

UTAH WILDLIFE BOARD MEETING
June 4, 2009, 9:00 a.m., Senate Room 210
State Capitol, Salt Lake City, Utah

AGENDA

Thursday, June 4, 2009

1. Approval of Agenda
- Paul Niemeyer, Chairman **ACTION**
2. Approval of Minutes
- Paul Niemeyer **ACTION**
3. Old Business/Action Log
-Rick Woodard, Vice-Chair **CONTINGENT**
4. DWR Update
-Jim Karpowitz, DWR Director **INFORMATION**
5. Board Appeal – Eddie Horvath – 2:00 pm **Time Certain**
6. Aquatic Informational **INFORMATIONAL**
- Roger Wilson, Wildlife Program Coordinator
7. Upland Game Hunting Guide & Rule R657-06 **ACTION**
- Dave Olsen, Wildlife Program Coordinator
8. The Use of Game Birds in Dog field trials and Training – R657-46 **ACTION**
- Dave Olsen, Wildlife Program Coordinator
9. Statewide Sage-Grouse Management Plan **ACTION**
-Jason Robinson, Project Leader
10. Hunting and Fishing Accommodations for People with Disabilities R657-12 **ACTION**
- Kenny Johnson, Wildlife Licensing Specialist
11. License Agent Procedures R657-27 **ACTION**
- Kenny Johnson, Wildlife Licensing Specialist
12. Action Log Items

Expanding Hunting Opportunities / Optional Season Lengths and Dates
Henry Mountains Primitive Weapon Bison Hunt
Kolob Reservoir Management Plan
13. Other Business **CONTINGENT**
- Paul Niemeyer

UTAH WILDLIFE BOARD MOTIONS
June 4, 2009, 9:00 a.m., Senate Room 210
State Capitol, Salt Lake City, Utah

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

MOTION: I move that we accept the agenda as presented.
Passed unanimously

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

MOTION: I move that we approve the minutes of the May 7, 2009 Wildlife Board meeting with the noted corrections.
Passed unanimously

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

MOTION: I move that we put the issue of amending R657-39 to allow two terms by an individual as chair or vice chair on the RACs and have mandatory elections every two years on the action log.
Passed unanimously

MOTION: I move that the next time the Division brings changes for the Upland Game Hunting Guide Book and Rule, a proposal to institute preference points based on hunt of choice for upland game youth hunts be considered.
Passed unanimously

4. Upland Game Hunting Guide & Rule R657-06 (**Action**)

MOTION: I move that we accept the Upland Game Hunting Guide & Rule R657-06 changes as proposed by the Division.
Passed unanimously

5. The Use of Game Birds in Dog Field Trials and Training – R657-36 (**Action**)

MOTION: I move that we accept The Use of Game Birds in Dog Field Trials and Training R657-46 as presented by the Division.
Passed unanimously

6. Statewide Sage-Grouse Management Plan (**Action**)

MOTION: I move that on p. 49 of the plan, Objective B-2 be rewritten as follows: “Work to enhance or restore at least 175,000 acres of sage-grouse habitat by 2014, including riparian areas for brood-rearing habitat.”

Passed unanimously

MOTION: I move that we accept the Statewide Sage-Grouse Management Plan as presented by the Division.

Passed unanimously

7. Hunting & Fishing Accommodations for People with Disabilities R657-12
(Action)

MOTION: I move that we approve the Hunting and Fishing Accommodations for People with Disabilities R657-12 as presented by the Division with the change of less than a 9 nine day hunt for general season.

Passed unanimously

MOTION: I move we ask the CWMU Advisory Committee to look at CWMU permits (& participation) in hunts for disabled hunters and bring their recommendations to the Division.

Passed unanimously

8. License Agent Procedures R657-27 **(Action)**

MOTION: I move that we accept the License Agent Procedures R657-27 as presented by the Division.

Passed unanimously

9. Stipulations **(Action)**

MOTION: I move that we approve the Division's recommendation for suspension of six months for Russell Latch.

Passed unanimously with one recusal, Tom Hatch

MOTION: I move that we approve the Division's recommendation for the three-year suspension for Jack Anderson.

Passed unanimously

10. Action Log Items **(Contingent)**

MOTION: I move that we do not pursue having a Henry Mountains Primitive Weapon Bison Hunt.

Passed unanimously

MOTION: I move that we drop the issue of transplanting the Antelope Island Bison herd.

Passed unanimously

UTAH WILDLIFE BOARD MEETING
June 4, 2009, 9:00 a.m., Senate Room 210
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Board Members Present

Paul Niemeyer – Chair
Rick Woodard – Vice Chair
Ernie Perkins
Lee Howard
Jim Karpowitz – Exec Sec
Keele Johnson
Tom Hatch
Del Brady (excused)

RAC Chairs Present

Jake Albrecht – Southern
Terry Sanslow – SE
Brad Slater – Northern
Ed Kent – Central
Bob Christensen – NE

Public Present

Todd Ballantyne
Justin Fuller

Division of Wildlife Resources

Judi Tutorow
Doug Messerly
Staci Coons
Cindee Jensen
LuAnn Petrovich
Ron Hodson
John Fairchild
Bill Bates
Alan Clark
Craig McLaughlin
Roger Wilson
Kenny Johnson
Kevin Christopherson
Richard Hepworth
Jeff Grandison
Randy Wood
Kent Hershey
Kevin Bunnell
Bryan Christensen

Chairman Niemeyer welcomed the audience and introduced the Wildlife Board and RAC Chairs. He then reviewed the agenda.

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

The following motion was made by Rick Woodard, seconded by Ernie Perkins and passed unanimously.

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

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

On p. 6, 3rd paragraph, change “primitive weapons” to “allowed archery and muzzleloader tackle.” P. 18, 2nd paragraph eliminate “on Parker Mountain and in 7th paragraph, 2nd line, correct word, “sightability.” P. 20, 3rd paragraph, add “herd population” after “additional.” P. 23, 6th paragraph, “Dove Creek” instead of “Duck Creek.” P. 36, 10th paragraph, “shot it was contacted by the Division.”

