

**UTAH WILDLIFE BOARD MEETING**  
November 29, 2007, 9:00 a.m., DNR Auditorium  
1594 West North Temple, Salt Lake City, Utah

**AGENDA**

**Thursday, November 29, 2007**

1. Approval of Agenda ACTION
  - Paul Niemeyer, Chairman
2. Approval of Minutes ACTION
  - Paul Niemeyer
3. Old Business/Action Log CONTINGENT
  - Rick Woodard, Vice-Chair
4. DWR Update INFORMATION
  - Jim Karpowitz, DWR Director
5. Statewide Unit-By-Unit Hunts in 2009 INFORMATION
  - Anis Aoude, Big Game Coordinator
6. Statewide Spike Elk Hunt in 2009 INFORMATION
  - Anis Aoude, Big Game Coordinator
7. Hunting and Fishing Accommodations for People with Disabilities ACTION
  - Martin Bushman, Asst. Attorney General
8. Hunter Education Rule R657-23 (5-yr review) ACTION
  - Lenny Rees, Hunter Education Coordinator
9. CWMU Approval ACTION
  - Boyde Blackwell, Private Lands/Public Wildlife Coordinator
10. North Book Cliffs Bison Management Plan ACTION
  - Dave Olsen, Regional Wildlife Section Coordinator
11. Buck, Bulls, and OIAL Proclamation & Rule R657-5 ACTION
  - Anis Aoude, Big Game Coordinator
12. Caliber Restrictions ACTION
  - Mike Fowlks, Law Enforcement Chief
13. Proposed Utah Species of Concern ACTION
  - Carmen Bailey, Impact Analysis/GIS Coordinator

14. Conservation Permit Allocation and Audit ACTION  
- Craig McLaughlin, Wildlife Section Chief

15. Other Business CONTINGENT  
- Paul Niemeyer  
- Youth Hunter Recruitment Committee – Board Member Rep.  
- Additional Action Log Items  
- RAC Chairmen attendance at RAC and Board meetings  
- Wildlife Board Awards for presentation at the Annual Recognition Banquet.  
- Commission Training

**UTAH WILDLIFE BOARD MOTIONS**  
November 29, 2007, 9:00 a.m., DNR Auditorium  
1594 West North Temple, Salt Lake City, Utah

1. Approval of Agenda

**MOTION: I move that we approve the agenda as amended.**

Passed unanimously

2. Approval of Minutes

**MOTION: I move that we approve the minutes of the October 4, 2007 Wildlife Board meeting as corrected.**

Passed unanimously

3. Old Business/Action Log

**MOTION: I move that we have an information presentation on Upland game prior to the action item.**

Passed unanimously

**MOTION: I move that we have an informational presentation on Management Bull elk, specifically what was harvested, the timing of the hunt, the issue of bonus points and any other issues of concern.**

Passed unanimously

**MOTION: I move that we look into the ability to require a proficiency test pertaining to archery and muzzleloader hunting prior to the hunter receiving a permit.**

Passed unanimously

**MOTION: I move that we look into allowing group applications on swan and crane.**

Passed unanimously

4. Statewide Unit-By-Unit Hunts in 2009

**MOTION: I move that the Division continue to study the unit by unit deer management and bring it as an action item next year.**

Passed unanimously

5. Statewide Spike Elk Hunt in 2009

**MOTION: I move that the Division continue to study the statewide spike elk and bring it as an action item next year.**

Passed 3 to 2, with Lee Howard and Tom Hatch opposed

6. Hunting and Fishing Accommodations for People with Disabilities

**MOTION: I move that we accept the Division's recommendations on the Hunting and Fishing Accommodations for People with Disabilities.**

Passed unanimously

7. Hunter Education Rule R657-23 (5-yr review)

**MOTION: I move that we approve the Hunter Education Rule R657-23 (5-yr review) as presented by the Division.**

Passed unanimously

8. CWMU Approval

**MOTION: I move that we accept the Division's recommendations except in the case of Indian Peaks, giving them two premium tags.**

Passed unanimously

**MOTION: I move that the CWMU Committee review permit allocations for Landowner Associations.**

Passed unanimously

9. North Book Cliffs Bison Management Plan

**AMENDED MOTION: I move that we approve the Division's recommendation on the North Book Cliffs Bison Management Plan and ask the Division to make a concerted effort to work with the county commissions to mitigate or reduce conflict.**

Passed 4 to 1 with Tom Hatch opposed.

**MOTION: I move that we keep the Bison Committee in place to continue working toward conflict resolution and be involved on implementation of the plan.**

Passed unanimously

10. Buck, Bulls and OIAL Proclamation & Rule R657-5

**MOTION: I move that we accept the Division's recommendations with the exception of leaving Thousand Lakes and Oak Creek Units as limited entry Units, retaining the five day general season in Southern and Southeastern regions, moving the Delores**

**Triangle rifle hunt dates to correspond with the Crawford Unit, the boundary change on the Wasatch sheep unit for the public draw to be north of Provo Canyon and that the management bull permittees lose their bonus points and incur the waiting period.**

Passed unanimously

**MOTION: I move that the general archery elk hunt and limited entry bull elk archery hunts opening day be moved forward and open on the third Saturday of August. Also that the general archery “spike bull units” elk hunt would be a 23 day hunt period, which would then close on the 4<sup>th</sup> Sunday after the opening day. Also that the limited entry archery bull elk unit hunt periods be extended by five days to become 28 day hunt periods, closing on the 4<sup>th</sup> Friday after the opening day.**

Passed 3 to 2 with Rick Woodard and Lee Howard opposed

11. Caliber Restrictions

**MOTION: I move that we accept the Division’s recommendations on Caliber Restrictions as presented.**

Passed unanimously

12. Proposed Utah Species of Concern

**MOTION: I move that we accept the Division’s recommendations on the Utah Species of Concern.**

Passed 4 to 1 with Tom Hatch opposed

13. Conservation Permit Allocation and Audit

**MOTION: I move that we accept the Division’s proposal on the Conservation Permit Allocation and Audit.**

Passed unanimously

14. Other Business

Youth Hunter Recruitment Committee

**MOTION: I move that we have Ernie Perkins serve as the Wildlife Board representative on the Youth Recruitment Committee.**

Passed unanimously

Stipulations on License Appeals

**MOTION: I move that we accept the Division's recommendation on the suspension appeal of Chris Dallin.**

Passed unanimously

**MOTION: I move that we accept the Division's recommendation on the suspension appeal of Daniel Anderson.**

Passed unanimously

Additional Action Log Items

**MOTION: I move that the Division give an annual report on the status of roads and activity with UDOT, including a prioritized list and an estimated list of costs relative to wildlife mortality.**

Passed unanimously

**MOTION: I move that we draft a letter to the RAC Chairman stating that whoever chairs the RAC meeting, needs to present their recommendations at the Wildlife Board meeting.**

Passed unanimously

**UTAH WILDLIFE BOARD MEETING**  
November 29, 2007, 9:00 a.m., DNR Auditorium  
1594 West North Temple, Salt Lake City, Utah

**Board Members Present**

Paul Niemeyer  
Rick Woodard  
Ernie Perkins  
Lee Howard  
Tom Hatch  
Keele Johnson  
Jim Karpowitz  
Del Brady - excused

**RAC Chairs Present**

Amy Torres – Northeastern  
Fred Oswald (vice-chair) - Central  
Jake Albrecht – Southern  
Terry Sanslow (vice-chair) – Southeastern  
Brad Slater – Northern

**Public Present**

Jay Walk  
Bart Hansen  
Roy Hampton  
Ken Young  
Tye Boulter  
Troy Babb

**Division of Wildlife Resources**

Mark Hadley  
Rhianna Christopher  
Jill West  
Staci Coons  
LuAnn Petrovich  
Judi Tutorow  
Kevin Christopherson  
Marty Bushman  
Anis Aoude  
Lenny Rees  
Mike Fowlks  
Carmen Bailey  
Craig McLaughlin  
John Fairchild  
Cindee Jensen  
Alan Clark

**Public Present (continued)**

Mike Christensen  
James Gilson  
Don Peay  
Justin Fuller  
Eric Tycksen  
Jason Carter

Chairman Niemeyer welcomed the audience and introduced the Wildlife Board members and RAC Chairs.

Mr. Woodard asked that item 15 be moved up onto the action log, under item 3.

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

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

**MOTION: I move that we approve the agenda as amended.**

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

On p. 5, change “Cushings” to “Cushing” and throughout. P. 9, 6<sup>th</sup> paragraph, add “a contest of” after the first “or.” P. 19, 2<sup>nd</sup> to the bottom motion reworded – Stop sentence with period after “failed,” then Ernie Perkins and Keele Johnson were in favor or the

motion and Del Brady and Lee Howard were opposed. P. 22, 2<sup>nd</sup> to last paragraph, change Dick Gray to Dick Ray.

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

**MOTION: I move that we approve the minutes of the October 4, 2007 Wildlife Board meeting as corrected.**

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

Rick Woodard went over the action log. He moved other business up to the action log. He asked the Board members to allow them to cover items to be added to the action log under other business. Is there anything the Board would like to add?

Mr. Perkins asked that there be an informational meeting on upland game before the proclamation is presented. This is a one-time request. This topic could use some extra attention at this time. This could get the discussion started with information presented on upland game prior to the action item.

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

**MOTION: I move that we have an information presentation on Upland game prior to the action item.**

The following motion was made by Ernie Perkins.

**MOTION: Info presentation on the management bull hunt as soon as the data is collected. What has happened and what we have learned / harvest and timing of hunt / bonus point involvement / any unintended consequences.**

This motion will not be voted on at this point.

Director Karpowitz said we have some information to be presented today on this subject.

Mr. Johnson said there is way too much wounding going during the muzzleloader and archery hunts because people do not know how to use their weapons.

The following motion was made by Keele Johnson, seconded by Lee Howard and passed unanimously.

**MOTION: I move that we look into the ability to require a proficiency test pertaining to archery and muzzleloader hunting prior to the hunter receiving a permit.**



Mr. Woodard said it has been suggested that we have an informational meeting with the Board on some of these action items to prevent taking topics out to the RACs unnecessarily. We could just send the information to the RACs or call the Chairman and let them know what is being discussed.

Director Karpowitz said we would have to have a Wildlife Board meeting with an informational item, take it to the RACs, then back to the Board.

Mr. Woodard said the Chairman could be called before the Division makes the informational item.

Director Karpowitz said that would be alright.

Chairman Niemeyer said he would like to see group applications be allowed on swans and cranes. He would like this to be put on the action log.

The following motion was made by Paul Niemeyer, seconded by Ernie Perkins and passed unanimously.

