

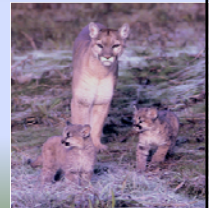
New Permit Summary:

- New permits for to take cougar on specified lands
- A documented history of depredation is required
- Division will determine allowable weapons
- Division will specify area and season for permit
- The livestock owner may not sell permit or access
- Cougars shall remain the property of the State

Results:

- Producer may take cougar the following winter and spring on their private land or allotment
- This enables the owner to proactively protect their livestock
- May result in some cougars taken that are not responsible for depredation

Thank you





GARY R. HERBERT
Governor

SPENCER COX
Lieutenant Governor

State of Utah

DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER
Executive Director

Division of Wildlife Resources

GREGORY SHEEHAN
Division Director

MEMORANDUM

DATE: November 26, 2013

TO: Utah Wildlife Board

FROM: Staci Coons, Chair
Certification Review Committee

RE: Variance Request from Dr. Richard Williams for the commercial growing of Black Tiger Prawn and Malaysian River Lobster.

The Certification Review Committee met November 25, 2013, to discuss the above-mentioned variance request to Rule R657-3, for the commercial growing of Black Tiger Prawn and Malaysian River Lobster.

Members of the committee in attendance were: Bill Bates, Wildlife Section Chief; Drew Cushing for Roger Wilson, Aquatic Section Chief; Kenny Johnson, Administrative Services Chief; Torrey Christopherson for Tony Wood, Law Enforcement Chief; Jodee Baker for Robert Rolfs, Department of Health; Bruce King, State Veterinarian, Suzanne McMullin, COR Licensing Specialist; and Staci Coons, Administrative Rules Coordinator.

ANALYSIS

The committee evaluated the merits of the request based on the criteria established by the Wildlife Board in R657-3. Based upon the criteria established by the Wildlife Board, the analyses and recommendations of the committee are as follows:

1. **The health, welfare, and safety of the public** - The committee expressed no concerns over health, welfare, and safety of the public.
2. **The health, welfare, safety and genetic integrity of wildlife, domestic livestock, poultry and other animals** - The committee did have some concerns with possible impacts on wildlife or domestic animals. These concerns are addressed in the recommended stipulations to the COR.
3. **The ecological and environmental impacts** - The committee concerns with ecological or environmental impacts and are requesting that a water treatment stipulation be included in the COR (see stipulations 2, 3 & 6).
4. **The suitability of the facilities** - The committee had no concerns with the suitability of the proposed facilities. However, since the



facilities have not yet been constructed the committee is asking that inspections be done by the Department of Agriculture once the facilities are operational. Mr. Mark Martin with the Department of Agriculture has agreed to perform the inspections and report back to the committee with the findings.

5. **Experience of the applicant for the proposed activity** - The committee expressed no concerns with the level of experience or education of the applicant for this proposed project.
6. **The ecological and environmental impacts on other states** - The committee had no significant concerns with impacts of this request on other states.

RECOMMENDATIONS

The committee, after careful evaluation, recommends that the request be approved with the following stipulations:

1. The committee recommends that the entire holding facility and any future holding ponds, tanks or raceways must be completely enclosed to prohibit birds and animals from moving the crustaceans.
2. The committee also recommends that any effluent must go through a turbulent fountain, microfilter or chlorination treatment to ensure that no escapement through the effluent is possible.
3. The committee further recommends that the division will monitor the San Pitch River downstream to ensure compliance and Dr. Richard Williams as holder of the Certificate of Registration will cover any and all reclamation costs necessary to remove the crustaceans if escapement does occur.
4. The committee recommends that Dr. Williams provide the division with a detailed map including all springs, creeks and topography as well as the location and design of the aquaculture facility.
5. The committee recommends that all crustaceans must be sold as dead.
6. The committee recommends that hauling water must have a bio-security to eliminate escapement during hauling, including eggs or embryos.
7. Lastly, the committee recommends that Dr. Williams contact the Department of Environmental Quality to ensure that his disposal of the waste water meets with their regulations.