The following motion was made by Rick Woodard, seconded by Lee Howard and passed unanimously.

MOTION: I move that we approve the minutes of the May 7, 2009 Wildlife Board meeting with the noted corrections.

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

Rick Woodard, Vice-Chair presented this item. We have two action items on the agenda today. There was an issue brought up by Southern Region on the falconers to be presented during the meeting.

Mr. Perkins has two items for the action log. Rule 657-39 has been altered to limit RAC Chairs to one two year term. That is different than how we have done business for the last 12-14 years. The Board was offered the option to change the rule and we need to amend it to allow two terms by an individual as Chair or Vice Chair and having mandatory elections every two years. We need to put this on the action log.

Mr. Woodard thought this would come back to us automatically.

Director Karpowitz said the Division will look at this and put it on the RAC agenda as a rule modification.

The following motion was made by Ernie Perkins, seconded by Rick Woodard and passed unanimously.

MOTION: I move that we put the issue of amending 657-39 to allow two terms by an individual as chair or vice chair on the RACs and have mandatory elections every two years on the action log.

Mr. Perkins said after volunteering for about 15 hunts for the youth, instituting preference points for youth who do not draw out on the hunt of their choice needs to be put in place. It is only a problem in Northern region presently. The next time the Division brings changes to the Upland Proclamation and Rule, we might look to adopt preference points based on the hunt of choice.

The following motion was made by Ernie Perkins, seconded by Rick Woodard and passed unanimously.

MOTION: I move that the next time the Division brings changes for the Upland Game Hunting Guide Book and Rule, a proposal to institute preference points based on hunt of choice for upland game youth hunts be considered.

4) DWR Update (**Information**)

Director Karpowitz presented this agenda item. We have a good spring season going with fishing and hunting. This should be a good year for wildlife with all the moisture.

We had a good spring turkey hunt, even on the third hunt where we have lots of tags. We have not had much report on spring bear hunting but it is underway. Spring fishing is going great, with lots of diversity and opportunity. We are in the final stages of getting tiger muskies approved in the state to go along with the Northern pike we have at the Lee Kay Hatchery. We had a Wildlife Watching Event, the GSL Bird Festival that was attended by 100s of people from all over the world and there was an award given to a Utah bird organization that has done a great job in helping facilitate management of bird habitat throughout North America.

Most of you have seen the high visibility poaching cases that have been handled by our law enforcement, two high profile cases, one in Tooele county where 18 deer were taken illegally and four men charged with multiple felonies, and a case in southern Utah where two men from Panguitch actually went in and pled guilty to killing eight bucks, one doe and one pronghorn. One of the men was sentenced to six months in jail, the other was sentenced to 60 days with \$25,000 in fines and \$18,000 in restitution. We are glad to see this happen in the court system as a strong deterrent to poaching.

Wolves are delisted in a portion of Northeastern Utah. Defenders of Wildlife are appealing the delisting. Wyoming is also suing the Fish and Wildlife Service and looking to have wolves delisted. There is going to be a lot of court action in the next few months regarding wolves.

Director Karpowitz reminded the board about the Board and RAC training on Aug 19-20, 2009. This is very important and we would like to have as many RAC members as possible to attend. We have a good agenda planned.

Mr. Howard said he has gotten a lot of calls on the spring turkey hunt. On the public land permits, there are not a lot of turkeys and they are disappointed in hunting.

Director Karpowitz said we do have a lot of permits on the third hunt, but it is more of an opportunity to get out.

5) Aquatic Informational **(Informational)**

Roger Wilson, Wildlife Program Coordinator presented this agenda item. This is informational where we look to educate the public about our program. He recognized Drew Cushing and the statewide staff for their participation.

Mr. Wilson said on our regulatory objectives, we continue efforts to simplify, clarify, and standardize regulations. They look to provide a wide variety of opportunities to the angler and protect the aquatic resources of the state.

He then went over the proposals under consideration both general and statewide. (See Powerpoint Presentation)

The Division is trying to standardize the language in fishing guide, clarification of bag and possession limit and clarify that fish may not be donated in the field within the bag and possession limit section.

Changes to the fishing tournament rules were gone over in detail. Scofield Reservoir was added to the exemption list to accommodate fishing tournaments at this special regulation water. Flaming Gorge and Echo are also exemptions. A COR is required for all spearfishing tournaments regardless of size.

Yellow perch regulations standardization is being addressed. The Division would like to continue public discussions regarding this issue.

They are proposing changes to the spearfishing season at Fish Lake to protect spawning lake trout, the underwater spearfishing season at Fish Lake will close September 15. Mr. Wilson went over the reason for these changes. Spearfishing season for all other approved waters will not change (first Saturday in June through November 30). This change was implemented for 2009 by Wildlife Board action on May 7, 2009.

Mr. Wilson discussed changes to statewide community water limits. Some communities came to the Division and asked for the reduced limit to help the fish last a little longer. The limit is two fish in the aggregate, except bass. They are closed to the possession of bass. All bass must be immediately released to protect the bass and get them a little larger.

Due to disease (VHS) concerns, DWR has not imported tiger muskie for four years. The DWR has worked to find a source of true muskie to breed with Northern pike to eliminate the need to import fish. The most promising source for true muskie is Nebraska. The DWR will continue to explore all options for true muskie. The DWR has moved Northern pike to ponds at the Lee Kay Center, and we have initiated experiments to sterilize these fish. We will use sterile Northern pike as a back up.

Mr. Wilson then went over the specifics of various waters in the regions. He explained the reasoning on these changes. (See Powerpoint Presentation)

Mr. Wilson said the public can share their ideas with the DWR by June 1 through RAC meetings, e-mail ideas to DWR comment @utah.gov or mail : Sport Fisheries Program Coordinator, Division of Wildlife Resources, Salt Lake City, Utah. This concluded the presentation.