**MOTION: I move that we look into allowing group applications on swan and crane.**

Chairman Niemeyer said the policy to allow possession of complete skulls was on the action log. What happened?

Mr. Fowlks said they did redraft that policy.

Chairman Niemeyer asked if antlers are found in the brush, can people bring them in?

Mr. Fowlks said they should not pick it up, because it is illegal to possess them until the CO has checked out the situation.

Chairman Niemeyer said there are two situations; people who try to cover up a crime and those who just want to have the horns. We need to try to get some policy that states under what conditions people can possess antlers or horns.

Director Karpowitz said this was a hot issue when the Board made the policy against possession, because of poaching that might be involved.

Mr. Fowlks said we cannot let them pick them up and then call us, because it would compromise an investigation.

Chairman Niemeyer said this might be put into the proclamation so people can read the policy and know the situation.

Director Karpowitz said they could put it into an informational box in the proclamation.

#### 4. DWR Update (**Informational**)

Director Karpowitz presented this item. First he went over the Guide and Outfitters legislation update. The guides and outfitters approached the Division for help in putting together a bill. Representative Noel is going to take the bill through. The Sponsor's preference is that this be a licensing process that goes through DOPL.

Director Karpowitz said they have suggested that there be a member of the Board on the committee, as well as someone from the DWR in addition to guides and outfitters. We do not know what that final legislation will look like, but that is how the sponsor wanted it and it is in his hands now.

Mr. Johnson added some information on where these issues would be handled. We have one other guide and outfitters license in the state that has been running for quite a few years. It comes under the Department of Natural Resources, under State Parks. This is for river guides and has been very successfully managed there.

Director Karpowitz said there is another bill being sponsored by Representative Noel on the revitalization of aquaculture. The DWR has been working with the sponsor, but have not seen any wording on it as of yet. We have had some discussions with both aquaculture and the bill sponsor to address this as it goes through the session. The article in the Tribune, on this bill, is not entirely accurate. We are just discussing things at this point and looking at options.

Director Karpowitz said that Mr. Bushman has been working on an administrative rules bill that has the potential to really affect how the DWR and the Wildlife Board deals with criminal penalties. He asked Mr. Bushman to address this.

Mr. Bushman said that for close to two years, the Rules Committee has been looking at an issue that came from the Office of Legislative Research and general council that said an agency does not have legal authority to define the elements of a criminal offense. So, any law that was in rule that could result in criminal prosecution was invalid. There was a large outcry among many state agencies and we were successful in convincing the committee that this was not an unlawful delegation, at least in Wildlife, because the penalties were set in code. The committee wants to look at this issue even more, so now they are evaluating as a matter of policy. They want to determine if they really want to reel in all these agencies' authorities that gives them the ability to set the elements of a criminal offense in rule. This could be devastating to the Division, because the way the code is set up, it says it is unlawful to take protected wildlife except as authorized by rule, proclamation or order of the Wildlife Board. We define by rule and proclamation what you can do to lawfully take protected wildlife. We also define what is unlawful as well. The elements of the offense are set in rule and proclamation, but the code does outline the punishments. We have tried vigorously to convince the committee that it is not wise to reel in this authority.

Mr. Bushman went on to say that on Tuesday, the committee met again and they had a draft bill. Mr. Bushman said he was pleased to see that the only thing they attempted to change was in our Wildlife Code 23-13-11 which says that any violation of the code is a Class B misdemeanor and any violation of rule or proclamation is a Class C misdemeanor. They took "rule" out of the wording. Mr. Bushman spoke to the committee about the difficulty of doing this and how it would be unwise and burdensome to try and codify our rules. What we are looking at is some middle ground where instead of saying it is a Class C misdemeanor, we would say that a violation of rule, or proclamation is an infraction. The committee is most worried about the fact that an administrative agency could do something that could send somebody to jail. An infraction mirrors the Class C misdemeanor in all other respects, but under an infraction, you cannot do any jail time. We are evaluating that presently as a possibility. With this, we could still meet our needs in properly managing the resource and being able to define under what circumstances individuals can take protected wildlife.

Mr. Howard clarified that the Board does not make the decision to send someone to jail.

Mr. Bushman said that is correct, we prosecute them. When you are guilty of a Class C misdemeanor it is 90 days in jail, or a fine up to \$750. That is what code says. The judge decides on the fine or jail time.

Mr. Hatch asked if there are not some other issues relative to violations. There were some administrative roadblocks in Southern region a few years back. The basis for that roadblock was an administrative rule, rather than the law. It is not only a violation, but use of those rules in other areas as well that brings up concern.

Mr. Bushman said the Division is a unique situation, the way it has all been set up in code. The Division has been delegated authority to make rules to define how wildlife can be taken. This is a good system. It would be very difficult for the legislature to deal with the dynamic issues of wildlife resource management and the ever-changing functions in the rule.

Chairman Niemeyer asked Mr. Woodard about sending a letter from the Board supporting the guides and outfitters bill.

Mr. Woodard said it was not on the guides and outfitters bill, but on the removal of the October opener.

Director Karpowitz said we are not looking to run a bill, but we are hearing that a bill may be run. If it does run, we think it is something the DWR will support.

Mr. Woodard said he has contacted a few people on removing the October opener through legislative action. He has been doing it as a member of the Wildlife Board and it has been asked of him how the rest of the Board feels about this. He was going to make a motion that we have a letter drafted to the legislature, from the Board, in support of this. This would give more flexibility in setting up and arranging hunts.

Director Karpowitz said we need to address this to the sponsor of the bill. A letter to the legislature does not work.

Mr. Hatch said the best thing we could do if we want this to happen is sit down with the Farm Bureau and try to work this out. The letter needs to be addressed to someone specifically. We need to start with a dialog with the Farm Bureau.

#### 5. Statewide Unit-by-Unit Hunts in 2009 (**Informational**)

Anis Aoude, Big Game Coordinator presented this item. He said that it has been asked of the Division to explore managing our general season deer on a unit-by-unit basis. The concerns of hunters is that a particular unit can have fewer than 15 bucks per 100 doe while the region average can be at or above the 15 bucks per 100 doe. He then went over the pros and cons. The pros are this allows for more precise management of general season units and allows us to distribute hunting pressure more evenly. Some of the cons are it limits hunters to one general season unit, makes it harder to draw popular units, hunters that like to hunt a particular unit may not get to hunt every year, it is more difficult to administer, getting sufficient classification will be difficult on some units and general season landowner permit issues would arise.

Currently, general season management takes place on a regional level. The goal is to maintain buck to doe ratios between 15 and 20 bucks per 100 does post season. If we go to a general season unit by unit management strategy, we would propose keeping the current statewide cap of 97,000 permits, keeping the archery hunt statewide with the same cap of 16,000. We will allocate the remaining 81,000 muzzleloader and any weapon permits amongst the 27 units based on past permit use patterns. Dedicated hunters and lifetime license holders would have to choose a unit instead of a region. They will be limited to 20% of the total permits on any units. We will adjust unit permit number allocation to reach and maintain a three-year average of 15-20 bucks per 100 does. Mr. Aoude then showed two charts, one illustrating how unit-by-unit management would break down and one comparing unit by unit to current management.

In summary, the unit-by-unit management will allow more control over where animals are harvested. Unit by unit management will cost hunters the freedom to hunt multiple units within a region. There is no substantial difference in the number of permits issued; however the units where those permits are issued may change. It may be difficult to collect sufficient classification data on some units and units may need to be lumped together. This completed the presentation.

Mr. Albrecht asked, on the Monroe Unit, which is at 9 bucks per 100 doe presently, where is the actual cut off where the Division would go in and get the buck numbers back up?

Mr. Aoude said we would never shut down a unit. We would limit number of tags to bring the buck to doe ratio up.

Chairman Niemeyer said what Mr. Albrecht wants to know where the trigger point is on a unit.

Mr. Aoude said we would cut permits. Presently it is managed by region and it is at the average, so there is not anything we can do for this specific area.

Director Karpowitz said the Board can always look at a unit for limited entry at any time. Presently we have units that are below and above in one region, but we manage to region.

Mr. Johnson asked about some of the areas having migratory problems.

Mr. Aoude said it is not a real problem, it just makes it hard to get sufficient classifications. Basically, we would lump two units together and make it one unit. Those are things we would have to look at on a regional basis.

Mr. Howard asked if we got the question answered on the Monroe.

Chairman Niemeyer said this is more of a predator management situation, but there are some triggers in place now. If a unit does not meet objective for three years, something can kick in.

Director Karpowitz said a unit can be closed, because of predator problems, but not for low buck/doe ratios.

Mr. Albrecht asked at what point do they manage a unit if the numbers continue to go down?

Director Karpowitz said it would have to be made a limited entry unit, by itself, to control that specific unit.

Mr. Perkins asked the Division to rethink the statewide archery and what the implications are.

Director Karpowitz said that has been looked at as an action item and we decided to leave it.

### **RAC Input**

Southeastern - Mr. Sanslow said they had a few questions on elk permits and statewide archery. Comments were that smaller deer units could be managed better.

Southern - Mr. Albrecht said all the comments were to continue to study the details of unit by unit deer management and they made a motion to that effect.

Northeastern - Ms. Torres said the only question they had is if the unit by unit management had been done in other states and what was their success with it, and Mr.

Aoude answered that. The comment from the public was that unit by unit would decrease pressure, but it also might decrease the option for several hunters to draw tags together.

Central - Mr. Oswald said after taking comments and questions, it was the sense of the RAC that we ought to continue to study this and bring it back as an action item.

Northern - Mr. Slater said their comments were similar to the Central RAC. Questions were concerned with the masking effect of regional management. They also asked if limited entry hunts bring bigger bucks. If they went unit by unit, hunters might be more apt to give harvest data. They are very interested in seeing this further studied and brought back as an action item.

#### 6. Statewide Spike Elk Hunt in 2009 **(Informational)**

Anis Aoude, Big Game Coordinator presented this agenda item. He went over the reasons for looking at this option, the rationale for hunting spikes, and the current limited entry elk management. He then went over the general season unit by unit management strategy. No change is proposed to the general any bull elk units. We would propose increasing the current statewide spike bull cap back to the 2004 level of 19,000 permits to take advantage of the opportunity that will be available. We would propose keeping the archery hunt as is (no cap) and all limited entry elk units will become part of the general spike only elk season. He then showed three charts comparing statewide spike to current management. In summary statewide spike elk management will allow us to lower bull to cow ratios on limited entry units without compromising the quality of harvest. It will also provide more general season hunting opportunity and variety and will improve the long term production and health of elk herds.

