Utah Wildlife Board Meeting
January 4, 2011, DNR Auditorium
1594 West North Temple, Salt Lake City, Utah

AGENDA Tuesday, January 4, 2011

1. Approval of Agenda **ACTION**
   – Rick Woodard, Chairman

2. Approval of Minutes **ACTION**
   – Rick Woodard, Chairman

3. Old Business/Action Log **CONTINGENT**
   – Ernie Perkins, Vice-Chair

4. DWR Update **INFORMATION**
   – Jim Karpowitz, DWR Director

5. Bear Proclamation and Rule R657-33 **ACTION**
   - Justin Dolling, Game Mammals Coordinator

6. Statewide Bear Management Plan **ACTION**
   - Justin Dolling, Game Mammals Coordinator

7. Trap Check Proposal **ACTION**
   - Justin Dolling, Game Mammals Coordinator

8. R657-63 Self Defense against Wild Animals **ACTION**
   - Martin Bushman, Asst. Attorney General

9. Wildlife Board Variance Requests **ACTION**
   - Judi Tutorow, Licensing Coordinator
   - Neal Watters – Time Certain 9:30 am

10. Other Business **CONTINGENT**
    – Rick Woodard, Chairman

Approved

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.

Utah Wildlife Board Meeting
Summary of Motions
January 4, 2011, DNR Auditorium
1594 West North Temple, Salt Lake City, Utah

1) Approval of Agenda

The following motion was made by Bill Fenimore, seconded by Ernie Perkins and passed unanimously.

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

2) Approval of Minutes

The following motion was made by Bill Fenimore, seconded by Del Brady and passed unanimously.

MOTION: I move that we approve the minutes on the December 1, 2010 Work Session and the noted corrections.

The following motion was made by Ernie Perkins, seconded Bill Fenimore and passed unanimously.

MOTION: I move that we approve the minutes of the December 2, 2010 Wildlife Board Meeting as presented.

3) Action Log

The following motion was made by Jake Albrecht, seconded by Tom Hatch and passed unanimously.

MOTION: I move that Wildlife Board spend a day with the range trend crew and then visit the Paunsagunt area in summer 2011.

4) Bear Proclamation and Rule R657-33

The following motion was made by Jake Albrecht, seconded by Tom Hatch and passed 4 to 2 with Ernie Perkins and Bill Fenimore opposed.

MOTION: I move that we extend the spring bear hunt by one week on the Boulder Unit.

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

Approved

MOTION: I move that we accept the remainder of the Bear Proclamation and Rule R657-33 as presented.

5) Statewide Bear Management Plan

The following motion was made by Tom Hatch, seconded by Del Brady and it passed unanimously.

MOTION: I move that we approve the Statewide Bear Management Plan as presented by the Division.

The following amendment to the motion was made by Bill Fenimore, seconded by Ernie Perkins and passed 4 to 3 with Chairman Woodard breaking the tie. Del Brady, Tom Hatch and Jake Albrecht were opposed.

MOTION: I move that a bear hunter be required to submit the GPS coordinates in order to obtain a bear baiting COR.

6) Trap Check Proposal

The following motion was made by Bill Fenimore, seconded by Ernie Perkins and passed 4 to 2 with Jake Albrecht and Tom Hatch opposed.

MOTION: I move that we leave the trap check as it currently stands.

The following substitute motion was made by Tom Hatch, seconded by Jake Albrecht and failed 4 to 2 with Ernie Perkins, Bill Fenimore, Del Brady and Keele Johnson opposed.

SUBSTITUTE MOTION: I move that we change the trap check to 72 hours.

7) R657-63 Self Defense against Wild Animals

The following motion was made by Jake Albrecht, seconded by Ernie Perkins and passed 5 to 1 with Tom Hatch opposed.

MOTION: I move that we approve R657-63 Self Defense against Wild Animals as presented by the Division.

8) Wildlife Board Variance Requests

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

Approved

MOTION: I move that we grant the variance request of Neal Watters to extend his 2010 Limited-Entry bull elk permit on the #375 Wasatch Mtn. unit into the 2011 season.

The following motion was made by Keele Johnson, seconded by Del Brady and passed unanimously.

MOTION: I move that we grant the variance request of Jonathan Lampshire to extend his Limited-Entry bull elk archery permit on the Plateau, Fishlake/Thousand lake unit into the 2011 season.

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

MOTION: I move that we deny the variance request from Ryan and Terry Balch to extend their 2010 Limited-Entry bull elk permits on the Beaver unit into the 2011 season.

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

MOTION: I move that we deny the variance request of Stover Musser to extend his 2010 Limited-Entry bull elk permit on the Beaver unit into the 2011 season.

The following motion was made by Tom Hatch, seconded by Bill Fenimore and passed unanimously.

MOTION: I move that we grant the variance request of Michael Brailsford to extend his 2010 Convention bull elk permit on the Cache, South unit into the 2011 season.

The following motion was made by Bill Fenimore, seconded by Jake Albrecht and passed unanimously.

MOTION: I move that we grant the variance request of Matthew Felix to extend his Dedicated Hunter COR for one year into the 2011 season.

The following motion was made by Keele Johnson, seconded by Del Brady and passed unanimously.

MOTION: I move that we grant the variance request of Keith C. Gilley to extend his Dedicated Hunter COR for one year into the 2011 season.

The following motion was made by Tom Hatch, seconded by Del Brady and passed unanimously.

Approved

MOTION: I move that we grant the variance request of Mike Broadwell to extend his 2010 Conservation Desert Bighorn Sheep permit on the San Rafael, Dirty Devil unit into the 2011 season.

The following motion was made by Tom Hatch, seconded by Del Brady and passed unanimously.

MOTION: I move that we grant the variance request of Gregory Killinger to extend his 2010 Once-in-a-Lifetime Bighorn Sheep permit for the Zion unit into the 2011 season.

9) Other Business (Contingent)

The following motion was made by Tom Hatch, seconded by Jake Albrecht and passed unanimously.

MOTION: I move that we have a work session for the Wildlife Board on March 16, 2011 in St. George, UT.

Approved

Utah Wildlife Board Meeting

January 4, 2011, DNR Auditorium
1594 West North Temple, Salt Lake City, Utah

Board Members Present
Rick Woodard – Chair
Ernie Perkins – Vice Chair
Jim Karpowitz – Exec Sec
Jake Albrecht
Bill Fenimore
Del Brady
Tom Hatch
Keele Johnson

RAC Chairs Present
Steve Flinders – Southern
Fred Oswald – Central
Terry Sanslow – Southeastern
Bob Christensen – Northeastern
Brad Slater – Northern

Public Present
Tim Fehr
Byron Bateman
Marcus Christensen
Margaret Pettis
Jason Binder
Chet Young
Bob Brister
Melinda McIlwey
Orin Midzinski
Debbie Pappas
Josiah Balch
Kent Johnson
Blake Balch

Division of Wildlife Resources
Staci Coons
LuAnn Petrovich
Judi Tutorow
Kevin Christopherson
Charlie Greenwood
Mike Fowlks
Greg Sheehan
Martin Bushman
Dean Mitchell
Justin Dolling
Bill Bates
John Fairchild
Justin Shannon
Doug Messerly
Rhianna Christopherson
Randy Wood
Bryan Christensen

Public Present (continued)
Jennifer Wakeland
Breana Reichert
Kirk Robinson
Adam Bronson
Bruce Beck
Ryan Balch
T Balch
Cullen Balch

Approved

1) Approval of Agenda (Action)

Chairman Woodard went over the agenda, introduced the Wildlife Board members and welcomed the audience. He then introduced the RAC Chairs.

The following motion was made by Bill Fenimore, seconded by Ernie Perkins and passed unanimously.

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

2) Approval of Minutes (Action)

The following motion was made by Bill Fenimore, seconded by Del Brady and passed unanimously.

MOTION: I move that we approve the minutes on the December 1, 2010 Work Session and the noted corrections.

The following motion was made by Ernie Perkins, seconded Bill Fenimore and passed unanimously.

MOTION: I move that we approve the minutes of the December 2, 2010 Wildlife Board Meeting and the noted corrections.

3) Other Business/Action Log

Mr. Perkins said we have one action log item coming due today, Nonresident Pursuit and Harvest permits and premium bear permits. It should close today. He would like to defer this item to the end of the discussion on the Bear Proclamation and Rule. He then added an item to the action log. He said at our last meeting we got a huge amount of input and concern for the overall deer herd populations throughout the state. The Board spent a lot of time with the Division both in the work session day and the Board meeting day on the same topic. He would like to see that effort continued. We identified that there are a lot of things happening where the public is not getting enough information. The Division has already taken internal efforts to try to reorient some of the way they are communicating with the public in an effort to get the word out. He did a lot of thinking about the input we had and came up with some ideas that should build deer herd populations. This is not any kind of comprehensive list, but the kind of things we need to be working on.

The following motion was made by Ernie Perkins, seconded by Bill Fenimore and failed 4 to 2 with Keele Johnson, Tom Hatch, Del Brady and Jake Albrecht opposed.

MOTION: I move that we ask the DWR to work for improved communication and outreach with the public, and improved Board involvement on deer populations recovery. This will include efforts in areas including habitat; predator control; vehicle mortalities; fragmentation/disturbance/competition; and public outreach and communication.

Mr. Hatch said he is not sure where Mr. Perkins is going on this action log item. Is this kind of a feel good thing? There is nothing in there that is action oriented.

Mr. Perkins said there are two especially important things in the motion. One is getting constant and intensified Board involvement with the Division so we know what is going on, so we will not need another work session a year from now where the Division takes a half day to explain to the Board the efforts that were going on. This will reduce the need

Approved

for work meetings and the second thing is looking for additional and improved ways of communication.

Mr. Hatch said he does not see the need to put this in a motion. They are things that should be going on already.

Director Karpowitz said he does not object to having this on the action log, but they are working on these things aggressively. At our last leadership team meeting in the Division we spent the entire day talking about improved communication and working more closely with the Board and the public to get the correct information out there. This type of motion makes for a good checklist on the action log.

Mr. Fenimore said he thinks it is good to keep abreast of what is going on and helping to keep hunters aware of what is actively being pursued. There have been lots of big changes made recently. At this point he seconded the motion.

Mr. Perkins said under predators, there was a lot of discussion at our last meeting on getting increased activity to try to control predators, especially around fawning grounds. The conservation organizations ought to jump up to the plate in their own efforts without taking up Division time and effort in making it happen around the state.

Mr. Albrecht referred to the Southern RAC Minutes and asked if we can discuss the motion that the Southern RAC asked for relative to an action log item on the Paunsaugunt.

Chairman Woodard said we should discuss it now.

Mr. Albrecht read the motion p. 32 of Southern RAC Minutes for the reinstatement of traditional deer population levels on the Paunsaugunt. It passed unanimously. Mr. Flinders is here with us today and he could come up and make a presentation on it. Then we could act on it.

Mr. Hatch said Sam Carpenter has some historical background on this and it might be best if he speaks to it.

Sam Carpenter, Southern RAC member said they have been trying to get this to the Board for a couple of years. The objective was changed to 5,200, due to severe drought conditions and declining DCI report from the Division. Since that time we have had three good years and work done on the winter range. Friends of the Paunsaugunt have had some ideas on building numbers and have not been able to agree with population numbers that they are getting in the modeling numbers. The population has been in decline and they stopped antlerless hunts on these units. Improvements that have been made, and through information he has obtained through the Grand Stair Case Office, is several thousand acres have been improved. Bull hog and lop and scatter burns have been raked and seeded. Around 3,500 acres on winter range have been improved since 2005. He does understand that it can take ten years before that habitat is ready for higher

Approved

deer populations. On lop and scatter on these different railed and cut areas, the browse is not taken out, we get rid of pinion juniper encroachment and allowing that browse to sustain itself and improve. This has been a motion in 2009 and again today in an effort to try to address this. Motion from the Southern Region RAC: MOTION: To have added to the Wildlife Board's action log . . . that DWR revisit the population objective in the Unit plan for the Paunsaugunt and consider the pre-2006 objective; before it was reduced by roughly 20%. The local working group references several habitat improvement projects and another round of 5-year range trend data to be analyzed from 2008. This should allow antlerless deer permit numbers to be put back to their traditional level on the Paunsaugunt. This motion passed unanimously.

Chairman Woodard clarified that this request from the Southern Region is to ask the Board to consider placing this issue on the action log.

Director Karpowitz said anytime there is a herd size objective change it has to go through a process relative to state code. It has to be discussed openly. All management plans are due for revision. We can accelerate this one if the Board wants us to.

Mr. Aoude said all plans are due for review in 2011. We have decided to stagger them so they'll follow habitat information, which is done, on a five-year rotation. That unit is due to be started in 2011, but range trend information collected in 2006, or stagger it over three years and use newer data. It was done in 2006 based on range trend data. When we got the newest data, it showed there was no increase in any forage, so there is no increase in habitat with the most current data in 2008. We have done a lot of habitat treatments, but not to a point where we could increase population on that unit.