Mr. Albrecht asked what the out of state spearfishing regulations are.

Mr. Wilson said in Colorado, there are not many waters open to spearfishing. Wyoming has quite liberal regulations. Utah's regulations are more liberal than most of the other western states. Spearfishing in general does not have a lot of effect on our populations. Spearfishing is harder than the anglers think. We need to strike a balance.

Mr. Albrecht asked if the DWR raises enough fish to keep the community waters stocked.

Mr. Wilson said we have increased production and we can provide enough. We have had some problems with disease and the Springville operation is offline, but we should be fine when we get it back. The proposed limit should allow us to extend use.

Mr. Perkins said relative to some illegal introductions a few years back, the Wildlife Board encouraged the Division to come up with some options to punish those who do illegal introductions. Is this process still underway?

Mr. Wilson said we have collected some money from angler groups. The spearfishing group actually offered some money to help with this issue. Presently we do not have money in the fund to address this. That is a process that is still under way.

Mr. Perkins asked if we did not talk to the legislature about changing some of the misdemeanors to felonies. We wanted to gather some reward for information leading to the perpetrators.

Mr. Wilson said we need to continue to work on that. We need to implement some similar efforts as were done on the big game side. It is important that we pursue this.

Mr. Kent asked if there are civil remedies that can be pursued when somebody does an illegal introduction.

Mr. Bushman said there are criminal and civil remedies that we could seek on this. In 23-13-14 Wildlife Code, this is a Class A misdemeanor. You can seek restitution and they cannot go to bankruptcy.

Mr. Kent asked about suing someone who might be caught introducing illegal species for damages to bring the fishery back.

Mr. Bushman said you could seek damages and restitution.

Mr. Donaldson said a year ago when we talked about this issue, we went to a lot of the sportsmen's groups. All of them committed that if we were ever to pick up an individual who did this crime, they would commit to a reward system. We do not have the money in an account, but we do have the commitment from these groups. The hard part is catching someone in the act. Our officers have done a lot of work. It is nearly impossible to intercept. We need to catch those offenders, because it does cost the agency millions of dollars.

Mr. Perkins said there were presentations by Rocky Mountain Anglers at Central and Northern, that proposed tightening of tournament rules, trying to target some specific groups that were evading the regulations. He asked the DWR to work with Rocky Mountain Anglers and the other groups regarding tightening up the rule. This was well received in Central and Northern RACs.

Mr. Donaldson said we have a situation where legitimate groups are paying their fees. Some groups are running tournaments under the limited number in rule to keep from paying the higher fees and liability insurance. Still, at the end of the year, they are giving gifts of up to \$16,000 at their banquets. The presentations that Mr. Perkins referred to were well done. We need to have some internal discussions before September on how we might approach that issue.

Mr. Johnson said on community fisheries regulations, going to two fish limit, have they looked at artificial lures, or bending the barbs back? Dealing with small kids, we might have a lot of dead bass.

Mr. Donaldson said that is the issue. We met and discussed several of those options, catch and release, and some regulation changes. We want to insure that kids have a good time and a good deal of success. We are stocking these ponds once a week now and are at the maximum level that we can produce. Dropping the limit will help.

Mr. Johnson said if we get low on bass, can we bring some in?

Mr. Donaldson said we have waters around the state where we have disease free bass and bluegill. We meet annually with our community fisheries people and they have discussed a lot of different ideas to help with this. We want to insure that they have a fun time and a good deal of success. We have been stocking these ponds once a week, but we are pretty well at our limit. We could do a supplemental transplant if necessary. Blue gill do well, but the bass get harvested quickly. That is why we want to keep the bass in the waters. We do hit a point where we can only produce so many fish. Several weeks ago we completed a massive disease certification on catfish at Lake Powell. We treated them for tapeworms and did disease assessments. We will have our own catfish in the future and not get them from the Mississippi drainage where there are quagga mussels in the drainage there.

Mr. Kent said regarding the loop holes with the tournament fishing rule, at our RAC meeting, Rocky Mountain anglers did present a proposal to try to eliminate the loop holes. The DWR committed to work with them to try to do this. He asked Mr. Wilson about mortality with the reduced limit and Mr. Wilson said they look to focus on educating on how to release fish.

6) Upland Game Hunting Guide & Rule R657-06 (**Action**)

Dave Olsen, Wildlife Program Coordinator presented this item. He went over the presentation outline. The Rule and guidebook received a three-year approval in 2008. They are here today to fulfill an assignment given by the Wildlife Board to provide permit drawings for sage grouse, sharp-tailed grouse and sandhill cranes. They also want to address the falconry issue that was presented at the RACs. Also, because of the drawings, they will take care of some housekeeping on the Northeastern region youth chukar hunt location and they also removed the essay requirement.

Mr. Olsen then went over the details on the sage grouse, sharp-tailed grouse and crane drawings for 2009-2010. (See Powerpoint Presentation) The falconry sage grouse hunts were also covered since the falconers came to the Division with their concern. The RACs all voted on these issues. They look to provide a sage grouse permit quota of up to 25 (2 bird maximum harvest) for falconry from the total statewide permit pool. These permits will go on sale over the counter at only the DWR region offices at 7 am, June 18-24, 2009 first come first serve. The falconer can designate one open hunt area for which his permits will be valid. Unpurchased permits will be folded back into the general drawing at close of business on June 24. Falconers with over-the-counter permits are excluded from the general drawing. Falconers unsuccessful in obtaining a permit an over-the-counter permit can apply for the general drawing (June 25-July 9). Falconers successful in the drawing may hunt the applicable extended falconry season. Falconers may purchase unsold sage grouse permits remaining after the general season is over. The DWR will survey falconers for harvest, etc. Rules will be valid through the remaining 2 years of the guidebook (2009, 2010). The program will be evaluated during the next guidebook update cycle (April 2011).