Mr. Howard said he is concerned if we go statewide spike, we might lose mature bull recruitment.

Mr. Aoude said there are several units already being managed this way and we have plenty of bulls. We are still above age objectives on most of the units. 14% of the hunters are successful and we are by no means killing all the spikes.

Mr. Hatch said he challenges that statement. If 14% of hunters are successful, they might be killing 90% of the spike bulls on the unit.

Mr. Aoude said the data showed illustrated what it would look like and it comes from the harvest data that we have currently. On ten of the units that we are managing that way, we have more mature bulls than we know what to do with. We are always above our age objective on the harvest. We are not over harvesting spikes.

Mr. Hatch said he knows from personal involvement on the Mt. Dutton Unit in the past, that we did not have near the number of mature bulls that we have today with the limited entry.

Mr. Aoude said that was a spike unit, associated with limited entry as well. Right now, we are managing for not just spike, but limited entry also. If we start seeing those bulls not make it into the older age class, we would back off on the spike harvest, but we have not seen it so far on ten units that are managed that way and have been for a long time.

Mr. Johnson said if you have a herd unit that you are not getting mature bull recruitment on, the possibility is for one year you shut it down and kick them all in. Then you open it up again to spike only.

Mr. Aoude said that provides for boom and bust harvest. This does not fix the problem. Actually by removing more bulls from a herd will increase recruitment into the older age class, because you are producing more calves.

Chairman Niemeyer said back in the old days they would shoot yearling bulls, but now they are just spikes. The two points will make it through when they are taking spike only.

Mr. Johnson said with this proposal we will see an increase of branch antlered bulls over time.

Mr. Albrecht asked if a certain unit could not handle all the pressure, would they limit the spike permits on a unit like the Dutton and the Monroe.

Mr. Aoude said anything is a possibility. This proposal is the easiest way to manage. If we find ourselves in a quandary like that, we would look at the management differently.

Bart Hansen, Utah Bowman Association asked why the change of direction in elk management. Why is the Board recommending this 180-degree change from the current elk management plan?

Mr. Aoude said by increasing the spike harvest statewide and spreading out hunters, it would decrease harvest on individual units. Under this scenario, overall, on any particular unit you are killing fewer spikes.

James Gilson asked if we go spike hunting in all units, what happens to the big bull landowner tags that are now being used in those units that do not have spike hunting?

Mr. Aoude said probably all limited entry units would have landowner permits, but this is something we would have to look into.

### **RAC Input**

Northern - Mr. Slater said they had a question that by increasing the number of elk tags, would this be going against the statewide management plan? They do not want to have a spike hunt during limited entry hunts at the same location. There is considerable interest in seeing what this proposal would mean on a more definitive basis on hunts and permits.

Central - Mr. Oswald said that in an informal vote, 6 to 2 were in favor of continuing to study this. Those opposed were worried about landowners having to deal with a lot more hunters on their property.

Northeastern - Ms. Torres said they were worried that the number of trophy bull tags would go down and this would affect those bulls. The Ute Tribe wants to be involved in the process. The feeling was unanimous to continue to look at this issue.

Southern - Mr. Albrecht said management bull tags would probably go away if they go statewide spike. Overall, the opinion was to continue to study this issue.

Southeastern - Mr. Sanslow said they only had a few questions and this was well accepted as an informational item.

### **Public Comment**

Bart Hansen, Utah Bowmen's Association said this proposal does not follow the current elk management plan. This would cause all the limited entry archery hunts to compete with spike hunters. This will also limit the number of big bull permits to be given. His 15 year old daughter's odds of drawing a tag puts her at almost 70 years old to draw on the Wasatch Unit. This spike proposal is not going to help this.

James Gilson said he is concerned about adding big bull tags to current spike units. He is concerned about the loss of opportunity. There are a significant number of tags that would go to landowners that do not meet criteria. When he was on the elk committee, there was a lot of controversy on proposals. There was resistance to the harvest and in the last meeting they changed the age objectives. That resistance has dropped considerably and the committee wanted to manage to objective. He would like to stick with that. There are serious problems with spike only statewide. People would rather kill larger bulls, rather than spikes. We need to solve the bull/cow ratio as has been agreed.

Mr. Howard said he would like to stay where we are at and not go statewide spike elk.

Mr. Johnson said we are collapsing on hunter recruitment. We will be out of business if we do not have more opportunity. We cannot just look to harvesting big bulls. Spike only is a good management system and it puts the big bulls in charge of the herds. This is a good way to manage elk biologically. Genetically it will bring strength to the herds. Habitat is also the answer to the future. We need to look to the future. The elk committee and RACs are just advisory and we do take into consideration their input. Nevertheless, the Wildlife Board is confirmed by the Senate and nominated by the Governor.

Mr. Perkins said these comments on hunter recruitment are right on target. We also have five RACs who want to continue to look at this recommendation.



The following motion was made by Ernie Perkins, seconded by Keele Johnson and passed 3 to 2, with Lee Howard and Tom Hatch against it.

**MOTION: I move that the Division continue to study the statewide spike elk and bring it as an action item next year.**

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

**MOTION: I move that the Division continue to study the unit by unit deer management and bring it as an action item next year.**

#### 7. Hunting and Fishing Accommodations for People with Disabilities (**Action**)

Martin Bushman, Asst. Attorney General, presented this agenda item. He has two changes to present on Rule R657-12. (See Powerpoint Presentation) Mr. Bushman went over the accommodations for the disabled including draw-locks and telescopic sights. He presented the working group's evaluation on current archery equipment regulations and the needed changes for this proposal. He went over the details of the draw-lock and information on telescopic sights. He also discussed those with disabilities who would be eligible for use of these types of equipment. This concluded the presentation.

#### **RAC Recommendations**

All of the RACs voted unanimously to accept the Division's recommendations as presented.

Mr. Howard asked if another person can draw the bow back, then help the shooter from there.

Mr. Bushman said yes.

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

**MOTION: I move that we accept the Division's recommendations on the Hunting and Fishing Accommodations for People with Disabilities.**

#### 8. Hunter Education Rule R657-23 (5-yr review) (**Action**)

Lenny Rees, Hunter Education Coordinator presented this agenda item. He went over the definitions, eliminating the wording "field day" and replacing it with "practical exercises and testing day." They are also proposing to eliminate the home study program. No home study courses have been taught since the online program.

Mr. Rees then went over the Hunter Education voucher system. A potential hunter education student purchases a two-part voucher from any authorized license vendor. The student attends the class and upon the successful completion of the course the instructor: Places a validation sticker on the license portion of the voucher and signs the voucher which validates it as a hunting license. The audit portion of the voucher is sent to SLO and the DWR issues a permanent blue card to the student. As of yesterday 4,841 students have successfully completed the hunter education training under the new voucher program. Amendment R657-23-3 adjusts the language in this section to come in line with the new voucher system.

Mr. Rees went on to discuss the creation of a new online instructor training program. In order to accomplish this, a person must complete the Division's online instructor course, pass a criminal background check, obtain a passing score of at least 80% on a written test; and obtain a passing score of at least 50% on a shooting practical test. This concluded the presentation.

### **RAC Recommendations**

All of the RACs voted unanimously to accept the Division's recommendation as presented.

The following motion was made by Ernie Perkins, seconded by Lee Howard and passed unanimously.

**MOTION: I move that we approve the Hunter Education Rule R657-23 (5-yr review) as presented by the Division.**

### **9. CWMU Approval (Action)**

Boyde Blackwell, Private Lands/Public Wildlife Coordinator presented this agenda item. He went over the applications for CWMUs. They received 103 applications of which 97 have been approved by the DWR. The Wildlife Board must still approve the permit numbers and there are no disagreements in these 97 applications. There are six renewals that need issues resolved. There are presently two million acres enrolled in the program with 96% being private land.

Mr. Blackwell then went over the requested buck deer, bull elk, bull moose and buck pronghorn permit numbers. Maps have been digitized and are available in the offices and on the DWR website. The CWMU Committee was reconstituted and terms were set. No sooner did we do that than, we have to go back and replace some members that have left. We will be having our first committee meeting to address some complaints and issues of concern in February. We will be coming back with advisory recommendations shortly thereafter. The new rule that was approved in August will take effect for the 2009 hunting season. All of our maps of trade lands are also available on the website. He then went over the various CWMU issues region by region. We have five new applications, three in the Northern region and two in the Southern region.

Mr. Blackwell then went over the 2008 Landowner Association applications. Seventeen applications have been received. The DWR is recommending approval of all applications and fourteen out of seventeen applications the DWR and landowner association agree on. He then went over the buck/bull permit totals. There are split recommendations on the Vernon, they requested 35 deer permits and the DWR recommended 21. The LOA qualifies for 21 permits according to acreage of private land on the limited entry unit. Also there is a split on the Indian Peaks LOA. They are requesting three elk permits while the DWR recommends two permits. This LOA qualifies for two permits based on acreage of private land on this limited entry unit. On the Oak Creek Association, the Division is recommending that this unit go to a general season hunt; this would disqualify this LOA from the five permits they have requested. We will hear more about that recommendation in Mr. Aoude's presentation. If it is made into a general hunt unit, it would not qualify for the five permits. If it is decided it will stay a limited entry unit, then we would recommend going with the five permits. This concluded the presentation.

Mr. Hatch asked if the Division takes into consideration what improvements in habitat the CWMUs have made.

Mr. Blackwell said they have a policy that identifies that we take into consideration acreage, habitat improvements, how well the Division works with the association and other issues. These all enter into which recommendations are made.

### **RAC Recommendations**

Southeastern – Mr. Sanslow said they accepted the recommendation with one abstention by a CWMU operator.

Southern – Mr. Albrecht said they discussed the Oak Creek Unit and passed the RAC recommendation unanimously.

Northeastern – Ms. Torres said there was a request by the Ute Tribe to have more information about how they came up with the CWMU numbers. The RAC voted unanimously to accept.

Central – Mr. Oswald said they accepted the proposal unanimously.

Northern – Mr. Slater said they accepted the recommended proposal as presented with 8 in favor and 2 recused.

### **Public Comment**

Jason Carter of the Indian Peaks Landowner's Association addressed the Board. He said he is not part of the association, but is here today to speak for them. They have been at two on the permit numbers since it started. The Division tags have quadrupled since

2000 and they think they should get the third tag. When they have 88 total public tags, it should qualify them for one more permit.

Teresa Bonzo said her numbers reflect 46 tags that were given. These numbers do not jive with Mr. Carter's. Regardless, in past years they have not quite qualified for two tags. Right now they are at two tags. We could perhaps give some management bull tags, but we do not know how long that hunt will be in existence. With their acreage, 17,765 acres, and based on the number of tags given to the public, they qualify for two tags, not three.