Director Karpowitz said there will not be any new data for three more years.

Mr. Aoude said they could work off the 2008 data if they need to do it in 2011.

Chairman Woodard said this was a unanimous request from the Southern RAC.

Mr. Hatch asked why we can't get that data. Is it a two-year effort to collect that data?

Mr. Aoude said it is a one-year effort and they rotate through the state and do every region annually, so it takes five years to get back around to the Southern region. We could override the rotation, but at the cost of dropping other units.

Mr. Hatch said that seems like a bureaucratic problem. We ought to be able to fix it.

Mr. Aoude said it is not a bureaucratic problem. It is a process.

Director Karpowitz said it is a long-term trend study in a five-year rotation. An interagency team does these range trends. We have the best range trend information in the west, current and state of art. Other states do not have this information. The rotation

Approved

has been in place for years and it has served us well. It is difficult to pick up these crews and move them across the state for one unit and then back.

Mr. Aoude said they are doing Southeast region now.

Chairman Woodard said we are coming up on the time certain variance request. We need to table this issue for now and will come back to it.

Variance Request

Ms. Tutorow introduced Neal Watters who is here today. The committee addressed his variance and because he had opportunity to hunt one day before he was injured, it was denied. He is here to appeal that decision and she turned the time over to him.

Mr. Watters said on the first day of the hunt he was injured with broken ribs and a laceration. He would like to request for his elk tag for the Central Wasatch Unit to be extended to next year, 2011. He gave details on the accident. He contacted the Division midweek of the hunt and was informed about the option for a variance request.

Director Karpowitz said the doctor's report covers his leg, not the ribs.

Mr. Watters said there were two injuries sustained. He did take a fall early in the day before light and had a cut just below his knee. It required some stitches. He proceeded with his hunt, but with the rib injury he was not able to continue.

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

MOTION: I move that we grant the variance request of Neal Watters to extend his 2010 Limited-Entry bull elk permit on the #375 Wasatch Mtn. unit into the 2011 season.

Approved

Chairman Woodard said the discussion would return to the Southern RAC's motion for the action log.

Mr. Johnson said there were a couple things that concerned him. With his experience he is tending to agree with them, relative to what is going on in the Southeast region. One is total population numbers. We seem to be concentrating on buck/doe ratios and doe/fawn ratios, but not total population. We have been in a serious decline for 40 years. We had serious mortality in southeast region last year because of the lack of two points that were shot during the hunt. We are not getting this information back to the Board and not seeing the total populations and the comparisons. He would like to see a 50-year graph on the deer populations and hunter success. Another thing that bothered him is he found out there was a doe hunt in San Juan County. He talked to the guy who harvested the doe and he said it was the only deer he saw. When he talked to someone about getting the doe hunts stopped range conditions were the reason. The deer are so low now, he is not

sure range is a factor. Range is not a factor in our area. San Juan is in trouble and there are people that want to shut it down. Of the things that were discussed in our work meeting which he listed, we did not discuss one that was really serious and that is some of the UDWR long term policies that are hurting our deer herds. For example, the number of deer killed on Elk Ridge in 1970, 2,500 and in 1981-83, it was closed. This was because of rampant killing of does on that unit. We did need some reduction, but we didn't pull back in time. That herd has never recovered, because of predation. Monroe Mountain is the same situation. During the 1970's the Division gave rampant doe hunts on the mountain, but don't kill the ones standing in the dairy farmer's field who complained in the first place. This has happened on unit after unit in the past with Division policies on doe hunts where they went too far. Are we still doing that? He doesn't know. When he found out there was a doe hunt on Dodge Point last year and that is not good management. Local people are saying there is a problem in southern and they are being ignored.

Mr. Fenimore said after hearing Director Karpowitz's remarks, he is not in favor of changing the rotation to accommodate this unit. He prefers the methodical process that the Division uses. This might open a door for other RACs to request units in their area to be moved up on the rotation.

Mr. Hatch said even if we get this approved it probably won't do anything for them. It frustrates the hell out of him to hear the Director say we have great information that is state of the art, but we are losing our mule deer herds. We cannot wait five years. We have to do something now. The Board will change in a few years and then southern region will be making a request and nobody will remember. We need to change the way we do range trend analysis, or something. We can't continue doing what we've done in the past if we're going to recover our mule deer herds.

Director Karpowitz said we can review that unit plan this year using 2008 range trend data and the other current information we have. There is no problem with looking at the plan, but there is a problem with changing the rotation on the range trend transects which are long-term trends. There are changes over a five-year period. We can review them all in 2011 with the information we have, then we can update them when we get new information.

Mr. Johnson said the bigger problem is what we are doing is not working. This is a little indicator of the big problem. We need to look at everything we are doing on mule deer and make some changes. If our mule deer continue to go down it jeopardizes the funding of the DWR. The legislature might not go for raising the tag fees.

Mr. Carpenter said the DCIs, in his opinion, are not going to improve. They have not been manipulated in any way. The improvements that have been made are not on the DCIs and I do not look for them to improve. It is mostly PJ encroachment on these areas that is the problem. The DCIs that he visited are not necessarily winter range where deer are actively feeding. It would be more appropriate to have a tour with the Board and

Approved

look at the projects and what is being done so they will have a better feel for what we have down there, and how these DCIs are not representative of the entire area.

Chairman Woodard said we have to move on and Director Karpowitz said if this is put on the action log the Division will look at it.

Mr. Perkins said the Division has already said they will get this done. We are a policy Board and getting down to asking the DWR to do things out of rotation and work on an individual unit plan seems to be delving down into workload, personnel and other things beyond the scope of what we should be doing. He recommended that the Division do as they have said they would but not make it an action log item.

Mr. Albrecht said a year ago we have a meeting set up for the Bryce Canyon area, but it got postponed back to the Salt Lake office. There are areas in the state where the Board should go and see the habitat work that is being done such as the Paunsaugunt and the Heaton Ranch was one of them that we wanted to do a year ago. He would like to see the Board do that in July or August. Maybe we could identify some future sites that would provide some good information there. That would be my motion.

The following motion was made by Jake Albrecht, seconded by Tom Hatch and passed unanimously.

MOTION: I move that Wildlife Board spend a day with the range trend crew and then visit the Paunsagunt area in summer 2011.

Mr. Perkins said he would like to see the Board spend some time with the range trend crew also, and would like to see this as part of the motion.

4) DWR Update (Information)

Director Karpowitz said he wants to talk about some of the follow up to our last meeting and some things that are happening right now. First, he needs to address the comment that what we are doing is not working. He thinks it would be a huge mistake to abandon the goals we have set in habitat work, predator control, highway mortality and efforts on poaching. What we need to do is accelerate it, not change direction.

One of the big issues at the last round of RACs and Board meeting is we need to put more emphasis into coyote control. There was a good discussion on December 1 in which coyotes appeared to be one of the problems with deer productivity in the state. We have dug deep into the dwindling budget and committed to spend another $150,000 this fiscal year and another $200,000 next year of conservation permit money and accelerate our efforts on coyote control. We do not want to do it at the expense of our habitat work.

Mr. Hatch asked how the $150,000 and $200,000 compare to what we have been spending the last five to ten years.

Approved

Director Karpowitz said all except last year we've been spending $500,000. Last year it dropped to $400,000. This will bump it up to $550,000 this year and $600,000 next. The longer-term plan is to talk to the sportsmen to see if they want to accelerate it even further and we would have to consider license increases to fund it. We have had some conversations with members of the legislature on how to best do that. It is a general fund appropriation and we are going to use conservation permit money to do this. We are going to ask the conservation organizations to put out some of their money. We have some of that money we are holding that we will use.

Mr. Hatch said he understands we have money in the Division that is not being spent for predator control.

Director Karpowitz said no, all the money we have for predator control is under contract with Wildlife Services. All the money we receive passes through directly to them. We don't hold any money back. There was a budget cut over last two years that reduced it. We have to make up that deficit and long term we've got to have a more stable funding source to keep it going.

Director Karpowitz continued to say winter has really arrived in Utah. They are closely monitoring the situation. We collect information on every deer herd in the state, monitoring both deer conditions and habitat conditions. He handed out two sets of reports to the Board members. They modified winter deer feeding policy about a year ago and as a result of that we monitor conditions on all units. He went on to explain what the monitoring program entails with the handout as a reference. They are getting close to feeding on a few units in the state. Two in Uintah Basin have met the criteria, but they are on units that have CWD where we have decided we won't feed, because it tends to perpetuate CWD on feeding stations in a dramatic way. There are some other units that are getting close. Our biologists collect this information weekly and it is passed back to the coordinators in Salt Lake. If we meet the criteria, it will trigger emergency deer winter feeding. It is very expensive and we are going to call on conservation organizations to help with it. Our last effort in the Northern region two years ago was fairly small, feeding about 10,000 deer and it cost about $250,000 so we are going to have to use appropriated monies and conservation permit monies is one of those sources. We are getting good communication between sportsmen and local biologists, so the situation is being monitored closely. He encouraged sportsmen to let the biologists know if they come across a situation where deer are in trouble. The snow depth is not as big of concern as the extremely cold temperature. He then asked if there were any questions.

Mr. Fenimore said they had a presentation a few years back on winter feeding programs and it was pointed out that if you don't start by a certain point, it will not be successful.

Director Karpowitz said when the criteria meet 3 of 5 indicators that is when we start feeding. Success with feeding is limited at best and quite often doesn't save the young of the year, but it can save breeding age animals. We reserve it for emergency situations, but don't wait too long.

Approved

He went on to say they are focusing efforts on poaching. Recently our officers made arrests on two individuals who killed more than 20 deer. Our officers are diligently looking at our winter ranges. There is a significant amount of poaching going on in the Book Cliffs and we need the public's help in identifying this and reporting incidents as they become aware of it around the state.

Relative to the budget as we go into the legislation session, we have been asked to identify a 10% general budget fund cut, which will be about $650,000. This is on top of the 20-25% cut that has occurred over the past few years. We are taking steps now in anticipation of 2012 with declining revenues with reduced permits. We have a soft hiring freeze in place currently and evaluate every position that comes open. It will mean more than just belt tightening and we will have to make some program cuts. Recovering our deer herd is top priority in the Division and it always has been. It is a long-term problem with no short-term fix. We have slowed the loss over the past 10 years. Agencies around the west are all having this problem. He will be meeting with the Mule Deer Working Group in Salt Lake at the Expo to discuss more aspects of deer management in the West. The Division is looking to do the right things with the resources they have.

Mr. Johnson asked about collared deer studies.

Director Karpowitz said they provided that information to the Board in December, including survival rates. We have put out additional new collars this year.

Mr. Aoude said we have done an entire year with our radio collar study. Fawn mortality is a little above where we thought, but the adult survival is higher than we expected. Overall populations are probably stable to slightly declined, if you look at it statewide. There are some units are declining steeper than others and some that are slightly inclining. Currently we are in the process of putting more collars out on the fawns. The collars are expandable, so once they progress to adults we continue monitoring them through that.

Chairman Woodard said on the poaching issue, he received a scathing email from a constituent relating to the Vernon Unit, where 19 deer were killed. Four individuals were involved and the main player in that got a slap on the wrist from the County Attorney. The Division is not happy with this. He asked the sportsmen to contact their county attorney's office and tell them to clamp down on poaching. They don't need a slap on the wrist or a plea bargain, put some teeth into it. We can only do so much on the Board when people come for hearings.

Mr. Fenimore asked if our law enforcement chief and Mr. Bushman could contact the county attorney's offices and let them know the seriousness of this type of incident, including economic and other impacts that poaching is having.

Chairman Woodard said this is an ongoing issue with the Division and they contact the county attorneys currently. Also the officers in the field have this ongoing issue. It will be taken more seriously if they hear from the sportsmen.

Approved

Mr. Peay asked if it is possible for the Division to let them know ahead of time on these hearings so they can go and be proactive in court situations so we can talk. We need specific information on incidences, which counties, etc.

Mr. Fowlks said have a good relationship with the 29 county attorneys. They could use some help from the sportsmen in talking to their county attorneys, telling them the importance and value of wildlife, prior to these cases coming to court.

Mr. Fenimore asked if they can seize a vehicle, if they are caught poaching.

Mr. Fowlks said they can do that with Title 24, which changed how that works, but it is still possible, even though it is a little more difficult. We use that judiciously. It is in concert with the county attorney.

Mr. Johnson said on the Book Cliffs and the poaching there, have they been able to work with the sheriff's offices out there?

Mr. Fowlks said they have great relationships with the sheriffs in that area and they do assist them.

Chairman Woodard said we will have a five minute break, then get into the meat of the agenda.