The Northeastern region youth chukar hunt has been on the Willow Creek WMA and because of its remote location, prohibitive distance and the public having problems finding it, they are looking to move the hunt. The new site will be the RT Thacker WMA area southeast of Vernal, which is closer, with less travel, involved and straightforward directions. The date and times remain the same. There is also a request for the submission of an essay to be dropped. This concluded the presentation.

RAC Recommendations

Southern – Mr. Albrecht said they approved the Division’s proposal, with the recommendation that the falconer issues be put on the action log. He commended Mr. Olsen for getting together with the falconers and working on these issues. The RAC is satisfied with today’s recommendations.

Central – Mr. Kent said they recommended an additional 40 permits to falconers which would be issued over the counter, first come, first serve and designated to open areas as designated by the Division. This passed unanimously and the remainder of the Division’s recommendations passed unanimously.

Northeastern – Mr. Christensen said their discussion was similar to the Southern RAC. They recommended that the Wildlife Board look at the falconry issue, but they would be comfortable with the recommendations made by the Division today. The RAC approved the Division’s recommendations unanimously.

Northern – Mr. Slater said they recommended an additional 40 permits to falconers over and above the Division’s recommendation to be allocated across the four hunt units. They also voted to approve the Division’s recommendations unanimously.

Southeastern – Mr. Sanslow said they had a lengthy discussion and ultimately voted unanimously to deny any changes in the rule until the three year term has lapsed.

Public Comment

Todd Ballantyne of the Utah Falconry Association said they support the Division's proposal. They are glad that they are able to participate in the RAC process. It is a reasonable and balanced proposal.

Board Discussion

Chairman Niemeyer summarized the RAC recommendations.

Mr. Perkins said there have been discussion on dedicated falconry permits for ten years and it is time to make some changes. He commended the falconers and the Division on how they worked through this. There is a reason for not doing additive permits, because we have a potentially listed species involved and we have a restrictive harvest formula that we adhere to.

The following motion was made by Ernie Perkins, seconded by Keele Johnson and passed unanimously.

MOTION: I move that we accept the Upland Game Hunting Guide & Rule R657-06 changes as proposed by the Division.

Mr. Woodard asked Southern if they are good with that.

Mr. Albrecht said yes.

7) The Use of Game Birds in Dog Field Trials and Training R657-46 (**Action**)

Dave Olsen presented this rule. He went over the background and history of the rule. (See Powerpoint Presentation) It is presently up for the 5-year review. The rule has 6 subsections which defines terms within the rule and establishes a COR for dog field trials. It defines and regulates game bird use in field trials with pen reared birds and dog training with both pen-reared and wild birds. Internally, the Division reviewed the rule and have not received any comments over the last five years. They talked to two organized dog groups who did not have any problems with the rule as is. The DWR recommends continuing this rule as worded with no changes.

Mr. Albrecht asked how many people participate in this, approximately, statewide.

Mr. Olsen said it is not necessarily substantial. Some trials might get up to 30-40 in a trial, but most are considerably smaller.

RAC Recommendations

All RACs voted unanimously to accept the Division's proposal.

Board Discussion

The following motion was made by Rick Woodard, seconded by Ernie Perkins and passed unanimously.

MOTION: I move that we accept The Use of Game Birds in Dog Field Trials and Training R657-46 as presented by the Division.

8) Statewide Sage-Grouse Management Plan (**Action**)

Dave Olsen presented the next agenda item, which reviews the Greater Sage Grouse plan for Utah. He went over the listing status on them and reviewed the purpose of this plan. (See Powerpoint Presentation)

Mr. Olsen then gave some background on the two species of sage grouse in Utah, the Gunnison sage grouse (San Juan county) and the Greater sage grouse (rest of Utah). This plan addresses only the Greater sage grouse. There is a separate plan for Gunnison sage grouse. He went over those who were on the plan committee. Maps on the distribution of sage grouse in Utah historically and currently were shown. Mr. Olsen went on to explain leks, populations, recent research/publications and the plan organization relative to the statewide sage grouse goal including population, habitats, planning/coordination of interest groups and research. There are conservation strategies within each objective.

The goal of the plan is to protect, maintain, enhance, and restore greater sage grouse populations, habitat, and the ecosystems that sustain them. Population, habitat, planning and coordination and research objectives were presented. A list of 11 Utah sage grouse local working groups was also presented.

The plan presented today is a general overview, but more will be developed. We are proposing that the plan be reviewed as presented today with the knowledge that as an appendage to the plan, some development guidelines will be established as it is taken through the RACs and local governments to make sure that habitats are protected and all resources are considered. It is drafted as appendix V for the future. It has largely been identified. It will provide guidelines for all that are interested in sage grouse management. It will identify some oil and gas "best available science" to help them do their field developments. We want to be consistent with other states, so actions across state borders will be set.

There were no major changes in Greater sage grouse hunting. Permit allocation is based on lek counts. Only populations with greater than 500 breeding adults are hunted. Four areas in Utah are open to hunting, but most of the state is closed.

In our reviews, there was some confusion in draft language, which referenced some of the things intended to be in the appendix. Some of the counties picked up on this language and we are planning to make some edits on p.40 and p.46 to remove some terminology that would assure the counties that they would have some say in the future. This concluded the presentation.

RAC Recommendations

Southeastern – Mr. Sanslow said they voted unanimously to accept the Division’s recommendations.

Northern – Mr. Slater said they had some discussion on the leks being close to roads and what the impact might be. They passed the Division’s recommendations unanimously.

Northeastern – Mr. Christensen said they discussed the language in the appendix to the rule. The counties want to be involved and have input on those guidelines. The RAC accepted the Division’s recommendations unanimously as presented, with the exception of the reference to any guidelines that were listed in the appendix.

Central – Mr. Kent commended the Division and the Sage Grouse Management Committee on their proactive approach to expand the sage grouse populations. There was a discussion in their RAC as to what would happen to the Division’s role, in the event that the sage grouse were listed. Questions were answered by the Division and the RAC voted to accept the Division’s recommendations unanimously.