Mr. Johnson asked if they have done habitat work.

Ms. Bonzo said not themselves, but the Division and the BLM have done a lot of projects out there. The Indian Peaks LOA may have been involved in these.

Mr. Carter said last year they did a presentation on their CWMU regarding changes and different things that have gone on. They have done a lot of habitat projects for the cattle, but that also benefits the wildlife. The private land is unique in this area. The private landowners own the land with the water on it. Their land is prime for the elk as well as the cattle. They have the prime property so it is hard to compare acres, one for one. They want one more tag.

Mr. Albrecht said they did not have a landowner association representative at the Southern RAC meeting. The discussion they went on was based on the Division presentation.

Mr. Blackwell said in the beginning years many of our CWMUs received more permits than they qualified for. The policy for figuring permit numbers came out around 2000, because we needed a way to justify using them for damages and lost revenue.

The following motion was made by Keele Johnson, seconded by Tom Hatch and was not voted on.

MOTION: I move that we accept the Division's recommendations except in the case of Indian Peaks and the Scofield West CWMU, giving them the additional permit as requested.

Mr. Johnson said he has seen some of the damage the wildlife has done to some farmland. This farmer wants all the elk and deer killed off. The crop is sunflowers and there is tremendous damage going on. We need to be more flexible with these landowners. We are talking two permits and it is not worth the battle.

Mr. Woodard recused himself on the vote because he is a member of the **Vernon Landowners Association**.

Director Karpowitz said when the Board makes a rule providing guidelines for giving landowner permits, it is important to stay with it. It puts the Division in an awkward position when we do not stay with the rule. When you go outside of it for specific CWMUs, this might cause more variance requests next year. Rules are there for consistency. If there is a need to go outside it, we need to examine the rule.

Mr. Howard said we need to stay with the Division's proposal and not make an exception to the rule.

Chairman Niemeyer asked how many total tags would have to be given to Indian Peaks before they qualify for another permit.

Director Karpowitz said we could look at including the management tags in the total and that might qualify them for a management bull permit.

Ms. Bonzo said permits are given based on acreage and total permits. If they did qualify for another it would be a management bull permit. Before this, they were actually under two permits. During our unit wide elk committee meetings, we went to the Southwest Desert Committee and the Indian Peaks LOA refused to accept any increases to reach our herd objectives. They do not want more elk. If they are doing projects on their private land to improve habitat that would be great, but it is all occurring on the BLM land with the Division and BLM money and resources.

Mr. Hatch clarified that Indian Peaks permits have at least doubled and we are still giving them two tags.

Ms. Bonzo said that is correct, but they did not qualify for two in the recent past.

Mr. Hatch said we were not following the rule in giving two permits when they did not qualify for them.

Ms. Bonzo said we also took into consideration their higher quality range land with water on it. That is why we felt justified in allowing them to have two.

Director Karpowitz said the Board adopted the rule because we were inconsistent in how we applied it. The rule then provided for consistency.

Mr. Johnson said New Mexico gives credit according to the quality of the acreage. We might need to look at the rule.

Mr. Perkins said he does not want to deviate from the rule at this point, but he does want to re-examine the rule. Secondly, we could easily add the management bull tag to Indian Peaks this year.

Mr. Johnson said we have a very dysfunctional rule in place. The private landowners are very powerful and if we do not work with them they will kick us off. This rule does not take into consideration the quality of the land.

Mr. Bonzo said there is no cultivated land on the Indian Peaks land. Part of the reason we are doing improvements on public lands in the area is to try to draw some of the elk off their land and relieve some of the pressure.

Director Karpowitz said the rule does take quality of habitat into account.

Mr. Hatch read from the Board statute. "This Board shall recognize the impact of wildlife on man, his economic activities, private property rights and local economies and seek to balance the habitat requirements of wildlife with the social and economic activities of man." That is what we are trying to do so we do not alienate the landowners. I speak in favor of the motion.

Mr. Howard said the motion seems to be focused on Indian Peaks, rather than the Southern units. Do we need to separate them?

Mr. Bates said the Division stands by the recommendation on the Scofield West CWMU. They have been given more permits in the past than they qualify for and have not caught up to that point. They have not made improvements or gone out of their way to do anything for wildlife. We need to stand with our recommendation. If the Board does vary from this, it is like cutting the Division's knees out from under us. This is the second time in four years that this CWMU has come to the Board and asked for a variance. We are happy to work with them if they want to come in and talk about habitat. We do take into consideration quality of habitat and all those issues that are in the policy are factored in.

Chairman Niemeyer asked if we need to separate the motion.

The discussion went back to Mr. Johnson's motion. He asked if they are harvesting bulls. Mr. Johnson asked about making the two permits premium.

Mr. Carter said he cannot speak for them on this offer, but anything above the two would be a bonus. A management permit would not be much compensation.

Mr. Peay said going from a standard to premium permit goes from \$10 to \$20,000 and then these two permits would go up \$20,000.

The following amended motion was made by Keele Johnson, seconded by Tom Hatch and was not voted on.

**MOTION:** I move that we accept the Division's recommendations except in the case of Indian Peaks and the Scofield West CWMUs, giving Indian Peaks two premium tags and Scofield West one premium and one general.

Mr. Perkins clarified that this motion is just for this year.

Mr. Blackwell said presently we do not have a classification for a premium permit in landowner association tags. He is concerned that this will open the way for more associations looking for premium tags in the future.

Mr. Bushman said presently the rule does not have anything in it that allows the Board to change a limited entry permit to a premium limited entry permit. The focus of the rule is that when you are in a limited entry unit, landowners that have enough land and meet the requirements can receive the limited entry permits for that overall unit, not a separate permit that is different from anybody else who might draw it. We are pushing the authority in making this proposal. We may need to adjust the rule.

Director Karpowitz said there are no premium limited entry elk units, just permits for elk.

Mr. Bushman asked if there are any premium limited entry permits on Indian Peaks presently.

Director Karpowitz said yes there are two premium tags.

Mr. Bushman said this will open the door for a flood of requests in the future. The legal problem is resolved since they already have the two premium tags.

Mr. Johnson said he does not mind that door being opened. This will open a way for more habitat improvement. We are stuck at 67,000 elk because we have unhappy landowners. Recruitment and retention is the big picture.

Mr. Bates said with a clarification on the CWMU permit, there is no way to do a premium on the Scofield West. The CWMU hunts a 60-day season. This will not work.

Mr. Johnson took Scofield West out of the motion and amended it accordingly. It was seconded by Tom Hatch and passed unanimously.

**MOTION: I move that we accept the Division's recommendations except in the case of Indian Peaks, giving them two premium tags.**

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

**MOTION: I move that the CWMU Committee review permit allocations for Landowner Associations.**

Mr. Johnson asked if we have the ability to do a pilot project.

Director Karpowitz said yes.

Lunch break

#### 10. North Book Cliffs Bison Management Plan (**Action**)

Dave Olsen, regional Wildlife Section Coordinator presented this agenda item. The Northeastern Region of the state is being discussed. Bison are native to the area. The Book Cliffs bison project is a long recognized opportunity going back to (1978). The area we are looking at is in the northeastern region of the state around the Green River, the extreme south end of Uintah county and extreme north end of Grand county. There are very few agricultural conflicts and is relatively undeveloped. Mr. Olsen showed a map illustrating these areas. Bison are currently present there. Also the Book Cliffs Conservation Initiative paved the way for this proposal. He then went over the details of that initiative and background on this area. He also went over other achievements of the initiative and the specifics on the acreage. (See Powerpoint Presentation) Watershed and rangeland projects continue through the partnerships that have been formed in the Book Cliffs. He then discussed the map and showed the areas that would be used for bison release.

Mr. Olsen then gave background on the Ute Tribe Bison that was started in 1985. They have a population exceeding 500 head. They are trying to manage to 450 head. In the last five to six years there has been some population pioneering with 1-35 head moving onto the public part of the Book Cliffs. The Tribe has offered animals for this proposal upon approval.

The proposal is to establish a public bison herd on the North Book Cliffs, beginning on the west side bordering Ute Trust lands with a transplant of 45 bison from the Ute Tribe and/or the Henry Mountain herds. The transplants would be in three releases of about 15 head each. They will monitor the herd with the intent to eventually expand east. This will be accomplished by monitoring habitat use, population size and distribution and disease. They will work toward a herd population objective of 450 head and continue range and habitat improvement projects in the future.

Mr. Olsen then went over the plan committee members. (See Powerpoint) The committee evaluated the bison proposal, make recommendations, and accept, revise or draft a new plan for the herd and project.

Various issues were then discussed including mineral extraction stipulations, bison jurisdiction, development impacts, H.B. 264 and future SITLA grazing competition and impacts and wild horse management. The details of these subjects were covered.

In summary, bison are native, currently exist and are expanding in the area and will be coming one way or the other. The BCCI set the stage for this proposal. A committee of stakeholders identified issues relative to the proposal and issues have been



addressed/resolved. The Committee recommended forwarding the plan with letters of support.

Mr. Hatch asked about support from Uintah County, have you received that letter?

Mr. Olsen said no, he did not mean to leave this impression. They gave a verbal comment through the RAC that they are opposed to this proposal.

Kevin Christopherson said they reached some common ground and addressed most of their concerns. A lot of their questions were misconceptions. They are still not supporting it, but their comfort level is better. They are still opposed. Mostly grazing issues were the problems.

Mr. Howard asked about the wild horse issue. They are way over population on these and is anyone trying to control that?

Mr. Olsen said this is an issue. There are a lot of wild horses out there. The Ute Tribe actively gathered them this year. The BLM has intended to address this. It is the intent to work on this.

Mr. Christopherson said, in the RMP, the preferred alternative is to convert AUMs to watershed and wildlife. On all the alternatives but one, that is the case.

Mr. Albrecht asked how many bison will be there between the two herds.

Mr. Olsen said with the Division's 450 and the Ute Tribe's numbers there would be 900 bison in the area.

Ms. Torres asked about domestic sheep having potential problems with disease transmission to buffalo. The sheep people were not present at the RAC meeting. How will you keep the sheep at least 2 miles away from the buffalo, as the plan states?

Mr. Olsen said the Ute Tribe has moved and cooperated with the BLM on moving one sheep operator to the north. Most of the sheep are winter permits from Colorado and are north of the Buck Canyon general area. The language was mostly to be consistent throughout the state. We have not looked at it beyond that.

Ms. Torres asked if the sheep operators have responded.

Mr. Olsen said no.