5) Bear Proclamation and Rule R657-33 (Action)

Justin Dolling, Game Mammals Coordinator presented this agenda item. (See Powerpoint Presentation) The discussion topics included an overview of the Bear Management Plan with the population goal, population objective and performance. He then went over charts on the summary of 2010 mortality, percent of females harvested, average age, and adult survival. He presented a summary of 2010 mortality and management criteria. He then went over the 2003-2010 bear incidents and the DWR efforts to reduce bear conflicts.

Mr. Dolling then presented the 2011 Bear Recommendations by region pointing out the changes. They are recommending a premium limited entry permit and it will allow the hunter to hunt both spring and fall seasons, but only harvest one animal.

He presented the information from an experiment they have been conducting for three years in an effort to shifting mortality from agency removal to sport harvest (6 management units). It appears that we have been able to shift some of the agency removal to the sportsmen. The recommendations for spring season extensions, as new units in 2011 include So Slope Yellowstone, So Slope Vernal, Diamond Mountain, Bonanza and Central Mountains Manti North. This will bring our units to nine with spring extensions.

Approved

Mr. Dolling then went over restricted summer pursuit recommendations, a bear rule change to define "Accompany," season dates and then a recommendation summary.

Mr. Hatch asked what the current bear population is in the state.

Mr. Dolling said that is a hard question to answer. We looked at some of our age information and tried to reconstruct bear population based on the known ages in the harvest and what the minimum population would be to provide those different ages. It is estimated at 2200-2800 bears. The population reconstruction reflected stable at this point.

Mr. Hatch asked as a biologist, do they manage different species, differently. Are they managed differently as far as performance targets?

Mr. Dolling said with ungulates it is with modeling and managing to a population objective. With predators we manage with harvest information.

Mr. Albrecht asked if there is a total number the Division would like to reach with the bear population, or is it just a steady growth?

Mr. Dolling said in the current plan, it was to maintain a stable population. With the new plan it is the same. Stable is determined through age reconstruction, harvest results and also some studies where we are looking at capture/recapture rates. There are several things to look at to see if the population is stable.

Mr. Albrecht asked on the nine units, have they considered Boulder Mountain as one of those?

Mr. Dolling said based on criteria to put them in spring extension, they are not seeing the high instances of agency removal on that unit.

Mr. Albrecht asked if the loses of livestock is one of the considerations.

Mr. Dolling said it could be, but it currently is not part of that formula. It is when a bear is removed by Wildlife Services or our agency in a nuisance situation.

Mr. Albrecht said the permittees on Boulder Mountain said their biggest loss occurs the first week after the hunt ends. The biggest problem has been on the Boulder and Beaver. Is livestock a consideration we should put on to determine whether there would be an extension or not.

Mr. Dolling said it is something that could be considered. When they entered into this spring extension experiment, we were looking at trying to take a bear that needed to be removed to protect livestock or in a nuisance situation, putting in the hands of the sportsmen. Currently we have the depredation. program that compensates landowners and grazers for confirmed losses. Essentially when you look at our harvest distribution of

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bears across the state, most of that harvest is occurring between the first and seventh week in the spring season, tailing off dramatically in the 8th and the 9th week. The 9th week would be the extension. If we need to remove more bears on Boulder we can increase permits or extend the season, but not both.

Mr. Fenimore asked about the bear hair studies. Have they been added into densities of bear as you are looking at population models?

Mr. Dolling said yes. Those results have been included in our proposed new management system that will be presented today.

Mr. Johnson asked if on the extension of those spring bear seasons, showing the drop in depredation, how much is attributed to harvest or how much might be related to harassment. Is that having an effect?

Mr. Dolling said he does not think that plays a big role. It's more about the food source and their movement. Livestock would be an alternate food source. When conditions are good for bears, livestock losses drop off dramatically.

Mr. Johnson asked what type of livestock is being hit.

Mr. Dolling said primarily sheep. On the Boulder it is unique in that they are taking mostly calves.

Mr. Brady asked about depredation on deer and elk.

Mr. Dolling said there are two studies for deer in Colorado and New Mexico. In both studies, about 5% of fawn mortality could be attributed to bears. It is different for elk, because they congregate during the calving period. Mortality on elk can be a little higher. For deer it seems to be fairly low. There was a study on the La Sals in the mid 80's that suggested it might be around 18% attributed to bears.

Mr. Hatch said on population goals, what he heard presented was the goal is to maintain a stable population and yet in the presentation it said "to expand distribution." How do you do that?

Mr. Dolling said expanding distribution into areas where historically there may have been bears. Even expansion into a currently unoccupied area, we would still look to maintain stable populations, taking away from units with higher densities.

Mr. Flinders said he had a question for Mr. Dolling at the RAC and he followed up with an email and broke down the harvest for the last three years for bears in Southern region and the rest of the state. Now might be a good time to look at the slides relative to this. This is the second year that the Southern RAC has come up with the request for an additional week.

Approved

Mr. Dolling discussed a bar graph on black bear male harvest and female harvest, week by week, during spring season 2008-2010 from all units excluding Boulder/Kaiparowits which he had a separate slide for. He explained that when snow depth drops, harvest picks up and later we go into spring harvest, with more likely there being females in the harvest.

Mr. Flinders said Mr. Albrecht and Mr. Hatch have been to some of our meetings and heard the discussion on this. Mr. Albrecht alluded to the depredation issues. The other would be access issues. We have success rates on some of the units other than Boulder/Kaiparowits that don't have nearly the bear density that the Boulder does. There is some frustration among the hunters to just get to the bears. Maybe it's just the last few years and late springs.

Public Questions

Margaret Pettis asked what the reason was for creating the premium hunt.

Mr. Dolling said there was interest from the Wildlife Board two years ago for this hunt, similar to the other premium entry hunts we have for deer and elk.

Ms. Pettis said referring to the dog slide, when the strayed dog has cornered a bear, how long is the time period after they release that bear and go back to the main pack? Do they let that bear go?

Mr. Dolling said he is not clear on the question.

Ms. Pettis said she is referring to the new recommendation.

Mr. Dolling said under a normal situation, houndsmen would obtain a pursuit permit to train their dogs and if they joined dogs together in a single pursuit. If those dogs fragmented off, they would each have a pursuit permit which would allow them to go gather the dogs up. On the restricted units, we have allowed for individuals who own dogs to come together, form a pack of eight or less and as long as one of them has a pursuit permit. In the case Ms. Pettis described, they would be in violation of the rule, if they broke off the group. This rule change allows them to do it as long as they, to the best of their ability, remove their animal and release it away from the bear that may have been treed due to a stray dog.

Orin Midzinski asked why the drop in conflicts between hunters and recreationists since 2009. Why do you think that is and are those incidents investigated?

Mr. Dolling said there are two reasons why the conflicts dropped. One, they reduced the number of individuals that could train dogs on those units based on permit recommendations. Second, the individuals that were pursuing were on their best behavior and took the complaints very seriously. The incidents are monitored with follow up.

Approved

Jason Binder asked if in 2009 how many complaints were on nonresident hunters.

Mr. Dolling said in 2009 the complaints were on both nonresident and residents.

Tim Fehr, Wildlife Protection Society said there are lots of issues relative to our mule deer population. On the 5%, is it really 1-2 deer per bear? Are we confident the numbers are good?

Mr. Dolling said that was quoted out of studies out of Colorado and New Mexico, which would suggest the loss of fawns due to bears is fairly low. In particular, for deer he doesn't think it is a huge concern. For elk, in certain settings, it can be a concern. He feels confident those studies are correct. It is 5% of the mortality on fawns, not 5% of the fawns.

Melinda Mclleway said bears are hunted from April to Sept, now they want to add October, except for July when it is training time for hounds. Are they allowed to take bear during July?

Mr. Dolling said only time we are looking to add for October is on the Book Cliffs/Little Creek. On the other question, they do allow for harvest and pursuit of bears during spring and fall seasons. It is not allowed during the summer training season.

Public Comment

Margaret Pettis from Hyrum Utah commended the fact that the number of females killed is being held to 40%, however, we have recently hit the highest number since 10 years ago. She recommends no spring hunt because females and cubs need to be protected. Male bears should be the focus for harvest in the fall. Abolish the spring bear hunt to stand on the moral side of the issue. Pursuit permits are purely for recreation and should be done away with. Bear baiting should also be done away with because this does habituate bears to campgrounds and other human use areas that are near by. We have no definite number on bear populations and we should not have a bear hunt in Utah at all. We don't need a bear hunt in Utah.

Bob Brister of the Utah Environmental Congress said they object to the hunting of bears in general including the spring hunts, summer hound pursuit and bear baiting in particular. Bears need time when they are not being hunted so they can put on fat for the winter. He echoed the remarks of Ms. Pettis and believes hunting of bears should be eliminated.

Orin Midzinski from Cache Valley complimented the Division for shifting the taking of nuisance bears more to the sportsmen and for their efforts in reducing the human bear conflicts. He supports the definition of the word "accompany" and he applauds the targets the DWR has set for maintaining bear populations. He is strongly opposed to harvest objective hunts for bear. There are other methods to be used to reduce bears in

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certain areas. We need to open those private lands to those who have tags. His main thing is we need to maintain the trophy bear units. He is against reducing bear populations in those areas. If they go to harvest objective in those four units, he would ask they go to the category of light harvest. He supports the houndsmen's proposal. It will help maintain quality of bear hunt, population and allow the state to address bear/human conflicts. The split proposed by the association to split the San Juan Blues side of the unit from the San Juan Elk Ridge side. Nobody wants to go camp on the Elk Ridge side in the summertime, similar to the Book Cliffs. He enjoys bear hunting and pursuit with his family and it is a healthy wholesome activity.

Jason Binder, Utah Houndsmen Association commented on the amount of bear tags we are increasing again this year. How do you keep increasing tags on a population that you don't know what it is? In the last six years there has been a 73% increase in tags. In 2006 we had 242 tags and in 2011, 419 tags are proposed. Sooner or later the numbers are going to go up and we will have the sows disappear. It is too delicate of a population to maintain when females don't have cubs until they're around five years old. They recommend no increase of tags from last year. The residents appreciate what we have here and many feel the nonresidents were the problem in past years. He supports the Northeastern RAC with 25 early permits and 25 late. He would like to ask for the San Juan unit to be split. The causeway is a major land bridge and where we split the unit. Not very often do dogs cross it. Would like to see Elk Ridge split there with 20 tags early and 20 tags late. On the Blues side, they'd like to see 10 tags early, 10 tags late. On the La Sals Unit, they'd like to see an increase for pursuit with 20 early and tags late. He continued to cover the information on the Houndsman Association Handout. (See Attachment #1)

Chet Young, Utah Houndsmen Association said he would touch on what Mr. Binder said. We do not know what the bear population is and they are against raising the number of tags. The Houndsmen have come here over the last three years asking that permits not be increased. They see the bear population declining and we are a big part of people who hunt them.

Melinda Mcllwey said as a nonconsumer, it seems like what is done here is with the DWR and the DNR is oriented to accommodating the consumers rather than the wildlife. An example of this is we are trying to stabilize a bear population when we don't really know what it is. She came from New Hampshire where people and black bear live pretty much okay together. There are occasional bad incidents. They have no pursuit seasons there. She concurs with the remarks made by Ms. Pettis. She has the same confusion with the stray hound scenarios and who will monitor this. She is against the bear hunt in the state of Utah. She has seen bears in other places and has only seen one in Utah in the 20 years she has lived here.

Kirk Robinson, Western Wildlife Conservancy said he was a member of the Bear Working Group who put in place the current management plan. He has a lot of experience with this. He has involved some of his colleagues in coming up with today's recommendations. He will not voice his personal issues today on bear hunts and other

Approved

predator hunts. Relative to the working group, there was a lot of good information presented. He is not overly worried about the bear population, since it is guarded by the management plan. Their group wants to address bear baiting. There was a study done at Utah State about 10 years ago sometimes known as the Cranney/Teal report and it concluded that bear baiting is very poorly received by society as a whole, the lowest of the survey of attitudes toward various wildlife management practices in Utah. Nonconsumptives are the majority in the state of Utah. It is disconcerting that he has never been able to get the nonconsumptive point of view accepted within any of the management plans. Nonconsumptives do not have an adequate voice in wildlife management in Utah. They are against bear baiting and look to it being discontinued on humane grounds.

RAC Recommendations

Southeastern – Mr. Sanslow said it is outstanding that we have gone from over 100 complaints in Southeast region to 6 complaints. It speaks volumes of what groups can do if they work together. They had one motion to accept permit numbers and it passed 10 to 1. The next motion was that the DWR get with the houndsmen's group to find a solution to the "accompany" definition conflict and it passed 10 to 1. That has been taken care of in the Division's revised presentation today. The next motion was the DWR extend the spring bear hunt by one week on both the La Sal and San Juan Mountains. That motion was withdrawn. There was a motion to eliminate the spring spot and stalk hunt on the Book Cliffs road less area with permits numbers being determined by the DWR and the boundary would revert back to Book Cliffs boundary and it passed 10 to 1. They accepted the remainder of the proposal and it passed unanimously.