GARY R. HERBERT
Governor

SPENCER COX
Lieutenant Governor

State of Utah

DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER
Executive Director

Division of Wildlife Resources

GREGORY SHEEHAN
Division Director

MEMORANDUM

DATE: November 26, 2013

TO: Utah Wildlife Board

FROM: Staci Coons, Chair
Certification Review Committee

RE: Variance Request from Carl Wilson of Extermiman, for the possession and commercial use of bats.

The Certification Review Committee met on November 25, 2013, to discuss the above-mentioned variance request to Rule R657-3 (Collection, Importation, Transportation, and Possession of Animals) to allow possession and commercial use of bats.

Members of the committee in attendance were: Bill Bates, Wildlife Section Chief; Drew Cushing for Roger Wilson, Aquatic Section Chief; Kenny Johnson, Administrative Services Chief; Torrey Christopherson for Tony Wood, Law Enforcement Chief; Jodee Baker for Robert Rolfs, Department of Health; Bruce King, State Veterinarian, Suzanne McMullin, COR Licensing Specialist; and Staci Coons, Administrative Rules Coordinator.

ANALYSIS

The committee evaluated the merits of the request based on the criteria established by the Wildlife Board in R657-3. Based upon the criteria established by the Wildlife Board, the analyses and recommendations of the committee are as follows:

1. **The health, welfare, and safety of the public-** The committee expressed some concerns over health, welfare, and safety of the public as it relates to bats and rabies and is recommending that all employees of Extermiman obtain a pre-exposure vaccination for rabies and provide proof to the Division's COR Coordinator.
2. **The health, welfare, safety and genetic integrity of wildlife, domestic livestock, poultry and other animals -** The committee expressed no concerns over the health, welfare, safety and genetic integrity of wildlife, domestic livestock, poultry and other animals.
3. **The ecological and environmental impacts -** The committee had no concerns with ecological or environmental impacts
4. **The suitability of the facilities -** The committee had no significant concerns with the suitability of facilities, since the applicant is only



temporarily in possession of the animals while they are transported for release or euthanasia.

5. **Experience of the applicant for the proposed activity** - The committee expressed no concerns with the level of experience of the applicant.
6. **The ecological and environmental impacts on other states** - The committee had no significant concerns with impacts of this request on other states.

RECOMMENDATIONS

The committee, after careful evaluation, recommends that the request be approved with the following stipulations:

1. The committee recommends all employees of Extermiman obtain a pre-exposure vaccination for rabies and provide proof to the Division's COR Coordinator.
2. Employees of Extermiman cannot release a bat if the potential for human or animal contact has occurred. The bat must be submitted for rabies testing. If the location of the bat has not allowed for human or animal contact to occur then the bat may be released.
3. Registrant is not prohibited from fabricating or constructing enclosures that prevent bats from entering structures and facilities, provided the remedial action does not capture, injure, or kill the bats. Registrant must identify the species of any bat encountered during control efforts and must contact appropriate regional biologist if encountering any colony of a bat defined as a Utah species of concern (Townsend's big-eared bat, spotted bat, Allen's big-eared bat, western red bat, fringed myotis, big free-tailed bat). An estimate of colony size, roost description and a detailed description of location (e.g. gps location, house address) should accompany the species identification. For colonies consisting of more than 50 bats (if they are not on the Utah species of concern list), contact the appropriate biologist in the respective region for a site visit. These colonies may potentially be of great value to local bat populations and may merit alternative housing efforts. Following is contact information for regional biologists: Northern Region - Adam Brewerton, (801) 510-2034; Central Region - Kim Hershey, (801) 319-6508.

cc: Certification Review Committee Members
Carl Wilson, Extermiman