Mr. Peay said the BLM said there is no forage allocated for wildlife in the area. There are three allotments down there, Bogert, Cottonwood and Diamond. Has the Division specifically requested that those three allotments that were acquired with sportsmen's dollars be allocated to buffalo and elk?

Director Karpowitz said the forage on those allotments is allocated to wildlife, not specifically.

Mr. Peay said that when the BLM says, in a meeting that there is zero allocation, shouldn't we make sure that in the RMP that is going forward for the next fifteen years that there is forage.

Director Karpowitz said the approach by the BLM in most of those plans has not been to identify it by species, but as wildlife as a whole. We understood that it was allocated to wildlife. We can make sure and look into it.

Mr. Peay asked why this proposal would not include some buffalo south of this location?

Mr. Olsen said it is out of this area and this is what they are looking at presently. The South Book Cliffs is managed out of Price.

Director Karpowitz asked Mr. Bates if he knows how forage is allocated on Diamond and Cottonwood.

Mr. Bates said he thought that during the plan amendment that was done back in the 90's, the AUMs were allocated to wildlife. We made our comments with that understanding. This is something we need to check into. Relative to the South Book Cliffs, in those areas where there are AUMs allocated for wildlife, it is not a problem. The BLM's concern is mostly down on the San Arroyo Desert and we have no desire to have buffalo down there. In the Diamond and Cottonwood, it would be fine to have some up there.

### **RAC Recommendations**

Southeastern – Mr. Sanslow said there was concern over the AUMs and how they were acquired. They wanted this presented as an information item, before it came as an action item. The Utah Cattlemen opposed this proposal. SFW praised the plan. It passed with 3 opposed.

Southern – Mr. Albrecht said they discussed this proposal at length. They have several RAC members who are cattlemen. In the future, we need a letter of support from parties involved. They have questions about the AUMs. It passed 6 to 2. The main concern is having support of the county commissioners.

Northeastern – Ms. Torres said the BLM issues with the RMP process was a concern. The question was without the BLM, there was some concern with going forward with it. There was concern that the RMP did not support the plan. The issue was resolved and if the BLM decided not to support it, there is plenty of land to go forward. The BLM does have five alternatives in the RMP that support the plan. The other issue is that this large scale plan should have been further put out for public comment. Another issue was that of disease transmission and where transplants might be coming from. The other issue

was brought up by Uintah County and the H.B. 264 issues. In all there was a motion that passed 6 in favor, 1 opposed, and 1 abstention.

Central – Mr. Oswald said the discussion centered around grazing and AUMs. The recommendation passed 5 to 3.

Northern – Mr. Slater said they had discussion on grazing, AUMs and disease. There was a lot of discussion by sportsmen's groups for support. The recommendation passed 8 to 1.

### **Public Comment**

Don Peay, SFW said this should be an open and shut case. All five RACs have approved it in a strong majority. He said he wanted to counter some of the anti-sportsmen and anti-wildlife. This is very disappointing; because sportsmen have supported the CWMU program, landowner permits, public land grazing, the watershed initiative and frankly the current watershed initiative is primarily wildlife resources and sportsmen. It is a 50/50 benefit for ranchers and wildlife. There are two ranchers in the Book Cliffs. We have a letter of support from one of the ranchers and the other is in federal prison. Mr. Peay cannot understand why the county commissioners would be opposed to the sportsmen of Utah and the business and economics that come with them in favor of a dishonest rancher. We are getting tired of never seeing a win-win. The sportsmen work cooperatively with the ranchers and the Division. If there is not going to be a chance for some winning for the sportsmen, then the sportsmen ought to take their money and do something else. It is ridiculous that the Cattlemen's Association and the county commissions should oppose something that the only legitimate rancher in the area supports in writing.

Mr. Hatch said he is offended by Mr. Peay's tactics in saying that the county commissioners are only supporting one rancher. They are elected by those they represent. He is offended at Mr. Peay's remarks. There is much more to this. The Division has come here today trying to sugar coat the commissioners' stand on this issue saying they are neutral. They are adamantly opposed to this plan. This plan has not had the scrutiny of public process. This was brought to the RACs with very little input. Going to 1000 bison is too many at this point, without further study. This is going to be another Henry Mountain issue if we do not really think this through.

Ms. Torres said from the BLM standpoint, we have to remain neutral until the RMP is signed.

Mr. Howard said the sportsmen have put a lot of money into purchasing AUMs on the Book Cliffs and it appears that they will be in jeopardy on this plan. Is that the case?

Mr. Olsen said the BLM does have the authority to convert them back, but yes, they would be in jeopardy.

Mr. Howard said we have spent a lot of the sportsmen and Division's money to acquire these and if these go back, that is not right. We have been a good steward to the cattle men in the area.

Mr. Olsen said the BLM was a full partner in acquisition of these, but in a change of administration, viewpoints may have changed. The AUMs from the 1986 RMP does provide enough AUMs to cover all the wildlife objectives that we have in effect. Worse case scenario, if we did lose all the AUMs acquired in the Book Cliffs Initiative, we have enough to take care of wildlife.

Mr. Peay said there are a lot of institutional trustlands AUMs and those without any question are owned by the DWR. They can use these for wildlife. I have been involved in this initiative for thirteen years, through the thick and thin of it. Sportsmen have invested three million dollars and looking to invest more. We are investing a lot of money on the Henry's also. It would be nice to see the sportsmen of Utah have a few more bison on the Book Cliffs and that should be a given with what the sportsmen have vested in this.

Mr. Hatch said he thinks we should put more thought into this process.

Mr. Peay said some people are never going to change. We have a lot into this and it is time to take the vote.

Mr. Howard said maybe we should have had an informational on this.

Director Karpowitz said he sees 2-3 options for the Board. We could run it through the public process, but it probably won't change much. This has had a lot of public scrutiny. The Board could pass the proposal contingent on the RMP. This way they could move forward. We have reached a point with this where we need to move forward. There is a broad enough consensus and it was voted for acceptance in all five RACs.

Mr. Perkins asked if this is the last step in the process or do other agencies have to look at it?

Mr. Olsen said we can go forward at this point. The Ute Tribe can get rid of their bison to other tribes. Why they haven't, he doesn't know. In reference to trying to sugar coat the commissioner's standpoints, there were two commissioners that said they would remain neutral, but the third commissioner opposed it based on H.B. 264.

The following motion was made by Lee Howard, seconded by Rick Woodard and it was not voted on.

**MOTION: I move that we accept the Division's proposal as presented.**

The following amended motion was made by Ernie Perkins, seconded by Tom Hatch and passed 4 to 1, with Tom Hatch opposed.

**AMENDED MOTION: I move that we approve the Division's recommendation on the North Book Cliffs Bison Management Plan and ask the Division to make a concerted effort to work with the county commissions to mitigate or reduce conflict.**

The following motion was made by Lee Howard, seconded by Ernie Perkins and passed unanimously.

**MOTION: I move that we keep the Bison Committee in place to continue working for conflict resolution and be involved on implementation of the plan.**

Mr. Hatch said he had a follow up question. It was mentioned that the motion could be made subject to the final outcome of the RMP. If we do not make it subject to that, and for some reason the alternative that opposes this is the preferred alternative. Where does this put us?

Director Karpowitz said there is enough forage allocated regardless of what the RMP does. It would add additional forage into the equation.

Mr. Hatch said there is one alternative that opposes the introduction of bison.

Ms. Torres said it is neutral.

Mr. Olsen said according to the 1986 RMP figures we have plenty of forage.

Mr. Peay said there are about 140,000 acres of SITLA lands that Wildlife Resources own the grazing permit on.

#### 11. Buck, Bulls and OIAL Proclamation & Rule R657-5 (**Action**)

Anis Aoude, Big Game Coordinator, presented this agenda item. The first recommendation is for the big game application process to go online only beginning in 2008. You will have to buy a hunting license to apply. He then went over the total numbers that were online in 2006 and 2007. He also went over the justification for this recommendation. (See Powerpoint)

He then went over a timeline for the bucks/bulls OIAL events. The Wildlife Board approves 2008 general season dates and hunts in the November 2007. The big game application period is January 2-31. The application period for bonus and preference points only will remain open until February 29. The Wildlife Board approves limited entry permit numbers in March and April 2008.

Mr. Aoude then went over the deer recommendations. He went over the post season buck:doe ratios from the general season public land units 2004-06. All except the Central

region were at objective. He then showed charts on the buck:doe ratio trends 1998-2006, fawn production trends for the same period, and trends in general season buck deer harvest for 1993-2006.

Mr. Aoude then went over the specific 2008 deer recommendations. For season dates, the archery season will go 8/16-9/12, muzzleloader will go 9/24-10/2 and any weapon 10/18-10/26. They propose a 9-day season statewide and if we need to adjust the permit cap on any particular region, it will be done later this spring. The rationale for the 9-day hunt is more hunting opportunity with virtually no effect on harvest. The opportunity referred to is not those who currently hunt that area, but young hunters and hunters with only weekends off. Hunters that hunted units with 9 day seasons only hunted ½ day more than hunters that hunted on 5 day units. The number of buck harvested did not decrease when we shortened the season. In some cases buck harvest increased on the 5 day units. A chart was shown illustrating the comparison between 5-day and 9-day hunts, dating back to 1998 until 2006. Buck harvest did not decrease when we shortened the season to five days, so the rationale for decreasing to five days was to try to decrease buck harvest and that has not happened. Realistically there is no need to shorten the season if you are harvesting the same amount of bucks, unless we want to limit opportunity.

Moving onto the next recommendations, it is proposed to continue the existing Northern region combination deer/elk hunt. Mr. Aoude went over the details on this hunt. Other recommendations including changing the Plateau, Thousand Lake limited entry deer unit to a general season unit. This unit has rarely reached the 25 bucks per 100 does required for a limited entry unit. The unit's size and location makes it nearly impossible to manage as a limited entry unit.

The Northern region looks to change the shed antler gathering season dates to coincide with WMA opening dates.

Mr. Aoude then covered the 2008 elk hunt recommendations. General season archery will be 8/21-9/12, any weapon elk (extend spike season) will be 10/4-10/16, youth any bull will be 9/13-9/23 and muzzleloader will be 10/29-11/6. The rationale for extending the spike hunt is to simplify dates for our any weapon general season elk hunt. Historical data shows that spike hunters that hunted units with a 13-day season only hunted ½ day more than hunters that hunted on units with a 9-day season. The number of spike bulls harvested did not decrease when we shortened the season, the average harvest was 156 spikes per 1000 hunters on 13 day hunts vs. 145 spikes per 1000 hunters on 9 day hunts.