Southern –Mr. Flinders said they passed the proclamation and rule as presented with the exception of adding a week to the Southern region units in the spring.

Central – Mr. Oswald said they had five motions. (See Central RAC minutes)

Northeastern – Mr. Christensen said most of discussion was on the "accompany" definition as well as the pursuit season on the Book Cliffs. There were several motions. The first was to have houndsmen and Division get together to discuss the "accompany" definition. He feels what Mr. Dolling presented today would appease the RAC. A motion was made to go from 18 to 25 limited entry pursuit permits on Book Cliffs. The Division adjusted to that number. The last motion was to accept the remainder of the Division's proposal.

Northern – Mr. Slater said they had similar discussion. They received public input from the Utah Houndsmen Association with a request for no increase in bear tags, split the San Juan Unit, boundary, remove the eight dog restriction and work on the definition "accompany." They also heard from the Northern Houndsmen Association. Another comment was from a livestock operator who feels there should be more permits. The RAC Council wanted to address "accompany" and the concerns have been addressed by the Division sufficiently. There was a motion to accept the remainder of the Division's

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proposal and to partner with Bingham Family with their concerns on bear depredation in the Chalk Creek area. That motion passed unanimously.

Board Discussion

Chairman Woodard summarized the RAC recommendations

Mr. Christensen said there was not a lot of concern on spot and stalk at the Northeast RAC. They did not have a recommendation on that.

Chairman Woodard said he misspoke on that and it was from Southeast.

Mr. Perkins said they have a number of motions from RACs that are one off and unique from one RAC only and in many cases, like this one, we have a recommendation from the Southeast RAC for an action in a Northeast unit, and the Northeast unit did not support it. He would hope the Chairs take back to their RACs, that if the Board doesn't support many of these, they simply didn't have enough support throughout the state.

Chairman Woodard said so the Board does not want to act on eliminating the spring spot and stalk in the Book Cliffs.

Mr. Brady said they should hear from the Southeast RAC Chair.

Mr. Sanslow said they had a lot of houndsmen at their meeting and many of them hunt the Book Cliffs and La Sals. That is why the recommendation came from their RAC.

Mr. Fenimore wanted to give Mr. Dolling the opportunity to respond to the Utah Houndsmen's comment on the 76% increase in bear permits over the last six years. The houndsmen are asking for fewer permits which reduces their opportunity. I find that peculiar and would like that clarified.

Mr. Dolling said when the houndsmen sent out their original proposal he thinks there was a math error. It said 43%. We went back and calculated it and it is about a 73% increase over that period of time. They are comfortable with the increase based on harvest criteria that are laid out in the current plan.

Mr. Perkins said the performance data out of harvest and other information says we are maintaining a stable population despite the 73% increase. He thanked Mr. Robinson for his comment on the quality of the management system and the many checks and balances that were built into that to protect the population.

Mr. Fenimore said on Mr. Robinson's comment on nonconsumptive verses consumptives in Utah. The nonconsumptives are in a much greater number in Utah. There is a lot of opportunity for the Division to look for ways to engage and involve nonconsumptive recreationists who want to enjoy wildlife as well. Our nonconsumptive RAC meeting is

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often cancelled, or has a very sparse agenda, so we miss opportunity there. Our Great Salt Lake Nature Center lost its Director recently who was promoted to another position. He would like to explore opportunities for improvement in this area.

Chairman Woodard went on to say that the Southern RAC requested an extra week to the hunt there.

Mr. Albrecht said the whole issue behind this is Boulder Mountain.

Mr. Flinders said it dominated the discussion last year, but this year it was more balanced. Dale LaFevre was not there to give input on the Boulder.

Mr. Albrecht said landowners have come in through the years for help and haven't got it. Livestock is very important to those people.

The following motion was made by Jake Albrecht, seconded by Tom Hatch and passed 4 to 2 with Ernie Perkins and Bill Fenimore opposed.

MOTION: I move that we extend the spring bear hunt by one week on the Boulder Unit.

Mr. Perkins asked if the RAC had the benefit of seeing the chart on harvest when they made that motion. Female harvest had gone up dramatically during the seventh and eighth week.

Mr. Flinders said it is a small sample size. There is a lot of information to be gained in discussions on spring emergence from dens, forage availability and how to predict what kind of year they are going to have and what losses might be expected. He expected the harvest would ramp up with eight weeks, but it dies off there. Perhaps people loss interest after week seven. They really aren't utilizing week eight. What will they do with week nine?

Chairman Woodard said they need to look at splitting the San Juan. How does the Board feel on that? The Division is firm in their stance to leave the unit as is.

Mr. Brady asked why the divisiont is firm on that stance.

Justin Shannon said the reason is, with the Book Cliffs a split will not help keep dogs where they're supposed to be. It is a social issue, not biological. There will be nothing gained from splitting it.

Mr. Albrecht asked if the Forest Service has taken additional steps on this problem.

Mr. Shannon said they worked with them to try to reduce conflicts on summer pursuit. They felt it was 50/50 nonresidents and residents on the problems. They kept in close

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contact with them. The conflicts were reduced. They limited the number of dogs that can be in a campground and some other things. Yes they have done some things.

Mr. Hatch asked if this was just a social issue, why does the Division take issue with it.

Mr. Shannon said they can manage it any way the Board would like. If they ask them to split it, they can do it, but it is interesting the logic that was used in the Book Cliffs, the point that they were going to have a hard time keeping our dogs out of this no dog area, so if you cut the unit right in half, that is a lot bigger than the small unit on the Book Cliffs. Using that same logic, how do you keep dogs separated? It would increase the law enforcement issue.

Bill Bates, Southeast Regional Supervisor said he went down with Jay Shirley this last year to see what was going on with the new changes. Last year they had over a 150 complaints on the La Sals and San Juan unit on conflicts between recreationalists and pursuit hunters. What happened this last year with the number of permits we issued, the houndsmen were acutely away of the problem and they distributed themselves over the Blues and over Elk Ridge. Their walkie-talkie systems worked so they knew where each other was. It worked out really well. The complaints went down to six. Splitting of the permits and the units is really one issue. The reason for splitting it is so they can have more permits issued. That is the problem. They had as many complaints on Elk Ridge as on the Blues. You can split it if you want, but all you will do is split the access to the houndsman. The real issue is how many permits are you going to give. It would be six on each side, for each season, not the 20 and 18. You'd need to stay with the same number, so why do that? The Division does not want to increase the number of permits. The Forest Service still thinks we have too many permits in the area.

Chairman Woodard said this went on a lot when he was the Central RAC Chair with the Central RAC putting their nose into other RACs business. He always took a stance that from the Wasatch Front, our hunters also dispersed themselves, so they had a reason to weigh in on an issue, not just region specific.

Mr. Sanslow said they listened to the comments by Mr. Bates and Mr. Shannon and felt the Division was right and went along with their proposal.

Mr. Johnson said if he made a motion it would be a split and reduce the number of permits. The local people complain about it and he hears about it.

Chairman Woodard asked if the Division has looked at the restricted summer pursuit.

Mr. Dolling said yes they have. Some of his figures were off a little, so the odds did go down a bit based on a query we did this morning. However it has been in place for one year and the odds are about one in three years you can draw. The interesting thing is we did not have a lot of use from those who received that permit on those units. He would like to give it another year. If the board feels like they'd like to pursue the preference point Fallon can accommodate us with that.

Approved

No action was taken.

Chairman Woodard said we did hear from the public on closing the spring bear hunt and the baiting issue. Is there any discussion or motion there? There was none.

Mr. Johnson made comment on the spring bear hunt. Dr. Black said the spring hunt is a good management tool, because the number of sows in harvest goes down. To stabilize bear population, spring hunt is the way to go.

Mr. Fenimore asked about bear baiting and the fact that archers are the only ones that can do it. How many archers do this?

Mr. Dolling said 40 bears were harvested over bait using archery equipment, probably 50 hunted over bait.

Mr. Johnson said he has a few concerns before we get into the motions. We still have a problem with hounds during the hunt seasons in the fall. He receives quite a few complaints from deer and elk hunters about hounds during those hunts, especially on the Blues. They draw a trophy elk tag and have hounds all over the area. This really takes away from their hunt. He thinks we should not allow those bear hunts when other seasons are taking place. We also need to look more seriously at a quota on the number we want harvested, sell the tags over the counter and let people do spot and stalk on these hunts, especially in the fall. Maybe do away with using hounds in the fall and go to a strict quota then they can hunt bears during these other seasons, because they are not in there disturbing everybody.

Chairman Woodard said spot and stalk will be covered in the new management plan. In the Wasatch area, we do have a lot of complaints in his area from elk hunters with dogs coming through.

Mr. Dolling said we are going to be talking about the new management plan in the next agenda item. We have removed the month of October to try and minimize some of that conflict. We have made a fair effort to shift a lot of fall permits into the spring, looking to accommodate hunters. We have really confined some of the houndsmen's ability to utilize the hill during the fall and any further reduction would really need to be looked at closely.

Mr. Johnson said a lot of people don't have hounds, but could hunt bear during deer or elk season. That needs to be looked at. Houndsmen are monopolizing tags from those who want to hunt bear without hounds.

Mr. Hatch asked if we can still have that discussion on the management plan that Mr. Johnson wants to have. If we take action here are we locking ourselves into a position?

Chairman Woodard said we are for this year.

Approved

Mr. Perkins said if we change and go to a harvest objective / over the counter concept, we will also affect permit numbers.

Mr. Dolling said that is correct and in fact, the new plan lays out easing into a softer approach, so we have not used quotas to harvest bears in the state. We want to ease into that and see how it works. A year from now we could start to experiment with quotas.

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

MOTION: I move that we accept the remainder of the Bear Proclamation and Rule R657-33 as presented.

Lunch Break

6) Statewide Bear Management Plan (Action)

Mr. Dolling presented this new revised black bear management plan for the state. They are proposing this plan run from 2011 through 2023. He went over those who participated on the Black Bear Advisory Committee and the process. (See Powerpoint Presentation) The regions also had input. He then went over summary of changes, the plan goal, objectives and strategies and the management system. He then went over the value of adding additional variables, "increased complexity" in the system. The committee motions and recommendations that were not accepted by the UDWR were also covered. 95% of the recommendations that came out of the committee were incorporated into the plan. This concluded the presentation.

Mr. Fenimore said in the area you mentioned there was suitable but unoccupied habitat, is there any plan there where you would go to a source population and trap and move bears into that habitat.

Mr. Dolling said that would be one possibility, but also it would be a possibility to go out and try to detect whether bears occur there naturally. The areas that stick out are Pilot Mountain, the Raft Rivers and Deep Creeks. Those areas should be able to support some bears currently, but do not. A transplant would have to be brought back to the Board for approval.

Mr. Brady asked how they will decide which region gets light, heavy or moderate pressure. Who decides that?

Mr. Dolling said we are going to get together as a group and talk about some of the unique issues that occur in the different regions. Based on those discussions, look to identify which ones are more appropriate to the various categories. There will probably have to be some give and take, depending on the situations.

Approved

Mr. Albrecht said if you do expand into those other units, does it go through the same process as with elk, including the County Commissioners and so forth.

Mr. Dolling said yes.

Mr. Albrecht said on the bear management units that are listed on p. 29, are those similar to the way we did our cougar plan where they are called an eco-unit or anything like that. If we deduct one from one area, do we have to add to another?

Mr. Dolling said not really, what drives the decision is what harvest category is selected. Harvest is managed according to the performance targets on that strategy. It wouldn't be a give and take on permits. They would be dealt with independently.

Mr. Johnson said on the agricultural depredation, what type of things are you talking?

Mr. Dolling said it would require a rule change. We would have to make sure the right bear is being targeted under those situations and define where it would be appropriate to allow producers to carry out something like that. It is going to take some thought. We have a 12-year plan and we will look to put something together.

Mr. Brady said when talking about some kind of system where hunters and not houndsmen could buy a tag and maybe hunt a bear or take one incidentally along with other fall hunts, how would that be addressed?

Mr. Dolling said in the plan it talks about identifying three units in the first three year cycle and establishing a sub-female quota, a straight quota and a split strategy, similar to what we do with cougar. Anyone of those three strategies could be looked at to allow hound hunting in the spring, followed by spot and stalk only in the fall, and mix up those hunt strategies depending on what unique issues are present. That option is available.

Public Questions

Bob Brister asked about the rationale for promoting the consumption of bear meat.

Mr. Dolling said the advisory group thought there should be some effort to utilize bear meat, rather than leave it in the field. It would be for more than just meat, perhaps at a study at USU. The study involves looking at full carcasses and determining different things based on the gender.

Margaret Pettis asked about the COR on baiting. There is no penalty attached to not returning the questionnaire, shouldn't there be one if it is used in management?