Southern – Mr. Albrecht said they had comments similar to the Central RAC. They want the Division to continue to be proactive. They voted unanimously to accept the plan.

Board Discussion

Mr. Perkins commended the Division and committee members for their fine effort. Private and public acreage provisions were inserted after the committee was finished meeting. It went to the Habitat Council, which has a sophisticated process in which they decide when projects are done. Their charter is to get the best investment for the resource. They do their job very well and the objective can be rewritten to accommodate the direction of the Habitat Council.

The following motion was made by Ernie Perkins, seconded by Rick Woodard and passed unanimously.

MOTION: I move that on p. 49 of the plan, Objective B-2 be rewritten as follows: “Work to enhance or restore at least 175,000 acres of sage-grouse habitat by 2014, including riparian areas for brood-rearing habitat.”

Mr. Olsen said the main reason they separated the acreage was they did not want to give the impression that private lands were not important. A lot of the critical habitat for sage

grouse is on private lands. We put that in to help the Division to continue to focus on private and public lands. Mr. Perkins motion is fine.

Mr. Johnson said the private land is critical. In his area, the Gunnison sage grouse are on private land. The Conservation Reserve Program is active in his area and the government has put a lot of money into reserving some areas for the sage grouse. If we did not have the private land involved in San Juan County, the sage grouse would suffer and could end up on the Endangered Species List.

Mr. Olsen said they agree and the local working group is very aware of this.

The following motion was made by Ernie Perkins, seconded by Keele Johnson and passed unanimously.

MOTION: I move that we accept the Statewide Sage-Grouse Management Plan as presented by the Division.

- 9) Hunting and Fishing Accommodations for People with Disabilities R657-12
(Action)

Kenny Johnson, Wildlife Licensing Specialist presented this agenda item. He gave some background on the rule. The Division issues more the 300 CORs for people with permanent disabilities annually. These CORs offer people with disabilities mores time in the field, and a better quality experience. Mr. Johnson presented some definition clarifications. He then presented a request from the Chair-bound Hunters of Utah for some limited entry and pronghorn tags for them. (See Powerpoint Presentation) The Division has met with them a few times and discussed their requests.

The Division recommendation is to continue discussion of limited entry permits for 2010. The State cannot separate “wheelchair bound” from other defined permanent disabilities. The Division proposes to keep the 5 day general season extension immediately preceding the general any weapon buck deer hunt and do a one time experimental hunt following the general any weapon buck deer hunt beginning Nov 7, 2009 and ending Nov 8, 2009. Neither extension applies to general any weapon deer hunts with seasons less than eight days in duration. This concluded the presentation.

RAC Recommendations

Southern – Mr. Albrecht said they voted unanimously to accept as presented by the Division.

Central – Mr. Kent said there was discussion relative to the chair bound hunters requests, based on the proposal of the five-day hunt in November. Approved Division’s recommendation unanimously with the experimental hunt in November as a two-day hunt.

Northeastern – Mr. Christensen said there was discussion on limited entry permits from CWMUs. Alan Smith, in the past, has given a cow tag or deer tag to the Make a Wish Foundation. The RAC accepted as presented, but in addition to look at CWMUs giving more opportunity to disabled people.

Northern – Mr. Slater said they unanimously accepted the recommendations as presented and encouraged monitoring of CORs that are issued. They were assured that the experimental hunt will have close monitoring.

Southeastern – Mr. Sanslow said there was discussion on the two-day experimental hunt during the rut. There was concern about the saturation of too many people, those assisting the handicapped during their hunts. They are not against giving disabled opportunity, but the two-day hunt during the rut is not good. The council did accept the proposal as presented with addition that 100% of hunters be interviewed to determine hunter success and buck quality. This passed unanimously.

Public Comment

Justin Fuller – President of Chair Bound hunters of Utah, thanked the Wildlife Board and Division. They are in favor of the Division's proposal. On the five-day hunt, it starts on Monday and ends on Friday. Without a weekend, it is often hard for people to get time off to help them the week before the general season hunt. They strongly encourage the Division and Wildlife Board to accept the experimental hunt dates.

Board Discussion

Chairman Niemeyer summarized the RAC Comment. The RACs are somewhat concerned about monitoring those who get CORs. Unfortunately, there is often abuse of the system when these things are offered. We want to accommodate the disabled hunters. The CWMU issue should probably be put on the action log.

The following motion was made by Mr. Perkins, seconded by Rick Woodard and passed unanimously.

MOTION: I move we ask the CWMU Advisory Committee to look at CWMU permits (& participation) in hunts for disabled hunters and bring their recommendations to the Division.

Mr. Johnson said we are dealing with a small number of people and can deal with the problems as they come along. We should do the experimental two-day hunt.

Mr. Howard asked about the percentages of tags that have been requested by the wheel chair bound hunters.

Mr. Kenny Johnson said the numbers that were considered were just looked at as a general pool. Overall, it is a small percentage. When you start to apply it unit-by-unit it varies. This would be less than 5%.

Director Karpowitz asked about “doesn’t apply to a season length of less than eight days.” He doesn’t see that in the material. Why did we do eight days?

Mr. Kenny Johnson said it is in the revised proclamation. It was sent out just after the RAC packet went out. In the proclamation, under buck deer, we list the 4-5 units that are under objective. Those are the ones we wanted to protect.

Mr. Niemeyer asked if it would be better to make it nine days.

Director Karpowitz said we do not have any eight day seasons during general season.

Mr. Kenny Johnson said administratively it will not make any difference.

The following motion was made by Keele Johnson, seconded by Ernie Perkins and passed unanimously.

MOTION: I move that we approve the Hunting and Fishing Accommodations for People with Disabilities R657-12 as presented by the Division with the change of less than a nine-day hunt for general season.