It is recommended to change the Fillmore, Oak Creek South from a limited entry unit to a general season any bull unit by combining it with the Fillmore, Oak Creek North to create a larger Fillmore, Oak Creek any bull unit. We have had a low success and satisfaction rates on this unit.

Mr. Aoude said they were going to add a general season any bull unit east of Montezuma Canyon and south of Coalbed Canyon in San Juan County to deal with some substantial depredation problems. This area is primarily private land. They have now decided to pull

this recommendation and handle it with depredation rule and draw from the depredation pool. They will make sure this depredation hunt takes place at a time when they do not have bulls coming off of the San Juan. It is primarily bulls that are causing depredation.

Mr. Johnson said he talked to the farmer involved in this and suggested some other options.

Mr. Aoude said they will clarify wording in the proclamation that allows archers to take any bull or antlerless elk on the Wasatch Front, Uinta Basin and Sanpete Valley extended archery areas. They also propose adding a mid November youth rifle hunt on the South Slope, Bonanza unit in the Northeast region to harvest bulls that live on private land during the any bull general season and become available for harvest on public land in mid November. There would be 15-20 permits available.

2008 pronghorn recommendations were presented. They propose adding an archery pronghorn hunt on the Fillmore, Black Rock Unit, adding new limited entry pronghorn unit Lasal, South Cisco and change the boundary on the Morgan, South Rich pronghorn unit to include the entire management unit.

Other recommendations on OIAL, the Northern and Northeastern regions share a boundary that needs clarification. They want to change the boundary between the two North Slope moose, pronghorn and bighorn sheep hunt units to make it clearer. Another proposal is to add three cow bison hunts on the Henry Mountain Unit to aid in population control. This concluded the presentation.

## **Questions**

James Gilson asked how many years we have had a five-day hunt in Southeast region.

Mr. Aoude said since 2002.

Mr. Gilson asked what the deer population has done since 1999.

Mr. Aoude said the population has gone down and come back up, which has nothing to do with the way we hunt, since it is bucks only.

Mr. Gilson asked what the buck/doe ratio is on the Range Creek.

Mr. Bates said it is about 29. Range Creek is composed of a lot of private lands with limited access and we do not include that in the public lands portion when we give our estimate for the buck/doe ratio.

Mr. Howard asked about the antler gathering, are we going to move the entire state to April rather than May?

Chairman Niemeyer said just Northern, there is not a policy for the rest of the state.

## **RAC Recommendations**

Southeastern – Mr. Sanslow said they had concern on buck:doe ratios that are below objective statewide. They are concerned on going to a 9-day hunt and they want to stay at 5. They discounted the rationale that was presented by the Division. There is also concern on Highway 91 and Mr. Aoude has addressed that. MOTION: To extend the boundary east of highway 199 to be broadened to include any elk and the season be set prior to October 1<sup>st</sup> - passed unanimously. After a lot of discussion – MOTION: To keep the 5 day hunt and keep the Thousand Lake Unit a limited entry deer unit - passed with one opposing vote. MOTION: To accept remainder of Division's recommendations - passed unanimously.

Southern – Mr. Albrecht said this item took majority of their meeting. One of the main topics was the Oak Creek Unit and he referred to a letter from Stuart Vaughn. Comments from citizens in that area concerned about safety issues if this was opened to any bull unit. On the Thousand Lake Unit they have had numerous letters and phone calls to leave it limited entry and it was unanimous to leave it as is. On the Oak Creek the vote was 6 to 2 to leave it as is. The remainder of the Division's recommendations passed 5 to 4.

Northeastern – Ms. Torres said they had discussion on the Oak Creek and Thousand Lakes units going to general. They went back and forth several times and came up with two separate motions. MOTION: To accept the proposal to change Oak Creek to general season - 5 to 3. MOTION: To accept the proposal to change Thousand Lakes to general season unit – passed 7 to 1. MOTION: To accept the remainder of the division's recommendations - passed unanimously. The only other issue was the UBA proposal for extended archery season, but no recommendation was made.

Central – Mr. Oswald said they have five motions. MOTION: To maintain the 5-day hunt in Southern and Southeastern regions - passed 5 to 3. MOTION: To maintain the Thousand Lake deer unit as limited entry unit – passed 5 to 3. MOTION: To maintain the Fillmore/Oak Creek North unit as a limited entry unit - passed 7 to 1. MOTION: Relative to the UBA recommendations the motion was to move spike elk season back to the start of the same day of the as the general archery deer season which would allow limited entry archery elk hunters on units with spike units to hunt five days without spike hunters. - passed 7 to 1. MOTION: To exempt shed gathering on Antelope Island – passed unanimously, but they are already exempt because they are a state park. They accepted the remainder of the Division's recommendations.

Northern – Mr. Slater said they had lots of discussion. MOTION: To leave Southern and Southeast regions as 5-day hunts – failed 6 to 5. MOTION: To approve the online application process – passed unanimously. MOTION: To leave the Oak Creek and Thousand Lakes units limited entry – passed 7 to 3. MOTION: To approve the remainder of the Division's recommendations - passed 6 to 4. MOTION: To recommend and request for consideration the UBA's proposals – passed unanimously.



## **Public Comment**

Roy Hampton, vice president of the Utah Bowman's Association addressed the Board. (See Attachment #1) They would like to see the archery elk and archery deer open on the same day. He continued to go over their proposals as outlined. Archery hunters wait a long time for this limited entry permit and they need to be able to hunt without the competition in the field.

Mr. Hatch asked for clarification.

Mr. Hampton said the limited entry hunters would get five more days.

Mr. Perkins asked if UBA is dropping paragraphs two and three on the proposal.

Mr. Hampton said the only thing they are dropping is we asked for a seven day extension on the any bull units not knowing it would conflict with the youth hunt going on at that time. It came up at the Central RAC to take that out and to we are going with Central on that. The rest of the proposal stands as is.

Troy Babb, representing the Oak Creek LOA and the 320 sportsmen, from the Delta and Nephi areas, who signed the petition opposing the opening of the Oak Creek elk unit to an any bull unit. They want it to remain limited entry. They do not agree with the reasoning of the DWR on their recommendation. As far as there is no summer habitat and the elk all end up in the hay fields, they disagree with that. There is a handful of elk causing depredation in McCormick. As far as most of the elk on the unit are concerned, they stay up on the mountain where there is plenty of summer habitat.

Jason Carter, representing himself, said he wants to address the hunt dates on the Delores Triangle. The hunt has been moved back another two days this year. There are migratory deer there and we need to catch them on the winter ranges. He would like to see it pushed back two weeks. The first of November the deer are not there yet. If it was pushed back, we might be able to give out more tags.

Mr. Peay of SFW addressed the Board. The Board of Directors met and they clearly want to keep the Oak Creek elk unit as a limited entry unit. They also want to keep Thousand Lakes as limited entry. The UBA proposal is very smart and has no biological impact. It would be really nice for the hunters who draw those limited archery tags and we support them. Mr. Peay also agrees with Mr. Carter's proposal on the Delores Triangle. The 5-day hunt is most controversial. There is a reduction of 7% on the spike harvest, shortening four days. The SFW hunters in St. George know that it helped deer herds going from a 9 day to a 5 day hunt. The hunters in the Southern and Southeastern regions are pleased with the progress they see with the 5-day hunt in their regions. SFW wants to stay with the 5 day hunt in the Southern and Southeastern regions, at least for one more year.

Bart Hanson, representing himself said the limited entry archery hunters on units without spike hunts kill at an average of 14.6 percentage points higher than those with spike hunts and Director Karpowitz pointed out that part of that is because there are more bulls on those units. Mr. Hanson believes also that competing with spike hunters is a major factor. Their archers want five days without spike hunters. This would greatly enhance the quality and experience of archers.

James Gilson, representing SFW and self said he wants to leave the Thousand Lakes and Oak Creek units as limited entry. As a RAC Chairman, he has had lots of e-mails and calls on this. The main concern in the Southeast region is the 5-day hunt. People in the area are enjoying seeing the increase in the deer. On the management bull issue, it was never the intent of the committee to have people hunt limited entry elk without burning their points, but surveys report that 50% of the people want opportunity and 50% want quality. There are a lot of bulls in the units that meet the criteria for management bull. The problem is, some of them are very nice bulls. If you hunt limited entry in Utah, you should burn your points.

Michael Christensen said he would like to address management bull, waiting period and bonus points. When people do not lose points and do not drop off the waiting period, then those people are not taken out of the pool. People with the most points, since we give out those tags according to points, can jump to the head of the line. People with 13 or 14 points are putting in for management bull tags. Many of the bulls that are shot are broken bulls that would have been trophy bulls. They need to lose points when putting in for management bull.

Mr. Peay showed a set of horns off a big ram from the Wasatch sheep unit. There were a couple of rams killed there this year and there are only about 40-45 sheep. For the last two years there has been a disease issue and there is very little lamb recruitment. The oldest rams on the unit are 4-5 ½ years old. They would like to close the unit, except for the sportsmen's tag, or have them hunt north of Provo Canyon. There are no big rams left on the unit and we need to save the younger rams and let them grow.

Mr. Perkins asked if that would be an emergency closure.

Director Karpowitz said a few years ago the Board approved that the sportsmen permit holder can hunt the whole unit in 2008 and we will honor that agreement. The only change would be is the boundary for the draw permit hunter for 2008 would be north of Provo Canyon. If the Board approves the boundary change, this will be accomplished.

Mr. Perkins asked about the disease in the sheep.

Mr. Peay said the Division got right on that and used medication. There are healthy lambs on the unit now.

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

**MOTION: I move that we accept the Division's recommendations with the exception of leaving Thousand Lakes and Oak Creek Units as limited entry Units, retaining the five day general season in Southern and Southeastern regions, moving the Delores Triangle rifle hunt dates to correspond with the Crawford Unit, the boundary change on the Wasatch sheep unit for the public draw to be north of Provo Canyon and that the management bull permittees lose their bonus points and incur the waiting period.**

Mr. Perkins clarified that the UBA proposal no longer includes the second sub paragraph #3.

Mr. Howard wants to deal with the UBA hunt extension separately.

Mr. Hatch said they could deal with the UBA proposal separately from the motion.

Mr. Perkins commended the Division for looking at the potential for increased opportunity. Recruitment of youth hunters is a very big deal and he feels strongly about it. The Division made a great effort this year with the 9-day season proposal. He hopes they will bring it back next year. He spoke in favor of converting some limited entry elk to general season elk. Mr. Perkins expressed concern on the scope of the motion.

Chairman Niemeyer asked about the management bull applicants losing bonus points and incurring the waiting period.