Mr. Dolling said we do not do a questionnaire anymore. That would be a good idea. It is a way where we can keep some focus on what is occurring on these base sites. I know there is frustration amongst our people about base sites not being cleaned up properly and not identified properly.

Approved

Ms. Pettis said the chart on p.18 on mortality stats, and then went on to describe the number of permits and harvest information in the past. She asked about the number of hunters afield from 2001-2009? Are those numbers available somewhere, or she assumed that they continue climb too.

Mr. Dolling said he is not sure why they quit tracking hunters afield. We transitioned from an over the counter permit so it was important to track how many were in the field to a limited entry, so they know exactly how many are in the field. Hunters are required to always check in their bear to have it properly sealed.

Ms. Pettis said on percent success, hunters are much more successful today than in the past. Given this success, we are really at a point of having to be extremely careful. The plan needs to have teeth in it.

Chairman Woodard asked if they have to give GPS coordinates when using bait.

Mr. Dolling said they allow for a map and a point on that map if people don't have a GPS. There are some issues with not properly locating that bait station.

Public Comment

Jason Binder, Utah Houndsmen Association, said he was part of the working group that formed the plan. He feels it will be a good plan if it is conducted properly. There are a few things they didn't agree with in the plan. They do not support the harvest objective /quota system. The population is so delicate and you could easily over harvest females and get everything out of balance. If you have deer and elk hunters out there with a tag, they could kill an extra 40 sows during their hunt. This would decimate our bear population. (See Attachment #1-p.2) You can see the same thing on a lot of our lion units that have been over harvested with harvest objective. People get careless and do not consider the maturity of the animal or the gender or age. They would like more premium hunts if they need to harvest a certain number of bears on a unit. He continued to discuss their recommendations. (see handout)

Chet Young, Utah Houndsmen Association said they do not support harvest objective. He seconded what Jason said. Draw tags could include spot and stalk, or hunting with hounds. You're not tied to one thing if you draw that tag. The tag might be extended for spot and stalk on that tag. He would also like the Book Cliffs, LaSal and Boulders stay trophy units. If there is not a problem with human conflict or depredation on those areas, we see no reason that they should not be maintained as trophy units. The houndsmen look to harvest a trophy bear in those areas.

Margaret Pettis, from Cache County said she would like to see that for the next 12 years no bear baiting for hunting bears, despite what Dr. Black says, it is still an issue of hunting female bears that will be victims at that time. She agrees with Mr. Binder on the delicate balance of the bear population. She is not a hunter, but a back woodsmen and a

Approved

former wilderness ranger. She cares deeply about wildlife and the outdoors. There are a lot of people out there who believe as she does. Get rid of bear baiting.

Bob Brister, Utah Environmental Congress said they object to the hunting of bears and echoes the comments of Ms. Pettis. Bears should not be hunted in spring. They need time to put on weight for the winter, when they are not being hunted.

Kirk Robinson representing Western Wildlife Conservancy and other nonconsumptive user groups complimented the Division for working with the Forest Service to try to get bear proof garbage containers in the campgrounds and to distribute safety information. He has one concern about the plan. In looking at the data, during the 7th week of the spring bear hunt more animals are being killed. Originally the spring hunt was to target boars, but 2/5's of those animals were females. Some of them may have cubs. This needs to be addressed. He would like a serious discussion on bear baiting. They are against the spring bear hunt and bear baiting. He is speaking for 4-5 conservation groups in the state. The Board owes it to them to discuss these issues.

Orin Midzinski, representing self said the Division has created a good plan. He and others he hunts with are strongly against harvest objective. This is against what the plan is trying to do. He objects to deer and elk hunters having an incidental tag with them to take bear. They have a hard time field-judging bear. Being up close with bait or hounds, they are more able to make a good harvest in line with the management plan. Sportsmen contribute money to the management of wildlife and the nonconsumptives do not. It has been brought up that elk and deer hunts have been ruined by bear hunters, but it goes both ways. Why should he have to give up his time to hunt? There are very few houndsmen in the field in October or during other deer and elk hunts. We shouldn't have to give up more time in the fall. He wants to maintain quality bear hunting in state with only four trophy units.

Mike Linnell, State Director for the Utah Wildlife Services Program said he had the opportunity to participate on the bear plan. They support the plan and the Division did a great job in bringing the interests together to come up with a plan. They helped represent the interest of livestock producers to prevent losses. The plan also looks to protect the interest of the viewing public and hound hunters as well. It always becomes a balance of compromises and they did an outstanding job of that.

RAC Recommendations

Northern – Mr. Slater went over some of their public comments, the Audubon Society, the houndsmen and individuals. They had a motion to accept the plan with the exception of the harvest quota system and it failed 2 to 7. Next there was a motion to accept as presented and it passed 8 to 1.

Northeastern – Mr. Christensen said most of discussion came under the rule. There was some concern over harvest objective system. They also received a letter from Kirk

Approved

Robinson on the bear baiting issue. There was a motion to accept the plan as presented and it passed unanimously. There were also some positive comments about the plan

Central – Mr. Oswald said they had good public input and discussion on the RAC. The motion was to accept the recommendation as presented and it passed unanimously.

Southeastern – Mr. Sanslow said they had some good discussion and the motion passed unanimously.

Southern – Mr. Flinders said discussion centered on how this would be implemented in Southern region. They passed it unanimously.

Board Discussion

Chairman Woodard summarized the RAC comment

Mr. Fenimore said he would like to discuss bear baiting. It is illegal to bait for other species. Through the years baiting for bears probably occurred because of the difficulty in finding them, but improvements in hunting techniques and opportunity with hounds that we have now, it appears that more permits could be given if baiting was taken out of the picture. Also, what about public safety relative to baiting? Coming upon bait stations could be dangerous. Does the Forest Service have any added requirements on bait stations on Forest Service land?

Mr. Dolling said it is illegal to bait waterfowl, but currently not big game. He agrees in that baiting came about to bring bears in close for a clean harvest. It is a good method to be selective as far as reducing the take of the females, equally with using hounds in that way. They will be looking at the certification of registration requirements to ensure baiting occurs appropriate distances from campgrounds. There is no evidence that he can find that would indicate that baiting creates a bear that becomes a nuisance.

Mr. Flinders said on the Forest Service part of the question, it varies by forest. On the Fish Lake and Dixie they have designated areas where they allow or disallow baiting. Typically it is areas in close proximity to campgrounds, private land, popular disperse or recreating areas, fishing areas etc. There is that level of control. The Division requires a letter from a landowner or land management agency from the hunter in order to set up a bait station.

Mr. Christensen said on the Ashley, we have had discussions on how close we would allow baiting to campgrounds. It hasn't been resolved to everybody's satisfaction. The half-mile restriction is enforced on the distance from campgrounds and popular recreation areas, also 200 yards from any water source. It also varies by forest as Mr. Flinders indicated.

Mr. Johnson said on bait stations, a GPS location needs to be required. It is easy to get a GPS these days. Another thing, it should be at least a mile from a campground to have a

Approved

bait station, maybe further. The Division could deal with this along with the land management agencies, keeping the bears away from those areas.

Mr. Perkins asked about the comment of the houndsmen in being conservative in setting the permits numbers during the three-year cycle, 2012-2014. That could produce a significant increase in the number of bears so you're not meeting the stable population objective. There are adequate safe guards if we start crowding our harvest objectives during the period of the three years.

Mr. Dolling said the first recommendation will be a three-year cycle. We'll analyze the data annually to ensure that we are not over shooting the bear population. If they see a problem they will bring it to the Board and ask for a permit recommendation change.

Mr. Perkins said on harvest strategy, for example, a light harvest would result in a population growth rate of 10-20%. So if we took the four units and did light harvest over three years, the population could grow by 50%, which could result in more nuisance bears, depredation, human conflicts and other problems.

Mr. Dolling said essentially, unless you know the baseline of what the harvest strategy is, under a light harvest strategy you would probably have a naturally fluctuating population with ups and downs, but not real growth or decrease. There would be a 10-20% increase if you hunted that unit under the liberal strategy for several years and then went back to the light. There is a footnote in the plan, associated with the light harvest strategy.

Mr. Johnson said on the charts, the harvests went up at the same time the ages went up and the success rate went up. That indicates to him a population that is growing dramatically, not just a little. Dr. Black is one of the best experts on bears in the world. One of the things he told us is the number one killer of cubs is the boars. They do this to bring the female back into heat. If you have a spring hunt and kill the boars during that one-month period, when the sows come out of their dens with the cubs, they have a much better chance of survival. It looks like the bear population is on the increase and doing quite well according to harvest results.

The following motion was made by Tom Hatch, seconded by Del Brady and it passed unanimously.

MOTION: I move that we approve the Statewide Bear Management Plan as presented by the Division.

Mr. Fenimore asked that the motion be amended that bait stations be submitted to the Division with GPS coordinates along with permission letters from the land management agency of hunters who would be using bait stations. Occasionally the Division goes out to check bait stations and cannot find them. It is easy enough for a hunter to borrow a GPS to determine a location.

Approved

Mr. Bunnell said in the past they required a specific letter from the land management agency as part of the requirement for the COR. There is such a tight time period between when the limited entry results are posted to when the bear hunt starts that people were two weeks into the season before they could get everything done and actually get the letter for the COR and then get their bait in the field. It takes quite a bit of time for the bear to find the bait and the time issue was becoming difficult. They now require them to obtain permission, but they do not require a letter. If they find a bait that is outside of the area, they are in violation of their COR if they did not obtain the letter. Logistically it was too difficult.

Chairman Woodard asked what happens if they are in violation of the COR.

Mr. Fowlks said there are criminal penalties associated with being in violation of a rule. If the bait station is illegal they could be subject to prosecution.

Mr. Perkins asked if there is a resolution on this if they could tighten up the requirement and not have the bad side effect that was mentioned.

Mr. Bunnell said it is easy to require GPS coordinates. We used to have them give township and range, but they never got the location right anyway. Several years ago, we went to a map with a spot on it. He thinks requiring a GPS location would be helpful.

Mr. Flinders asked if the Division has relaxed their requirement on getting permission from the land management agency.

Chairman Woodard said no.

Mr. Bunnell said they still have to get permission, but they do not have to give the Division proof that they have it. The responsibility is on the hunter.

Mr. Johnson said the land management agencies should be given those GPS coordinates also.

Mr. Bunnell said through our regional meetings, they discuss this and it is probably happening in areas where there is potential conflict.

Mr. Johnson said on bait stations near a campground it is very dangerous. You are attracting bears.

Mr. Bunnell said that is exactly the types of situations we are going to look at when reviewing the rule for the CORs.

Mr. Johnson said relative to land management agencies, in areas where we have high bear concentration, we really need to be working toward bear proof containers.

Approved

Mr. Bunnell said he agrees and they are working for that. It is a real priority and we have made great strides. There are probably ten times as many bear proof dumpsters as there were five years ago. He hopes this trend continues. Some of the progress that has been made is due to the houndsmen. They have donated their time and welding expertise to convert a lot of the dumpsters. We have a plan we can give them and they do this of their own accord, specifically up along the Mirror Lake highway.

Mr. Johnson said the number one priority with him is recovery of the deer herd, not recovery of bears and cougars. It is not to make the houndsmen happy. That is what the people in Utah want. As decisions were made on this bear management plan, that needs to be front and center, always considering how it will affect the deer population.

Chairman Woodard said we need to address the amended motion and Mr. Perkins seconded it at this point.

Mr. Hatch spoke against the amended motion. He asked if they are trying to come up with a solution that they have no problem with. He asked Mr. Fowlks if this was a problem.

Mr. Fowlks said it is not a huge problem, but he doesn't have specific numbers at hand.

Mr. Fenimore said his interest in the motion was when the Division tries to check bait stations and cannot find them. Also it might be a public safety issue also.

The following amendment was made to the motion by Bill Fenimore, seconded by Ernie Perkins and passed 4 to 3 with Chairman Woodard breaking the tie. Del Brady, Tom Hatch and Jake Albrecht were opposed.

MOTION: I move that a bear hunter be required to submit the GPS coordinates in order to obtain a bear baiting COR.

Mr. Hatch's previous motion on the balance of the plan was then voted on and it passed unanimously.

7) Trap Check Proposal (Action)

Mr. Dolling presented the trap check extension on coyotes. He gave some background on this issue. During our last round of public meetings the Division came out with several options on how to hunt mule deer. That spawned a lot of discussion, not only on how to hunt them, but how to grow our mule deer herd. Out of those discussions it became apparent that coyotes targeted at the right time, at the right location and setting may have an impact on allowing some deer populations to grow. The Wildlife board directed the Division to present the Central RAC proposal to change the trap check rule from 48 hours to 7 days for coyotes. He then went over the current regulations.

Approved

Mr. Dolling then went over the reasons that the Division does not support this proposal. (See Powerpoint Presentation.) He also discussed recent changes to accommodate trappers. The Division supports efforts to increase funding for targeted removal of coyotes by USDA, Wildlife Services and the increased hunting of coyotes.