10) License Agent Procedures R657-27 (**Action**)

Kenny Johnson, Wildlife Licensing Specialist presented this agenda item. There are 300 license agents in the state and they do a lot of the work. They are responsible for selling 78-80% of the licenses and do a great service to the state. The changes are met to streamline the process and protect public money. Some outdated terms were deleted and simplification of the process was outlined. (See Powerpoint Presentation)

Under R657-27-6 license agent obligations protecting public funds is the issue. The Division reserves the right to unilaterally and immediately modify monthly reporting or payment requirements when a license agent is: in bankruptcy, insolvent, financially distressed, or unable to meet reporting or payment obligations. The Division may require license funds to be transferred to the Division more frequently than monthly, and may require the use of automated clearing house (ACH) payments and electronic funds transfer payments (EFT).

Mr. Johnson then covered revocation of license agent authorization. The distribution of preprinted licenses and permits and supplemental wildlife document sales agreement sections were struck from the rule. This concluded the presentation.

Mr. Albrecht asked if they are notified the day before on the automatic funds transfer.

Mr. Johnson said yes, they understand their state obligation before the account is swept.

Mr. Woodard asked if bonding is still required.

Mr. Johnson said yes with one bond per license agent. It is not location specific.

Mr. Woodard asked if they are selling licenses at Soldier Creek and Aspen.

Mr. Johnson said only at the main marina.

Mr. Woodard said he wishes they would sell them at those other locations.

Mr. Johnson said that is a concern, but technology has not reached there yet. They are using a satellite link at this point. The system in place at the main marina would work at Soldier Creek and we will probably look to do that. We have phone license sales now and that will help.

Chairman Niemeyer talked about someone who lives in Utah, but works in Nevada. He wants to buy an archery tag and wants to know if it is quicker to go through a license agent or do it on the computer. He is wondering if he should drive back to Cedar City and be in line before 7 a.m.

Mr. Johnson said the unknown variable is the traffic at a license agent. We shy away from guaranteeing a tag, but he would have a good chance either way. There should not be a problem just getting on the computer. We never know for sure when things will sell out. There are a lot of variables.

Chairman Niemeyer asked if a license agent has a more direct line.

Mr. Johnson said they do work on two different connections. There would not be as much traffic on a license agent's line and it is much more stable. A regional office would be the best bet.

Mr. Woodard asked about out of state agents.

Mr. Johnson said we do have some around Page, Arizona and a few on the border of Colorado.

RAC Recommendations

All RACs accepted the proposal unanimously as presented by the Division.

The following motion was made by Rick Woodard, seconded by Lee Howard and passed unanimously.

MOTION: I move that we accept the License Agent Procedures R657-27 as presented by the Division.

Stipulations

At this point Mr. Bushman said they have two stipulations for the Board that need to be addressed.

Russell Latch from Panguitch was fishing and had two illegal fish in his possession. One was a cutthroat that was $\frac{3}{4}$ " past the slot limit and the other was a 19" rainbow. He indicated that the one was at 15". He was suspended by the Division for 1½ years and looking at the case, we feel that a six month suspension would be more appropriate. The period would end about one week from now.

The following motion was made by Keele Johnson, seconded by Rick Woodard and passed unanimously with Tom Hatch recused.

MOTION: I move that we approve the Division's recommendation for suspension of six months for Russell Latch.

Jack Anderson was hunting with his adult daughter on the last day of the hunt in the Delta area. The daughter wounded a large buck and Mr. Anderson took the gun and put the buck down. He had already taken a deer earlier in the season. This was a party-hunting situation. His hunting was suspended for six years, but in reviewing the circumstances, the Division is proposing that the stipulation be reduced to three years, since he did not go out with the intention of shooting the animal.

The following motion was made by Ernie Perkins, seconded by Tom Hatch and passed unanimously.

MOTION: I move that we approve the Division's recommendation for the three-year suspension for Jack Anderson.

- 11) Action Log Items (**Informational**)
 - a) Expanding Hunting Opportunities/Optional Season Lengths and Dates
(See Handout-Two options for changing the current hunt structure)

Anis Aoude presented two options for changing the current hunt structure. The reasons for change are a high demand for a limited number of permits, new legislative change allows us more flexibility and some public input has suggested that a change is needed. This change will remove current overlap of general and limited entry seasons, i.e. general archery deer and elk with limited entry archery. Sometimes change is good.

The major overall changes are that seasons will start on a calendar date instead of a set day of the week, i.e. archery season starts on August 21 every year unless that happens to

be a Sunday. General deer and elk seasons will be combined and divided into early and late seasons. Most general season hunts will happen in the month of October.

General season deer and elk hunting changes in both options 1 and 2 as follows:

- No change to the general archery deer & elk season
- No change to the youth any weapon elk season
- Combine general any weapon deer and elk seasons
- Splits the combined general any weapon season into two distinct seasons (early and late October)
- Allocate a specific number of permits to each season
- Combine the muzzleloader deer and spike elk general season (mid October)
- Muzzleloader any bull season will be separate from the spike season (early to mid November)

Limited entry deer hunting changes for both Options 1 and 2 as follows:

- No change to the archery limited entry deer season
- Any weapon limited entry deer will occur at the same time as the general any weapon deer seasons
- Muzzleloader limited entry deer occur at the same time as the general muzzleloader deer season

Limited Entry Elk hunting changes

Option 1

- LE archery and ml seasons will be combined and replace the current le any weapon early season
- LE any weapon early season will replace the current ml season
- LE any weapon late season will be at the same time as the ml any bull general season.

Option 2

- LE archery will replace the current any weapon early season
- LE any weapon early season will replace the current ml season
- LE any weapon late will overlap the first part of the ml any bull general season
- LE ml season will overlap the latter part of the ml any bull general season

No changes are recommended to pronghorn seasons.

Once-in-a Lifetime species, season changes options 1 and 2 as follows:

- Moose is the only one with a recommend change. The new hunter orange law removes some of the restrictions that kept us from overlapping the moose season with other big game season.