Mr. Hatch said this is to be included in the motion.

The following motion was made by Ernie Perkins, seconded by Keele Johnson and passed 3 to 2 with Rick Woodard and Lee Howard opposed.

**MOTION: I move that the general archery elk hunt and limited entry bull elk archery hunts opening day be moved forward and open on the third Saturday of August. Also that the general archery "spike bull units" elk hunt would be a 23 day hunt period which would then close on the 4<sup>th</sup> Sunday after the opening day. Also that the limited entry archery bull elk unit hunt periods be extended by five days to become 28 day hunt periods closing on the 4<sup>th</sup> Friday after the opening day.**

Mr. Howard said he does not want to change the archery dates.

Mr. Hatch said we really need to take a look at the fact that we are hunting animals from the first of August to the end of December. Whether it is perception or reality, a lot of people in the state feel we are after the deer for too long of a period of time.

Mr. Johnson said Mr. Perkins' picture was on the cover of Outdoor Life this month. He was being honored as an outstanding conservationist. That is a great honor.

Chairman Niemeyer pointed out that there is a procedure in the magazine where we can vote for Mr. Perkins relative to this honor.

Mr. Woodard said he had several e-mails on the management bull bonus points, and also on adjusting the dates with the limited entry dates, specifically on the Pahvant. Also, if we go with statewide spike, the management bull permits will probably go away.

Director Karpowitz said that is an important point. He clarified that when we get the tooth data in, if all they have killed is a bunch of two-year-old bulls, our biologists will be recommending far less permits. Also, the Division changed the recommendation on San Juan elk and it will not be any bull. What the Board approved was the change in recommendation that it will be dealt with in another way.

Mr. Johnson has a lot of concern about statewide archery, especially in Southern and Southeast regions. Basically, they have dumped on Southern and Southeastern Utah.

Director Karpowitz said we have put this on the action log and we know exactly where those hunters go. We have been around a couple of times on this. The Board already approved it for this proclamation.

Chairman Niemeyer said there is a lot of concern on this issue. We will look at it when the statewide deer management plan is addressed.

Mr. Oswald brought up the Antelope Island shed antler policy.

Mr. Perkins said that is covered by our code and they are not exempt. Through discussions with them, they could easily live with the current restriction and work around the shed antler closure. Since we are in a trial period and considering going statewide, they can live with a May shed antler hunt. That is from Steve Bates after he talked to his Park Manager.

Mr. Oswald asked if they could close it early.

Mr. Fowlks said they have the ability to close access to their park, as long as they are within the overall time period.

## 12. Caliber Restrictions (Action)

Mike Fowlks, Law Enforcement Chief said this is an action log item from the Board. It is a state-by-state comparison with surrounding western states and their stance on caliber restrictions. (See Powerpoint Presentation) Mr. Fowlks discussed .22 caliber centerfire, .23 caliber centerfire, .24 caliber minimums in the various surrounding states. Idaho has a restriction aimed at larger caliber rifles, .50. Recommendations will be made according to what we found in the comparison.

As they did interviews with other state administrators they came away with the following; Largely, there were no compelling safety issues brought forward with specific calibers and with regards to wounding loss associated with smaller calibers we have not experienced or discovered increased wounding loss due to lighter calibers being used in Utah. Other states expressed the same observations. Significant wounding loss has not been documented as a factor for restricting caliber size.

In conclusion, we believe current regulations do not pose a threat to our wildlife management strategies or pose any public safety issues. We recommend leaving the regulations the same.

### **RAC Recommendations**

All the RACs accepted the Division's recommendations unanimously, except Northeastern who accepted the recommendation 7 to 1.

### **Board Discussion**

Mr. Johnson said he has concerns on both ends of the calibers.

Chairman Niemeyer said none of us talk about wounding. We know there is a lot of it with all kinds of guns and archery equipment. When the Wildlife Board made it illegal to use a .22 caliber, there was so much outcry they rescinded it. Since then the .20 and .17 rifles are getting more popular. They are shooting 25-grain bullets. These are too light to use hunting big game. As time goes on, this could become a problem. The .50 calibers are also getting more popular. We should not let any of this go on.

Mr. Howard said you could go to .24 caliber and nothing higher than .50 perhaps with the 16 lbs. limit. If we do one end, we should do the other.

Mr. Johnson discussed the grain on the bullets used to hunt elk.

Mr. Hatch agrees that those calibers are becoming more popular, but he is not so sure that people are actually hunting big game with them. When we start to limit calibers, we have to think about how we would enforce these proposals.

Chairman Niemeyer said he is concerned about the .20 calibers. The Division might not be aware of the wounding of deer with these small calibers.

Mr. Hatch does not see this as a wide spread problem. Maybe it will get to be a problem.

Mr. Howard said we can change it in the future.

Mr. Johnson said he is more concerned with the long range shooting. He asked Mr. Fowlks if they see many hunters in the field using these extremely small and large calibers.

Mr. Fowlks said they are not seeing the small calibers used. Hunters are using calibers appropriate to the species they are hunting. They are seeing just a few of the .50. They are expensive and heavy to carry.

Director Karpowitz suggested that in the coming season, the Division will send a memo to their officers and ask them to keep track of how many weapons under .20 caliber and how many .50 caliber weapons they see in the field. We will have that information for the Board next year.

The following motion was made by Lee Howard, seconded by Ernie Perkins and passed unanimously.

**MOTION: I move that we accept the Division's recommendations on Caliber Restrictions as presented.**

### **13. Proposed Utah Species of Concern (Action)**

Carmen Bailey, Impact Analysis/GIS Coordinator presented this item. She explained what goes on the Utah Sensitive Species List. It consists of the federal listed species, the endangered and threatened candidates. It also consists of Species of Concern. The process is the executive director of DNR makes a formal recommendation to the Wildlife Board after following consideration of the committee's recommendations. Ms. Bailey referred to the letter from Mike Styler, which is the written formal recommendation. The committee met on November 13<sup>th</sup> and reviewed the status, habitat needs and threats, anticipated costs and savings to landowners and businesses in affected counties. All of this is part of the rationale for why we are proposing these designations.

The proposed species of concern that will be discussed today are the Northern and Southern Leatherside chub, the Great Plains Toad, the Mountain Plover and the Bald Eagle. Ms. Bailey then went into the details and rationale behind these recommendations.

What was formerly known as the Leatherside chub is a species of concern. Our recommendation is to retain it as such, but to split it into two separate species. Recent research has split it into two genetically distinct species. Also, more rationale is that local conservation teams treat them as distinct species. They both occur in desert streams and the threats are habitat degradation caused by erosion, stream channelization and loss of stream vegetation.

The next species is the Great Plains Toad and the recommendation is to add it as a species of concern. The rationale is that a recent study has dismissed formerly known location sites, which now show that it has extremely limited distribution in Utah. This toad has been extricated from the Wasatch Front and the remaining verified occurrences in Grand County have been seen only as recently as 1962.

The next species is the Mountain Plover and the recommendation is to add it to the species of concern list. The rationale is extremely limited distribution, low population numbers and it has a specific breeding habitat. The habitat occurs in Uintah Basin in short grass prairie; specifically they nest in shrub steppe dominated by black sagebrush. Threats are loss of this nesting habitat. Currently its status is that it was proposed to list as threatened under the Endangered Species Act, but it was withdrawn by the Fish and Wildlife Service in 2004. Currently, few to none have been seen from 2002-2007.

The next species of concern is the bald eagle and the recommendation is to retain it on the sensitive species list by adding it as a Utah Species of Concern. The rationale is small nesting populations and they are threatened by disturbance and possible inadequate safeguards. Habitat is that they nest along the shore of the Great Salt Lake, along desert valleys in north central Utah and along major rivers in eastern and southern Utah. Threats are loss of nesting sights and disturbance during nesting season. Currently the status is the Fish and Wildlife Service removed it as threatened under ESA in June of this year. There is a need for post de-listing monitoring on the bald eagle and Utah would like to be part of this.

Director Karpowitz asked Ms. Bailey to explain to the Board why we have a sensitive species list and why it is important to put animals on this list.

Ms. Bailey said we can receive funding to track and study these species. It is hard to get money to do this if it is not on the list. The overall goal is to keep these species from being put on the Endangered Species list.

Director Karpowitz said we have been very successful in Utah with our Sensitive Species program in keeping species from being listed. By making them species of concern we can direct attention and budget towards these species, learn more about them and have the information we need when they get proposed for listing.

Mr. Hatch said in the letter from Director Styler to the Board he stated that the committee has reviewed the status, habitat needs and anticipated costs and savings to landowners, businesses and counties. What were those costs and savings?

Ms. Bailey said that is exactly what Director Karpowitz was explaining. If these species were to become endangered, then the state, federal agencies and landowners will incur many more costs.

Director Karpowitz said once the prairie dog was listed, we have spent millions of dollars on them and it has had an impact on the county. There are some real success stories in our program where because we have gathered more information and we found a lot of them, it has enabled us to keep them from being listed.

Mr. Perkins asked Ms. Bailey to go over the Gunnison sage grouse.

Ms. Bailey said earlier in the process we had it on our proposed list, but about half way through, because it has a range wide conservation agreement, it is automatically placed on the Utah Sensitive Species List. With that comes higher priority.

Mr. Howard asked about bringing some Mountain Plover into the state.

Ms. Bailey said they are gone because they have lost their nesting habitat. As we restore habitat, they might return.

Director Karpowitz said we have used transplants as a tool to spread species around the state.

Mr. Howard asked if the Mountain Plover is migratory. Jim Parrish said there are Mountain Plover in Colorado that we could get for transplant, if we do indeed have an extirpated population. The first thing to do would be to put together a conservation strategy just to determine that. At that point we would see what the needs are. Our birds might just be displaced from that core area.

Chairman Niemeyer said this item did not go through the RACs. He asked if there was any public comment and there was none.

The following motion was made by Ernie Perkins, seconded by Lee Howard and passed with one opposed, Tom Hatch.

**MOTION: I move that we accept the Division's recommendations on the Utah Species of Concern.**

#### **14. Conservation Permit Allocation and Audit (Action)**

Craig McLaughlin, Wildlife section Chief presented this agenda item. He spoke on the annual single year permit allocation recommendations. Greg Sheehan will talk about the audit. Last year we dealt with multi-year permit allocation that were put out for the larger conservation organizations in the state. These permits are normally auctioned and the proceeds are used to benefit wildlife conservation in Utah. This year we received requests for single year permits from three organizations, Ducks Unlimited, Utah Bowman's Association and Utah Federation of Houndsmen. We are recommending four permits go to Ducks Unlimited, a bull elk and three turkey. UBA will receive two buck deer permits. They are in the process of achieving charitable status with the IRS. They will get this within two months. They are asking that the Board grant these permits contingent on final approval from the IRS. The Federation of Houndsmen were unable to show proof that they are a 501C3 organization from the IRS, so we are recommending that the permits not be granted to them.