Mr. Hatch asked how they get information on coyote trappers.

Mr. Dolling said through our furbearer harvest survey.

Director Karpowitz said they survey the people who bought furbearer licenses. There would also be quite a number of people hunting coyotes that did not buy this license. There are additional hunters.

This concluded the presentation.

Mr. Hatch asked about trapping regulations in surrounding states.

Mr. Dolling said it varies. There was a survey done by the Association for Fish and Wildlife Agencies and of those states that responded, 86% have trap check regulation for nonlethal sets. The average length of check on the survey was 48 hours or less. Wyoming is an exception and they go to seven days. Nevada is 96 hours.

Mr. Bunnell said Colorado has no trapping. Wyoming is 72 hours for nonlethal and seven days for lethal. Idaho is 48 hours for nonlethal. Nevada is 96, Arizona and New Mexico are 24 hours. We're right in the middle of those around us.

Mr. Albrecht asked the Director about the budget numbers for coyote removal money.

Director Karpowitz said they have had discussion of whether to raise the hunting license fee or deer permit fee right away to raise more money for targeted coyote control. They don't want to do that before 2012. They looked at their budgets, the conservation permit fund balances that are out there and felt like we could add $150,000 this year and $200,000 next year. Then for fy2013 they will go to the sportsmen and ask if they would support additional funding for targeted coyote control as part of an add on to a license or permit. They changed the check off on the big game application to ask sportsmen to donate for additional money for targeted coyote control. Whatever money comes in on that will be in addition to our numbers.

Mr. Albrecht asked how we will get people to hunt more coyotes.

Director Karpowitz said they have had some discussions to try to examine how to increase targeted control with hunters, without them being in the way of what Mike Linnell and his crew does. There is a lot of creative thinking going on and they are looking at everything possible.

Approved

Mr. Fenimore said a few years ago we had a coyote trapper in Morgan that discovered a collared wolf from Yellowstone in his trap. Wolves have been put back on the endangered species list. What would be the impact on a trapper if a wolf gets in a leg hold trap and dies, because of a seven-day trap check.

Mr. Bunnell said it is out of our authority, FWS is in charge. If someone self reports there is no violation. That is what has been done in the past.

Mr. Brady asked if we have any idea how many cows are being taken by coyotes.

Mr. Linnell of Wildlife Services said it varies year to year. Last year, we have two groups that we are working on in livestock areas. We are targeting very specific coyotes, those actually killing livestock so we can stop the depredation. We also coordinate through the Division and work on those units where we have a lot of depredation where mule deer numbers are down. In those areas, all the coyotes are targeted animals. Last year we took 3,900. Two years ago it was 5,900. There are a number of factors that affect it including weather and alternative prey base.

Mr. Fenimore asked about the expenditure on taking the coyotes.

Mr. Linnell said the amount they get from the DWR is $400,000. $350,000 is used specifically on deer units and primarily in the form of aerial hunting. There is another $50,000 that is used through a match on bounty to encourage hunters to get out there. It is a match where livestock producers and sportsmen put up money.

Director Karpowitz asked about the new helicopter.

Mr. Linnell said they are getting a federal helicopter. This is a cost share program. There is federal money from the Department of Agriculture and Food, DWR money, private producer money and sportsmen's money. This helps us to leverage that dollar most effectively so we can do more work for less money from everybody.

Director Karpowitz said this helicopter will enable them to do a lot more work for much less money. The combination of increased funding and the helicopter is going to allow for much more to be accomplished.

Mr. Hatch asked if the 3,900-5,900, is that in fawning areas only or total.

Mr. Linnell said he doesn't have exact numbers, but it was on that order. Half were taken in livestock areas and half on targeted deer units. Some of the livestock area overlaps deer area. When targeting these areas, often both groups benefit.

Mr. Albrecht asked if the money that comes to the Department of Agriculture through ranchers and farmers, is that through the selling of livestock through the auction.

Mr. Hatch said there is an assessment made on both sheep and cattle when they are sold.

Approved

Mr. Linnell said it is a combined program with federal and state employees. It is about $268,000 this last year. This year, it is going to be raised from .75 to $1.00. It was a self-imposed increase by the woolgrowers themselves. It varies year-to-year depending on the sale of the wool.

Question from Audience

Tim Fehr, Wildlife Protection Society said when they went to the Central RAC meeting, the whole push comes from the impact of coyotes on the mule deer population. He heard some strange numbers from some of the public. What is the estimate of deer taken by coyotes?

Mr. Dolling deferred to Mr. Bunnell.

Mr. Bunnell said he cannot give him a number, but based on a collar study we are doing, fawn survival is a limiting factor. The other predators we have in the state focus on adult deer and coyotes typically take fawns. The fact that fawn survival is low points us toward coyotes. There have been several studies done on white tailed and mule deer, one specifically by Warren Ballard in 2003. In every incident where predation has been a limiting factor on mule deer, coyote are the problem. That information combined with our collar studies give evidence that coyotes are contributing to that.

Breana Reichert from UVU Animal Allies asked if there is a failure rate on lethal traps not killing the prey immediately.

Mr. Bunnell said the Association of FWS has just done a "best management practices" for all the traps. They have that data. They have looked at leg hold traps and also at lethal sets. That data is available and he could get it to her.

Kirk Robinson asked if the statewide deer herd has been stable for the last decade or declined, if so, how much?

Mr. Aoude said the past ten year trend has been stable to slightly declined. Some units have continually declined, instead of fluctuating. That does not include the most recent year.

Mr. Robinson asked if there are any published studies that show that killing more coyotes can be counted on to boost mule deer population.

Mr. Bunnell said yes, several. In 2003, a summary that looked at overall predation of mule deer. There are several other studies that show that removing coyotes can have a positive impact on deer. It is not every time and in every place, but it has been documented that where increased coyote removal has increased mule deer survival and populations.

Approved

Mr. Robinson asked if that was a snapshot result, or a study that went over a 10 year period. How much is it going to cost to wage war on the coyote in order to be effective?

Mr. Bunnell said he would have to go back and look, but every study has a beginning and an end. We are developing a study with Utah State University and Brigham Young University where we will be looking at neonatal fawn survival, coupling that with a control area where we will not be increasing coyote control and an area where we will be increasing control to see exactly where we can draw those lines. We are trying to address this.

Public Comment

Debbie Pappas of Second Chance Wildlife Rehabilitation, from Price, Utah said she is a federal and state wildlife rehabilitator. They cover the biggest geographical area in Utah as far as wildlife rehabilitation is concerned. She's been doing this for 16 years. In all the driving she has done through the years, she has only seen one coyote in all these years. She is here to respond to the trap check time period. She works with a variety of species, primarily raptors. Over the years she has had several animals brought to her from a leg hold trap. After 48 hours, there is a good chance she can put it back together. Injuries are still extensive with some she has treated having both legs broken to missing toes and part of the feet. After 72 hours there won't be anything left to rehabilitate. After seven days, there is totally nothing left to rehabilitate. The problem with the 48-hour check is it is not being enforced. Law enforcement can tell you it is days and weeks going by without traps being checked. She attended the Northeast RAC and several trappers got up and spoke against this proposal. They said they are out to participate in trapping, but let's do what we're supposed to do and check our traps in 48 hours. There are a lot of humane issues here. She does not want it extended beyond 48 hours.

Bob Brister, Utah Environmental Congress said they object to trapping in general. They are against anything beyond the 48 hour check. They see trapping as inhumane and as a threat to non-target animals, including people's pets. If we get wolves back into Utah, this will help control the coyote problem.

Orin Midzinski is representing himself and said he opposes the trap check time being extended. It is an ethical issue and also the non-target species part of it.

Breana Reichert with UVU Animal Allies said they are against extending the trap check time. It is unethical and cruel. It does target animals that are not meant to be trapped. It hurts protected species. She read a letter from her friend who had to leave. The letter expressed the opinion against the trap check rule being extended. It is a reprehensible proposal and the wilderness belongs to all the people and animals of Utah.

Tim Fehr, Wildlife Protection Society said he attended Central RAC meeting. They put forth the proposal for the 96-hour trap check. There is no good reason for this with no benefit to wildlife and no real advantage to trapper. This is an inhumane action effecting non-targeted species. They should check traps daily with no excuse. They said they

Approved

could go to a coyote only trap and there isn't one. The trap check should go to 24 hours or leave it alone.

Margaret Pettis of Hyrum, Utah said she has been looking at stats from the Division on coyotes for 20 years. There are like 12,000 coyotes killed every year. She went over some random numbers from these reports. They are all guesses and estimates that don't necessarily line up with budget and amount per coyote. It doesn't add up. The constant killing of coyotes causes them to respond and then there are just more coyotes. They need to keep the trap check at 48 hours. It should really be 24 hours. We don't really know what the non-target species are. If DWR ever supports a bounty hunt, that will be over the line. How do you know if a man has checked his trap? How is the buddy system working? Do not support more money for Wildlife Services to kill coyotes. Do not support hunters killing more coyotes.

Kirk Robinson, Western Wildlife Conservancy said he agrees with Ms. Pettis and Mr. Fehr. He is against any changes in the trapping check rule. He then gave reasons. He questions the motive to kill more coyotes. The deer herd has been virtually stable over the 10-year period and there is no reason to kill coyotes. The problem with the deer herd is there is less winter range. Increase funding for wildlife crossings on highways with fencing and recognize the competition between elk and deer for forage to help the deer. Try to prevent the development of oil and gas field in deer habitat and allow wolves into the state to help reduce the coyote population. They will never be able to spend enough money to reduce the coyote population permanently. Keep the rule the way it is.

Byron Bateman said we have a lot of tools to help our deer herds and the reducing of coyote population is just one of them. Maybe we should look at a 72-hour check instead of seven days. We need to do what we can to help the deer herds. Coyotes are an unprotected species and very few people will be out there just trapping coyotes. There could be a COR for specifically coyote trappers. 72-hour trap check would be a compromise.

Approved

RAC Recommendations

Southern – Mr. Flinders said they had one motion to not accept the extension as presented. Part of the motion was in support of the Division to pass along the sort of information that has been discussed today, when to harvest coyotes and how to do it legally and ethically.

Southeastern – Mr. Sanslow said they had good public input. The RAC voted to leave the trap check regulation as it and it passed unanimously.

Northern – Mr. Slater said they had public and written comments on this issue similar to that heard today. There was motion for a 96-hour trap check and it failed. A motion was made for no change to the current regulation and it passed 6 to 3.

Northeastern – Mr. Christensen said the motion to change the trap check to seven days failed 6 to 2. The motion to change to 96 hours failed 5 to 3. The third motion to keep the trap check the same and it passed 5 to 3. Part of the motion that passed was to explore other avenues to bring the bounty up on trapping.

Central – Mr. Oswald said there was one motion to extend the trap check rule to 96 hours and it passed 7 to 1.

Board Discussion

Chairman Woodard summarized the RAC comment.

The following motion was made by Bill Fenimore, seconded by Ernie Perkins and passed 4 to 2 with Jake Albrecht and Tom Hatch opposed.

MOTION: I move that we leave the trap check as it currently stands.

The following motion was made by Tom Hatch, seconded by Jake Albrecht and failed 4 to 2 with Tom Hatch and Jake Albrecht in favor.

SUBSTITUTE MOTION: I move that we change the trap check to 72 hours.

Mr. Hatch said this is one small tool we can use to enhance our deer herds. There has been a lot of debate and discussion. In 1983 on 54 newborn mule deer fawns on the La Sal Mountains, survival was 54% during the first month of life. Of the 22 fawns that died predation was the cause of death for 16, 73%, coyote and bear predation accounted for most of these deaths. They have an effect on mule deer.

Mr. Perkins said he is opposed to the amended motion. Any change that we make to this rule needs to go back through the RACs. We have had the RACs reject any change to the 48 hour check three times in three years either unanimously or today one RAC of five voting for it. That is a clear statement from the RACs.

Mr. Hatch said it was a definite statement from the RACs, but all they heard was seven days.

Mr. Perkins said they heard 72 hours comments also. They have heard from the RACs three times over three years and the answer was no, don't do it. He hasn't gotten one input supporting this in three years, not one organization stating that they should do it. The trappers already have a 96-hour alternative and that is snares. There was a lot of information on the internet that snares are cheaper and more effective, with less incidental take. He would like to hear from Mike Fowlks and Mike Linnell.

Chairman Woodard said they have closed the comment period and we need to move on. The Board voted on the amended motion and the original motion.