This concluded the presentation.

Mr. Howard asked if this will simplify the proclamation or make it more complicated.

Mr. Aoude said it will be about the same as currently.

Mr. Woodard asked where the hunts are in the later part of October, is that down south? We do not want to upset the ranching community with cattle coming off the mountain later on.

Mr. Aoude said there may be an issue with cattle coming off the mountain, although there will actually be fewer deer hunters out there. Elk and deer hunters can buy both permits and hunt early or late, or both at the same time.

Mr. Woodard asked about a rest period between seasons. Are you sold on a nine-day season?

Mr. Aoude said the more days between seasons, the later it goes. A rest period could be built in. Nothing is definite yet. This is to get people thinking and working toward some of the changes. We need to keep in mind that everything we change has a ripple effect.

Mr. Woodard said on the CWMUs, animals would have time to migrate out onto the public property. A few days in between would also give time for one group to move out and open up camp spots.

Mr. Aoude said it is good to have a nine-day hunt so it can encompass two weekends, regardless of when the start date is.

Mr. Perkins said on Option 2 with limited entry archery and limited entry muzzleloader elk, he can't go along with those at the same time. The split general season elk sounds good. On the last half of October with the four hunts starting together, how can you keep from conflict with spike elk and limited entry?

Mr. Aoude said most of the limited entry deer do not have spike only, just the Book Cliffs, which is a fairly large unit.

Mr. Perkins said he likes getting the hunts done in less time, because extended pressure contributes to stress on the herds. He would like to see the seasons even compressed more so we get out of the field earlier. On the limited entry deer hunts, he is more interested in keeping a single season for all of the regions and reduce the length of the hunt.

Mr. Aoude said you are talking limited entry deer units and there are not very many hunters out there. It is better to have flexibility.

Mr. Perkins said he is going at it from a different perspective and trying to save nine days. Multiple seasons in the current proposal extend the current seasons from one to seven days. If we keep the current season lengths we would still be guaranteed a

weekend. Could you put general season muzzleloader any bull elk added into the October 15-22 hunt?

Mr. Aoude said there would be more elk hunters on deer units, but that could be done.

Mr. Perkins continued to explore ideas that would take a big chunk out of November hunting.

Mr. Aoude said there are many ways this could be done. He has just presented two ways, trying to manage from the hunters viewpoint and the Division's. He does not feel that hunting deer into mid November is that hard on deer. They are in good shape at that point at the height of the rut.

Mr. Perkins asked if it would be feasible to look at all the antlerless elk permits and move them forward to address depredation.

Mr. Aoude said you could move them forward, but would have to issue a lot more permits to get the necessary harvest. Having said that, it would increase crowding on general season, not as clear of target on the depredating elk. We do these hunt early because they are easier to kill and you know you are killing the right elk.

Mr. Woodard said he kind of likes what Mr. Perkins said, because it might promote more family hunting. There would be multiple family members who would have tags.

Mr. Aoude said yes and no, you would then get complaints from the general season hunters, because antlerless hunters would be in addition to the general season hunters. That would kind of do away with treating the crowding issue. Still, it is possible.

Mr. Perkins asked about the number of antlerless permits that would be added from January back to October.

Mr. Aoude said perhaps 30% more on the average. Looking at success rates during the season, it is around 40-50%. Late season is 60-80%. There are also a lot of cow permits out there.

Mr. Hatch said on the success rates, weather is a key factor, and if a freak storm came in, you could kill a lot more than intended.

Mr. Aoude said that certainly could happen. Bull success would go down with the increased number of hunters. Hunters generally would not be happy with overlapping these.

Mr. Aoude said the Division would like to know what the Board would like to see relative to these various options. Some would benefit from these changes and some would not.

Chairman Niemeyer said there has been a lot of interest in getting the trophy bull hunt out of the rifle hunt. You could give a lot more tags on the rifle hunt if it is moved out of the rut.

Chairman Niemeyer said there was a study that was done years ago on the Fish Lake and it indicated that the peak of the rut there is October 1st.

Mr. Aoude said it depends on how many years the study is done and it will vary somewhat over time. That is why we put that cut off date where it is on the proposal. Those who have a lot of points can still expect to get a good bull and the success rate should be similar. For example, the muzzleloader is where the new rifle would be and they have about a 76% success rate and the early rifle hunters have about a 87% success rate.

Director Karpowitz said if this is going to be implemented for 2010, it would have to go out in the September informational. This is as sweeping a change as he has ever seen in 30 years. There will be people who do not believe they have seen it for a long enough time. We need to get it out on the internet and do a survey. We should not underestimate the opposition, not matter how good of a plan we think we have. This will generate as much controversy as we have ever seen. What is in place has been steeped in tradition for years. The deer hunt has been legislated as to the season for many years, and the first week October elk hunt has been in place forever. We need to make sure we want to make these changes. We need input from the Board as to what they really would like to see done, since they initiated the process.

Mr. Johnson said we should not get in a hurry to do this. We can put this out to the public as information and ask for input. Maybe we could take it out for a 2011 plan. A third option might be the season dates we have in place presently. We need to bring the public along.

Director Karpowitz said he would be more comfortable taking a little more time, not looking for implementation until 2011. It would also give us time to take it to some sportsmen's groups, in addition to the RAC meetings.

Mr. Perkins said he would rather see it come back one more time to the Board with what has been discussed today and not worry about taking it out this September, but develop something over the next five to six months. We could push it to early next year.

Director Karpowitz said this is too much to do for 2010.

Mr. Hatch said the earliest to take this out would be the first of next year. We need to refine it and ask for public input on a definite proposal.

Mr. Aoude said we do need to get something out to the public, and not leave it a totally blank slate.

Director Karpowitz said we should put it before some test groups before putting it on the website.

Mr. Aoude said he is not sure what the Board's response is today. He dislikes coming up with ideas, being told, "no that is not it," and then trying different things until they hit it. The Board needs to give specifics. Everything we change has a ripple effect.