Approved

8) R657-63 Self Defense against Wild Animals (Action)

Martin Bushman, Assistant Attorney General presented this agenda item. A couple of years ago the Division noticed a marked increase in the number of incidences where bear and cougar were being taken and killed in what was claimed to be self defense. Some of those instances had quite a bit of merit and others had very little merit. What was brought to our attention was we did not have any kind of description in rule or statute that defined whether there was a doctrine of self defense that was recognized in the wildlife setting and if there was, it was not stated in statute or rule to define when and under what circumstances a person could take or injure an animal in self defense. What was happening is prosecutors in the various counties would look at their self defense language for homicide in dealing with humans and apply some standard based on that, or none at all. This rule is based on other states wildlife laws on self defense and also Utah's statute on the use of deadly force against human beings. He then went on to present the proposed rule. (See Powerpoint Presentation)

Recommended amendment
(4)(a) A person is not legally justified in killing or seriously injuring a threatening wild animal if the person:
(II) intentionally, knowingly, or recklessly provokes, (pursues" or attracts the wild animal (without legal right) . . .
this concluded the presentation

Chairman Woodard said on the "attracts the animal part," what about if they leave food for them over a period of time? He gave an example of a situation up at Strawberry Reservoir.

Mr. Bushman said they wouldn't get the benefit of the defense because they attracted that bear into the situation. They could still call the Division to deal with the bear, which we would really like all people to do if they possibly can. This rule is about if your life is in danger, protect yourself, that's all. There is a fair amount of discretion that would be employed by prosecutors and law enforcement personnel to try to sort through the ones that are showing whether people intentionally tried to create a situation, or recklessly did and whether they ought to get the benefit of the defense.

Mr. Fenimore asked what about a shepherd protecting sheep and killing a bear. How would this impact them?

Mr. Bushman said the first paragraph of this rule states that you can use self defense to protect a domestic animal. That is authorized. If you've got trash you're putting in a regular container in an area that doesn't normally have bears around and a bear comes in and gets into that container that does not rise to the level of recklessness. However, if it is a bear area and you've had repeated problems with bears getting into that trash, then there may be a reason to take action to prevent that happening and potentially creating a situation where that animal has to be killed.

Approved

Mr. Sanslow asked if he could get a copy of this last slide to explain at his RAC meeting.

Mr. Bushman gave him one.

Public Questions

Margaret Pettis asked what the language is in the first paragraph. Was it changed from "intent to molest?"

Mr. Bushman said the language as written in the rule, paraphrased is "imminent attack."

Public Comment

Marcus Christensen of Salt Lake City, representing himself said he was concerned about bears killing people in campgrounds, individuals being referred to the county attorney for possible prosecution for protecting themselves and family and it seems wild animals have more rights than people. A year ago he went to the Salt Lake County attorney to see if we could get it changed. They referred him to the DWR. He met with Mr. Fowlks and Mr. Bushmen and brought out two examples. One was if he is hiking on a trail with no recourse for safe retreat, it should be explicitly spelled out that he could kill the wild animal within the range of a concealed pistol or revolver, and or shotgun. Number two, if he is in a campground with family members on vacation or weekend retreat, said family time should not be interrupted by the presence of a wild animal and afore mentioned weapon could be used to prevent an entire campground having to evacuate for that weekend. If rights are going to be delineated for threatening wild animals, the same accommodation should be made for human beings. Under paragraph 4 (a)(ii) is says if you knowingly attract a wild animal. Just being there might attract a bear or cougar and the way this is written, we couldn't protect ourselves. He proposes that this proposal does not go far enough to protect human beings. They ought to be able to protect themselves when out in a campground or hiking.

Approved

Margaret Pettis thinks this should go back to the drawing board if it is going to include the recommendation from the Northern RAC because of the pursuit part of it. She suggests striking the new addition and sticking with the original. Have all the RACs had a chance to look at this addition?

RAC Recommendations

Northern – Mr. Slater said the intent of their motion was to recommend some language to deal with people who are actively pursuing wildlife. They wouldn't be able to use everything that was in the preceding language to defend themselves against the taking of a bear or cougar that they were chasing to begin with. That was the intent, to try to clarify. Other than that they support the Division's recommendation.

Northeastern – Mr. Christensen said there were a few questions and the motion was made to accept the recommendation and it passed unanimously.

Central – Mr. Oswald said they had a motion to accept the proposal as presented and it passed unanimously. With regards to the amendment, he feels their RAC is okay either way.

Southeast – Mr. Sanslow said their motion was to accept the recommendation and it passed 9 to2

Southern – Mr. Flinders said their motion was to accept the recommendation and it passed unanimously.

Chairman Woodard asked Mr. Bushman to address the two issues.

Mr. Bushman said if you're hiking a trail, you're not intending to attract a bear or cougar. You can use the self defense. With a campground, it comes down to a philosophical, common sense decision. If a bear comes into a campground, should it be killed because of inconvenience? The Division wants to reserve this to where a bear actually presents a threat. Humans should withdraw first if possible without compromising their safety. That would be a matter for the Board to decide. As for the change recommended by Northern region RAC, the only difference with this addition was in the original version, if I was pursuing cougar or bear with hounds and it went after my dogs or me, I could shoot it. The change now is if it only turned on the dogs, they couldn't shoot.

Mr. Hatch asked if the reason for this rule is to help prosecutors.

Mr. Bushman said one reason is to help the public understand what the criteria is for utilizing self defense and two is also for prosecutors, so they have a standard.

Mr. Hatch said if the bear is shot, who is to say who the bear was attacking.

Mr. Bushman said that is one of the frailties'. Our officers have to investigate it. Many times these things occur away from other people and we have no way of knowing. We've had cases where people have claimed self defense and the bullet wounds are entering the back of the animal as it was running away.

Mr. Hatch said this boils down to the letter of the law, verses the spirit of the law and officer discretion. Maybe we need it.

Director Karpowitz said after the fatal bear attack in 2007, there was quite a rash of people killing bears in what they claimed to be self defense. There were a lot of cases taken to county attorneys where they had to make a difficult call in the absence of any rule or guidance. This is to help give them some general guidelines on what to do. This is also good information for the public.

Approved

Mr. Bushman said one of the difficulties is these situations can include a host of variables. So many things play into if the animal is a threat. The language is broad, because of this.

Mr. Hatch said what about the bear killed in John's Valley. It was in the back of his pickup and was destroying some stuff.

Mr. Bushman said they have not written in if the bear is damaging personal property. Is that a basis or not?

Mr. Hatch said domestic livestock is considered personal property.

Mr. Bushman said you can clearly protect your animals. That even carries over into our bear and cougar rules as well. It would apply to any domestic animal, not just livestock.

Mr. Fenimore said he is confused on when you can protect a domestic animal. On the cougar hunting, you cannot kill him if he goes after your dog.

Mr. Bushman said the paragraphs are set in the sequence of thought. The first is you can use self defense if it's to protect a domestic animal, yourself or another person. Then there are two categories of when you cannot exercise self defense. One is when you have the ability to safely retreat and the other is if you create the situation. Houndsmen fall into the category because they are creating the situation. Mr. Bateman, in the Northern region RAC, felt that a houndsmen shouldn't be able to kill a cougar or bear because it tries to defend itself against the dogs they set on it. They should be able to protect human life in that situation.

Mr. Perkins said they did have other houndsmen there during that discussion too. They were in agreement.

Mr. Bushman said nobody opposed it.

Mr. Johnson said he has been in situations dealing with this quite a bit as a guide in Alaska. They have had their self defense of life and property statute there for a lot of years. Every one of the situations that Mr. Marcus Christensen stated, under Alaskan statute, you would be cited for under wanton destruction of wildlife. The law is really in the animal's favor. At WAFWA last year, it was interesting the number of moose and black bear and grizzlies that live in the city limits of Anchorage and several packs of wolves. These animals are protected. They get 2-3 maulings a year in Anchorage with the bears. We are increasing our bear populations and now we're dealing with this. With the type of predators we have it is going to be very rare that we will have a cougar or bear attack in Utah. We should not take this as a license to go start killing these animals. The law should not allow that and people should be prosecuted if they do it.

Chairman Woodard summarized the RAC recommendations. Is everyone comfortable with the wording change?

Approved

Mr. Christensen, Northeast RAC said with the wording change, he wonders if someone has a bear pursuit permit and a bear turns on the dog, have most of the houndsmen have heard this and are they on board with it.

Mr. Flinders said it is hard to say if they'd be okay with the wording change.

Mr. Hatch asked what the cons are of sending it back to the RACs.

Director Karpowitz said there is really no rush.

Mr. Albrecht said he really thinks the RACs will approve it unanimously.

The following motion was made by Jake Albrecht, seconded by Ernie Perkins and passed 5 to 1 with Tom Hatch opposed.

MOTION: I move that we approve R657-63 Self Defense against Wild Animals as presented by the Division.

9) Wildlife Board Variance Requests (Action)

Judi Tutorow, Licensing Coordinator gave the late paper work of William Bisso to the Board to show that they have everything necessary for appropriate process. The Board actually heard and approved this variance at the September 23, 2010 Board meeting.

Ms. Tutorow said the second request is for Lonnie Strasburg who has left and will be unable to present his request. He has a reallocated bull elk permit and a general buck deer permit. We will have to reschedule his request because he has to present it.

Mr. Johnson asked why the Board should wait for him. We can act on it today with the information we have.

Mr. Hatch asked if there is something in rule that says he has to be present.

Mr. Bushman said the rule reads that the person or a representative of the person must attend. He would be uncomfortable presenting for him. It should be rescheduled.

Mr. Hatch said he doesn't think people should have to sit all day waiting to present a variance. They should give them time certain or something to go on.

Chairman Woodard said from now on, on variances we'll schedule them before any main agenda items.

Mr. Fenimore said we are not sure if he has been here at all.

Ms. Tutorow said that is correct, but he was notified.

Approved

Mr. Johnson said we have his statement here.

Chairman Woodard said we can't go against the rule and we must postpone Lonnie Strasburg's request.

Jonathan Lamphire

Ms. Tutorow said the next on the list is Jonathan Lampshire. She turned the time over to him.

Jonathan Lampshire said he had a four-wheeler accident on August 22, 2010 while attempting to hunt for his limited entry archery elk and deer tag. He's been waiting nine years to draw this permit. He was unable to make it hunting opening morning because of work. He went over what he did the first two days of the hunt and the four wheeler accident he was involved in the evening of the second day. The cause for the accident was unknown and he was life flighted from Richfield Hospital to IHC. He had a brain bleed, shattered his collar bone and broke his thumb. He was out of the hospital in four days but was unable to hunt.

Mr. Johnson asked if Mr. Lampshire remembers anything about it.

Mr. Lampshire said he lost about two days and woke up in IHC.

Mr. Perkins said we are looking at extending a limited entry bull elk and a statewide general buck deer archery tag. Among the things in the rule we passed two years ago the guidelines are applicable on limited entry hunts, but not necessarily on the general season hunts. He is not sure he wants to set the precedent for general season hunters to be asking for variance requests.

Mr. Johnson said he agrees and he made the motion reflect this.

The following motion was made by Keele Johnson, seconded by Del Brady and passed unanimously.

MOTION: I move that we grant the variance request of Jonathan Lampshire to extend his Limited-Entry bull elk archery permit on the Plateau, Fishlake/Thousand lake unit into the 2011 season.

Ryan and Terry Balch

Ms. Tutorow said because of the length of waiting today, Ryan had to leave and his brother is going to present this variance for them. If you have some questions on this after the request is presented, Blair Stringham, our biologist for that unit is here and could answer questions.

Approved

Collin Balch talked for Ryan since he had to leave the meeting today. He said his brother and Dad drew duo archery limited entry elk tags on the Beaver Unit this year. The Twitchell Canyon Fire forced road closures on the area of Beaver Mountain where their trail cameras were located and where Ryan has hunted for the past two years. They have hunted the north end of the mountain their whole lives. He harvested a nice bull there last year. His brother had 15 bonus points and the Dad had around five. They have been waiting a long time. With them closing the area and keeping them out of there, they were never able to hunt together, even for a day. It says his Dad hunted for 24 days, but it should say scouted for 24 days, because just prior to the hunt where they were informed they couldn't hunt the area they had planned on. They are asking to get their tags back and hunt the area this coming year.

Mr. Terry Balch said as you can see, the elk were there. Pictures are included in the packet. They put their cameras up during the summer. There are two bulls he knows they would have killed if they could have been in that area. He described the elk they have harvested in the area in the past.

Chairman Woodard said both of you had a tag on the Beaver Unit and because of the fire and the closed roads, you are asking for an extension into 2011.

Mr. Balch said yes.

Mr. Fenimore said they were unable to hunt where they planned, but the son did hunt 17 days. How many days did Terry hunt?

Mr. Terry Balch said he didn't hunt at all. They had cameras in other areas that did not produce the elk. They did not get to hunt their area.

Collin Balch said the hunt days should have been called scouting.

Mr. Hatch asked what the success rate was on the Beaver.

Ms. Tutorow said the archery in 2007was 37.5%, in 2008 it was 41.2%, and in 2009 it was 43.8%. Most of the numbers are in for 2010 and it is about 29.4% this past year.

Mr. Hatch asked if the Mt. Dutton fire a few years back had any asking for variances.

Director Karpowitz said yes and they were denied because they had other places to go hunt.

Collin Balch said upon being told the area they wanted to hunt was being closed, his brother contacted the Division to turn their tags back and they were told if they did they would lose their bonus points and they would have to start over, because they put in as a group, even though there was an instance of a muzzleloader hunter who went down on the mountain the weekend before the hunt and because of the smoke, fire and heat

Approved

decided he didn't want the tag. He drove to Cedar City, turned it back and will get his tag back for next year.

Chairman Woodard said that is correct on a single application but not in a group. We have people abusing the system and that's why the rule changed.

Collin Balch said he thinks this is an extenuating circumstance because people were turning these in for the fire, the same reason.

Mr. Hatch asked what percent of the Beaver unit was closed during the bow hunt.

Blair Stringham said the fire was 45,000 acres and probably about 10% was closed. It consumed pretty much everything from the Vanderfield Reservoir north to I-70, the northwest corner of the mountain.

Mr. Albrecht said at the same time this fire was going on, he was on the Fish Lake and there were days there where you could not see the whole mountainside because of smoke from that fire. You could not stand to be out in it. The whole area from Circleville to Wayne County was affected.

Mr. Perkins asked on the success rate.

Ms. Tutorow said about 37-38% over the last six years.

Mr. Perkins said 50% of the hunters said they saw a good number of bulls. The hunt success this year is not significantly different.

Mr. Hatch said they would be treading in dangerous water if they approved this request. It would give the impression that we are issuing a license to hunt a particular bull or a particular spot in a unit. This opens us up to all kinds of implications.

Approved

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

MOTION: I move that we deny the variance request from Ryan and Terry Balch to extend their 2010 Limited-Entry bull elk permits on the Beaver unit into the 2011 season.

Ms. Tutorow said we have one more request on the Beaver Unit and Mr. Musser is present today.

Stover Musser

Stover Musser from Florida has been hunting here for 36 years. Finally last year he drew this permit. He spent approximately $1,800 in diesel fuel and another $1,800 traveling out here. He traveled to Utah to hunt on the North end of the Beaver range, which was on

fire when he arrived with his nephew and they could not access the unit because all the roads were closed. He stopped at our front counter on his way home from this unit and asked what his options were. She said the only thing he could do was surrender the permit and maybe you'll draw out next year with no money back. It took him 15 years to draw out. He asked if he could turn the permit in and give him one on the Pahvant. She told him no. He drove around the first morning of the hunt and gave it up. The fire ruined the hunt. His contention is they knew the fire was going before he traveled out here. He feels they should have let him know on that tag before he drove 1,800 miles. He wants to extend his tag into the 2011 season. If he gets the tag back it is fine, but if he doesn't he'll never hunt in the state of Utah again. He feels he was mistreated on this tag and the circumstances. He would never have come if he had known the situation and the Division should have let him know. He would have turned the tag in back there.

Mr. Fenimore asked if Mr. Musser turned his tag back in.

Ms. Tutorow said no, he was given the wrong information on turning the tag back in, since they neglected to look him up and see he was in a group of two. His nephew drew out with him.

Mr. Hatch asked if his nephew hunted.

Mr. Musser said his nephew got over to Sulpurdale and got an elk. There was so much smoke and all the roads around Marysville were closed. Mr. Musser was unable to get to another area.

Mr. Johnson said we just heard that 90% of that unit was unaffected by the fire. Why didn't Mr. Musser go somewhere else and hunt?

Mr. Musser said it burnt 40,000 acres off and all the roads were closed around Marysville and everything. That killed the whole end of that mountain.

Mr. Albrecht asked if the road out of Marysville was also closed.

Mr. Flinders said yes off and on it was. The Poison Creek gate was even closed at one point. The closures came and went.

Mr. Hatch said the road over the top was not closed.

Mr. Flinders said most of it was smoke free because the winds carried it down into Sevier County.

Mr. Albrecht said the days he was over there, Koosharem got it really bad.

Mr. Hatch said this is the same circumstance as the last request we had.

Mr. Perkins said he sympathizes but he can't understand not moving his hunt.

Approved

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

MOTION: I move that we deny the variance request of Stover Musser to extend his 2010 Limited-Entry bull elk permit on the Beaver unit into the 2011 season.

Michael Brailsford

Michael Brailsford said he was on the South Cache unit the opening day of his hunt when he was involved in an accident on an ATV and was unable to hunt. He described his accident Tuesday morning. He was life flighted off the mountain. Prior to that time he had not seen a bull elk or had opportunity. He is asking to extend his tag into next year.

The following motion was made by Tom Hatch, seconded by Bill Fenimore and passed unanimously.

MOTION: I move that we grant the variance request of Michael Brailsford to extend his 2010 Convention bull elk permit on the Cache, South unit into the 2011 season.

Matthew Felix

Matthew Felix said he is asking for an extension on the Dedicated Hunter program for his third year. The first of these three years he drew a Vernon deer tag and actually had back surgery so he turned it back in. The second year he drew the Vernon tag again went out and hunted it. This year he was injured in a roll over accident on August 20th and was life flighted to the hospital after a four-wheeler accident. He broke fourteen ribs, separated his shoulder, bruised and punctured a lung and was life flighted. He was unable to hunt his third year and was unable to hunt any of his Dedicated Hunter permits for the three years. He wants his third year in Dedicated Hunter COR extended to 2011.

The following motion was made by Bill Fenimore, seconded by Jake Albrecht and passed unanimously.

MOTION: I move that we grant the variance request of Matthew Felix to extend his Dedicated Hunter COR for one year into the 2011 season.

Keith C Gilley

Ms. Tutorow presented this for Mr. Gilley since he had to take his young son to prepare for a bone marrow transplant today. His son has leukemia. The son was diagnosed with leukemia on August 19th and was hospitalized on August 20th. Keith has been at the hospital every day since and was unable to hunt. Keith would like his Dedicated Hunter COR extended for one year based on his son's illness. He doesn't know if he'll be able to hunt next year with the son's condition. His COR was issued in 2009.

Approved

Mr. Perkins said they could consider a one-year extension and if that doesn't work for medical reasons of immediate family, he could come back again.

Ms. Tuturow said that would be possible.

Mr. Johnson wanted to extend it till 2012 if necessary, but because of upcoming changes in the Dedicated Hunter Program that was not possible.

The following motion was made by Keele Johnson, seconded by Del Brady and passed unanimously.

MOTION: I move that we grant the variance request of Keith C. Gilley to extend his Dedicated Hunter COR for one year into the 2011 season.

Mike Broadwell – by phone

Mike Broadwell purchased the Dirty Devil Sheep auction tag for quite a bit of money. After hunting four days Mike fell 12-15 feet from a rock shelf and broke his ankle and tore all the ligaments. He was with his guide Adam Bronson and he is here at the meeting today to speak on his behalf. He had to be flown by helicopter to a hospital in Price and was flown to Seattle the next day for surgery. He had surgery on November 10th. He was not able to finish his hunt. He would like his hunt extended to next year, 2011. He purchased this very expensive auction tag to be able to hunt this long season and for an opportunity to help wildlife.

Mr. Albrecht asked if he saw a ram that he could have taken in the three days he hunted.

Mr. Broadwell said no. They had only hunted for a few days.

The following motion was made by Tom Hatch, seconded by Del Brady and passed unanimously.

MOTION: I move that we grant the variance request of Mike Broadwell to extend his 2010 Conservation Desert Bighorn Sheep permit on the San Rafael, Dirty Devil unit into the 2011 season.

Gregory Killinger – by phone

Mr. Killinger said he went down for an early scouting trip in August and it was very warm. He came back in September. He went out the night before to Squirrel Canyon and hiked in there. The next day he hunted and did see one group of sheep that evening on top of a ridge. He couldn't get near enough to get a shot off. The next morning he went back up and didn't see anything. He came back down at noon that day to go get his friend in St. George who was going to hunt with him. That night they stayed in Hurricane. September 20 they went out to Apple Valley to look around. The next day

Approved

they headed to South Creek and walked about four miles in. It was very hot weather. They went back to Squirrel Canyon and that was the day they saw the helicopter flying around. That evening he accessed his email about his wife and the bicycle accident she had on September 21. She broke her clavicle and fractured her skull. She had been moved to Anchorage because she was getting worse. It was a life threatening accident and he had to return to Alaska. They spent 10 days in the hospital. His wife required extensive recovery time in the hospital therefore Greg had no reasonable time to return to his hunt. He would like to request his hunt to be extended to next year, 2011.

The following motion was made by Tom Hatch, seconded by Del Brady and passed unanimously.

MOTION: I move that we grant the variance request of Gregory Killinger to extend his 2011 Once-in-a-Lifetime Bighorn Sheep permit for the Zion unit into the 2011 season.

10) Other Business (Contingent)

Chairman Woodard said Mr. Perkins has something pertaining to the action log. Also Mr. Hatch has something to discuss.

Mr. Perkins said he failed to come back after the Bear Proclamation and Rule and get that action log item done. It said nonresident pursuit and harvest permits fees restriction distribution and premium bear permits. Last year is when we did the limited entry pursuit and that appears to have accomplished what we were looking for. The number of complaints on nonresidents overwhelming the areas went down totally this year. This year the Division recommended and the Board approved, so those two together will close out the action log.

Mr. Hatch said we don't have a meeting scheduled for February and in lieu of the controversy and the focus on mule deer right now, he would like to make a motion. This motion is to flesh out our deer plans. We have been portrayed in the media and somewhat by the Division as having made a major step. He feels they made a baby step and now they need to do something. We need to discuss where we are going on this. He would like to do this in February.

Director Karpowitz said maybe we should wait until mid March for the legislative session to end. We could go back to the same issues that were discussed on December 1st. He is open that next week and he would like to be there.

The following motion was made by Tom Hatch, seconded by Jake Albrecht and passed unanimously.

MOTION: I move that we have a work session for the Wildlife Board on March 16, 2011 in St. George, UT.

Approved

Mr. Hatch said some of the Board members have some ideas.

Chairman Woodard said this is not a formal Division presentation meeting, but a back and forth discussion with the Board and Division.

Mr. Hatch said he is not asking for presentations from the Division.

The discussion continued on when the meeting should take place.

Director Styler said the Utah Water Users convention is in St. George March 14-16.

Mr. Perkins suggested going to spend a day with the range trend crew since they'd be down south anyway.

Director Karpowitz said they would not be out then. He said the range trend crew could come in and do a short presentation.

Mr. Johnson said with the guides and outfitters, it is hard for them not to have access to those who drew out. Mr. Bushman said it is important for everybody to have access to the same information. The Division has a list of those names. Could the guides and outfitters send their information to the Division and have them send guide and outfitter information to those who draw out? Their names and addresses are not given out this way and if they want to contact the guides and outfitters they can do that. The guides and outfitters would not know who they are and this protects the privacy issue.

Mr. Bushman said we can legally do this but the problem we have is the governmental access management act classifies home address, phone numbers and other personal information as private and protected, so they cannot release it to an outside group. They could do this, but if the Division decides to become an agent for guides and outfitters, then all sorts of organizations will want us to do that.

Mr. Fenimore asked if the Division's website shows guides and outfitters on it now.

Mr. Bushman said there is a link.

Mr. Johnson said that does not work. It would be better if there is something in their hand. You can attach a fee to it for the guides and outfitters.

Chairman Woodard said it was discussed at the guides and outfitters Board meeting and they thought something like this is a good idea.

Mr. Bushman said he's not against it, but others will want it also.

Mr. Johnson said all need to have equal access, so the Division could provide this for the hunters who draw out. They could charge guides and outfitters $5 per individual for providing this information for them. He explained the fee concept. There are lists.

Approved

Mr. Sheehan said we do not have any lists on who these hunters are and a list wouldn't have come from our office. We don't print lists.

The discussion continued on this issue.

Mr. Sheehan said here is a possible solution for this. Maybe do a mailing to everyone who applied with several different things. We do have a provision on the website that asks if it is okay to give their name to an outfitter. They would have to opt in.

Mr. Bushman said one way to solve it is to amend GRAMA. Whether we can convince the legislature to do this is another thing. He went over the details of the GRAMA amendment.

Director Styler said this is just a Utah law and Marty Stevens was the author.

Mr. Sheehan said they did get some input on this and they did not want the information sent out.

Mr. Johnson said that gets back to a one time mailer and we do not give information out.

Mr. Sheehan said they may want to clarify our disclosure on our application a little further.

Mr. Hatch said maybe this problem will cure itself over time. Guides and outfitters will advertise and get going.

Mr. Brady said he was involved with it in Idaho trying to locate an outfitter. On the sheep there, outfitters had different designated areas. It was hard to find the right outfitter. There is good and bad on both sides of this.

Mr. Johnson said the Outfitter Board could look at designating different areas.

Chairman Woodard said the Outfitter Board is only an advisory board. DOPL has and does override our decisions.

The meeting was then adjourned.

Approved