Mr. Perkins asked about the Wildlife Board meeting for a day to brainstorm this topic.

Director Karpowitz said he will try to summarize the Board's overall feelings on this issue. We will discuss this with the Board, and then take it to the sportsmen's groups to see what they think. After we get that information together and fine tune it, we can put together a formal proposal, put it on the internet and have it ready to present the first of 2010.

Mr. Hatch said we might not need to go into it with something formal. We might decide to leave it as is.

Chairman Niemeyer said perhaps we could switch rifle elk hunt with the muzzleloader hunt. Maybe we just want to do a few simple things. We cannot go at this hard and fast. Maybe we will not even want to change it.

Mr. Hatch said that might be what we find here.

Mr. Howard said the way it is setting up, it will overload October. Maybe we should just change just a few hunts and simplify it a little more.

Director Karpowitz said if it is all right with the Board we will follow the process, then follow up with another meeting in the future.

b) Henry Mountains Primitive Weapon Bison Hunt

Mr. Aoude presented this information. The Division can certainly implement this type of hunt, but we would recommend against it for the following reasons: As we get this population into objective cow permit numbers will decrease and we will only need to harvest 30-35 cows. This will diminish the crowding issue and those that wish to use a primitive weapon will be less likely to wound animals.

Crowding issues would arise due to the additional permits required to achieve the needed harvest using primitive weapons. Even though this is a large mountain range, the bison herd is not large and bison are often in groups which would concentrate hunters.

If we provide this opportunity for this OIAL species, we will have requests to offer it for other OIAL species. These OIAL species are rare enough that we cannot afford the wounding loss associated with primitive weapons. This is currently an any weapon hunt, and hunters can use a primitive weapon if they chose. Even though

this is possible we would not recommend parceling out permits on a specific weapon type.

Director Karpowitz said we have had a lot of people take bison with primitive weapons. There is ample opportunity for that when we get back to normal permit numbers. Over the years we have not had a lot of complaints from people who hunt with primitive weapons.

Mr. Perkins said he is convinced that we should not do this.

The following motion was made by Ernie Perkins, seconded by Rick Woodard and passed unanimously.

MOTION: I move that we do not pursue having a Henry Mountains Primitive Weapon Bison Hunt.

c) Antelope Island Bison

Mr. Aoude presented this action log item on depopulating the Antelope Island bison herd to establish a genetically pure, disease free, parent stock herd. Although theoretically this may be a good idea, there are jurisdictional issues that make this nearly impossible to accomplish. By law the Division of State Parks owns the current herd and they do not want to depopulate. They are currently doing studies to see how genetically pure this herd is. Presently, they are not willing to depopulate. It is an income producer since they sell and hunt some of the animals.

Mr. Howard asked how many bison there are.

Mr. Aoude said probably around 500.

Director Karpowitz said we have given them bull calves to increase their genetic diversity.

Mr. Aoude said this is treated more like a livestock herd and they sell them.

The following motion was made by Tom Hatch, seconded by Lee Howard and passed unanimously.

MOTION: I move that we drop the issue of hunting the Antelope Island Bison herd.

d) Kolob Reservoir Management Plan

Richard Hepworth presented this plan. This issue came about last fall from a concerned angler at a Southern region RAC meeting. They asked us to look at changing regulations

back to general statewide regulations. They put together the Kolob Reservoir Advisory Committee and they put together this plan. (See Kolob Reservoir Management Plan)

The purpose of the committee as outlined by the UDWR was to set goals and objectives for the sport fishery at Kolob Reservoir, determine if those objectives are being met with the current management plan and make recommendations, if necessary, to revise the Kolob sport fish management plan. Their mission statement was to provide direction and advice to the Utah Division of Wildlife Resources in the development of a fishery management plan for Kolob Reservoir that will provide the anglers of Utah a quality fishing experience.

Mr. Hepworth then went over the specific goals and objectives of the plan. The proposal is to change the current regulation to a limit of two trout under 15 inches or over 22. All trout between 15 & 22 must be released. Artificial flies and lures only January 1 through the third Saturday in May and the second Saturday in September through December 31. In an effort to improve family oriented fishing opportunities, bait fishing when the kids are out of school, Memorial Day through Labor Day. This was a big compromise for those on the committee.

There were also recommendations for public outreach on hooking, habitat recommendations to improve spawning, and stocking recommendations. They want to evaluate this plan over the next three years with planned 2009 through 2013 creel surveys and an annual trend netting. This concluded the presentation and he asked if there were any questions?

Mr. Donaldson said the plan was to have something for the Wildlife Board to look at on the action log. It will come back in September for approval as part of the final regulation.

Mr. Perkins said this looks fine and we can clear it from the action log.

Mr. Albrecht said when the RAC met the majority were in favor, but understood that there was not total agreement on the committee.

Mr. Hepworth said in the final meeting we had consensus. One member of the committee went back to his constituency and there was a lot of disagreement. They pulled their support from the plan. As it stands this plan is supported 5 to 1.

Mr. Albrecht asked if they are going to try to schedule another meeting with the committee.

Mr. Hepworth said they do not intend to. At this point it would just muddy the water more. This is what they are going with for their September recommendations.

At this point the tape was changed for the Board Appeal for Eddie Horvath.

12) Other Business (**Contingent**)

Director Karpowitz said it is Chairman Niemeyer and Mr. Howard's last Wildlife Board meeting. We are going to honor them at a dinner on August 19, 2009. Before the Board disbands today, he wants them both to know how much their efforts for wildlife have been appreciated by the State of Utah and specifically the Division. It has been a huge commitment over the last six years and a lot of hard work. We have asked a lot of you and you have had to make tough decisions. You really deserve our respect for what you have done for wildlife. In addition to being Board members, you have also been active in other sportsmen's organizations. With our thanks for now, we look forward to honoring you with your wives at our dinner in August.

A motion was made to adjourn.