Jerry Walk – President of the Utah Bowman's Association addressed the board. He said the 501C3 status is presently being applied for. They had to basically restructure their



bylaws and constitution to show they are a non profit organization. The final paper work will come within the month.

Mr. Johnson asked how they will use the money from their conservation tags.

Mr. Walk said last year they had two archery permits and sold them for near record amounts. They did three projects. They did a labor project out in Vernon to remove a bunch of cedar trees. They put the rest of the money into the Salt Creek reseeding project down on Nebo Mountain. We have met our obligation from the monies received last year for the permits.

Mr. Sheehan then presented the audit. He handed out the Conservation Permit Audit- Executive Summary. (See Attachment #3 ) This is the annual DWR internal audit presentation on the 2007 conservation permits. He gave background. In 2004 the rule was changed to allow organizations to retain 60% of the funds to be held for cooperative projects and 10% for administrative fees. At this point the Board felt an internal audit of the conservation organization be done to ensure that: revenues generated were being accounted for, separate bank accounting of the funds was present, project approval forms were being prepared and signed and unexpended funds were accounted for.

Those internal audits were completed and many areas were addressed with both the conservation organizations and within the Division. These audits are not conducted in accordance with generally accepted audit standards. Relative to the 2007 audit process, the conservation organizations were audited again and improvements were made. The 2007 recommendations were based on the information reviewed in the internal audit. We have not seen information to indicate that any of the conservation organizations should be precluded from retaining their 2008 conservation permits allocations.

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

**MOTION: I move that we accept the Division's proposal on the Conservation Permit Allocation and Audit.**

## 15. Other Business

### a) Youth Recruitment

Alan Clark said we have been talking about ideas for youth hunter recruitment. They decided to put a committee (internally) together. We will get this going after the first of the year. The youth hunter recruitment we do is closely tied to the upland game program.

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

**MOTION: I move that we have Ernie Perkins serve as the Wildlife Board representative on the Youth Recruitment Committee.**

b) Update on the increased draw application fee

Greg Sheehan said that on July 1<sup>st</sup> the draws went to \$10 for an application fee, plus the hunting license requirements. We have been waiting to see what this will do to our number of applicants. We have had two of our major draws since then. The cougar draw applicants were reduced by 7%, but raised \$16,000 more dollars. The sportsmen's draw applicants were reduced by 21%, but raised \$98,000 more dollars. We are starting to see some of the results of the changes that were made. We projected about a 15% loss on the big game draw when it rolls around in January. The draw period completes at the end of January.

c) Stipulations on license appeals

Mr. Bushman presented these two stipulation. The first is for Chris Dallin. He was hunting elk during the general season archery hunt in the Skyline drive area. He shot a cow elk and did not tag it. He called a friend to come and help him move the elk. The friend also had a permit for the same area and Mr Dallin convinced him to tag the elk. The friend could not hunt because of an eye injury. Mr. Dallin went out a week later and shot a cow and tagged it. He cooperated in the investigation. The Division suspended him for five years. In speaking with law enforcement, we felt it could be reduced to three years. Because of the date of the suspension he will be out four big game draw seasons.

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

**MOTION: I move that we accept the Division's recommendation on the suspension appeal of Chris Dallin.**

The next stipulation is concerning Daniel Anderson. This is somewhat similar to the other stipulation. The wife had a spike bull permit and the husband had an antlerless permit, both in the same area. Mr. Anderson was driving down Spanish Fork Canyon, spotted some elk, drove home, got his wife and kids who stayed in the car and then he hiked up the mountain quite a distance and shot a cow elk and a spike elk for his wife. Mr. Anderson was very cooperative. The Conservation Officer actually saw Mr. Anderson shoot the spike elk. He pled guilty to a Class A misdemeanor and was given a five year suspension. The Division is recommending changing it to a three year suspension. Mr. Anderson is in the military reserves and he spent a year, after that violation, in Iraq where he had no opportunity to hunt. We felt this should be taken into consideration.

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

**MOTION: I move that we accept the Division's recommendation on the suspension appeal of Daniel Anderson.**

d) Cache Deer Working Group

Justin Dolling presented this information. The committee continues to meet and the progress since last November has included our bitterbrush seeding project where they actually collected bitterbrush seed on the Cache, worked with a local nursery to get about 10,000 seedlings ready to plant this spring. Our Richmond WMA habitat project is underway. We are currently restoring the old hay grass meadow into more productive winter range for big game. The Millville face fire restoration project is also underway and the Division, committee and habitat section are working diligently to reseed that burn.

From a predator control standpoint, our sportsmen representatives felt like the coyote bounty program was a success. This was set up this winter in Cache Valley and will be expanded into Rich County next winter. In addition to that, the Division directed all their regional resources from Wildlife Services into coyote control on the Cache as well. From a human impact standpoint, the committee continues to work with UDOT to create ways to warn motorists about deer crossing areas. The Division worked with UDOT moving portable flashing lights to areas where there is a lot of deer mortality on the roads. The committee is excited to meet and look at the data that will come out on the buck/bull combination hunt.

Chairman Niemeyer asked about the combo hunt.

Mr. Dolling said we got mixed feedback. In general, folks were pretty happy with it. We thought we might get a lot of crowding on the Uintahs, but found that people spread out throughout the region on some of the private land. We will find out for sure when the surveys come in.

Mr. Johnson asked if they are working with UDOT on prioritized areas where the most problem is.

Mr. Dolling said yes. There are a lot of projects like that going on presently.

Mr. Johnson said, as a Board we should get a prioritized list of projects and how we are working with UDOT. This is a real serious problem and it seems like nobody is doing anything about it.

Mr. Fairchild, Regional Supervisor for Central region said for the last two years, with the losses on Highway 6, they have been working with UDOT on a comprehensive plan, to build into their reconstruction project highway big game crossings. UDOT has even hired an outside consultant to help the agencies with this problem. This is a huge effort

and multi-million project when it comes time to put into place these structures. Since it is going to be done incrementally, we have the mitigation plan in place so when they get to a place on Highway 6 where there are issues, they can be addressed. Fencing and crossing structures are key.

Mr. Perkins said one of the action items from the Cache Working group is on the shed antler gathering. At the last RAC meeting, there were no public complaint about a shed antler gather system, but the complaint was that it is not being enforced.

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

**MOTION: I move that the Division give an annual report on the status of roads and activity with UDOT, including a prioritized list and an estimated list of costs relative to wildlife mortality.**

A discussion took place relative to deer mortality on the roads.

Director Karpowitz said the new federal highway bill mandated that fencing projects be a part of highway construction and reconstruction. Their funding is contingent on this planning. That is why you have seen a huge accelerated interest in UDOT in designing highway bypass systems for wildlife.

Director Styler said he met with John Nord, Bruce Bonebrake from the Cedar Division Office and John Bissonette from Utah State University. We took about 45 minute and gave them a presentation on the importance of fencing and bypass areas for wildlife. They were very sympathetic to this cause. They have several graduate students assigned to this project at Utah State. John Nord and his staff were very excited about this work. They have identified the hot spots with motion cameras mounted in the under passes. They showed some pictures of some nice deer using these under passes down in the Beaver area. Much of their funding is being tied to their efforts. We are all concerned about public safety. We want to keep the deer off the highway through the migration routes.

Mr. Hatch said the underpasses that Director Styler is talking about are a direct result of the sportsmen approaching Senator Hickman and he had a supplemental appropriation to help with this.

Director Styler said when the budget went south we lost that money, but this is the area where they are doing the studies. The deer will use these underpasses, especially if they are in a valley. Fencing and escape routes for the deer are being done by the sportsmen's groups.

e) RAC Chairmen attendance at RAC and Board meetings

Chairman Niemeyer said the person who chairs the RAC meeting needs to be the person who attends the corresponding Board meeting.

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

**MOTION: I move that we draft a letter to the RAC Chairman stating that whoever chairs the RAC meeting, needs to present their recommendations at the Wildlife Board meeting.**

f) Wildlife Board Awards for presentation at the annual recognition banquet.

Mr. Perkins suggested that we have two annual awards to be presented at the Annual Recognition Banquet.

The Board agreed.

f) Commission Training – They decided to postpone this training. On April 9<sup>th</sup>, they will have an appeal at 9 am, followed by an informational meeting for the remainder of the day and the awards banquet that evening. The Wildlife Board meeting is on April 10<sup>th</sup>.

g) Range Creek

Mr. Howard asked if the Range Creek issue was going to be discussed.

Chairman Niemeyer said we should put it as an agenda item and invite all the vested parties.

Director Karpowitz said it is really not a Board issue. There was a misunderstanding on the BLM's part. All a guide or outfitter has to do is have the appropriate day use permit for the area and the BLM was going to make that adjustment in their regulations.

Mr. Johnson said he has looked at it and is concerned about the way it is managed. He thinks it is a Board issue with the access, camping and closure times.

Director Karpowitz said they would be glad to share the management plan of the area with the Board again. They have gone through an exhaustive process for management of the area. We are currently having it reappraised and considered trade options of that property. It would be unusual for the Board to get into managing a particular piece of Division land.

Mr. Johnson said we need to be very careful considering the access position of that land.

Rick Larsen, Regional Supervisor from the area, said he feels that Range Creek, as far as any Division land goes, is the most complex piece of property we have. It is a high profile piece and there are so many interests. There is a comprehensive management plan

that is in draft form that we are following in spirit, which was developed through the county, BLM, SITLA and various public entities in that area. This plan is seen as a good compromise between public access, safe guarding the wildlife interest and all the other public interest. Frankly, this is the first time I have ever heard that the access is too tight. Usually he hears it is not tight enough. We own the fee, we do not own the conservation easement. Forestry, Fire and State lands holds the conservation easement and that authorizes them to be the watch guard of all wildlife, benefits, access and cultural artifacts.

Mr. Hatch questioned if Forestry, Fire and State lands have authority over wildlife. Mr. Larsen responded as a Board and Division we still have authority over the wildlife management, but Forestry, Fire and State lands have interest in the well being of wildlife. When the Quality Growth Commission purchased those easements, they stipulated that the landowner cannot be holding those easements. They have to go to another agency. There are a lot of partners involved in this. To open this up is a can of worms we do not need to get into right now.

Mr. Larsen continued to say that this land has special cultural values. It is a hard place to walk into. Access is not easy, but we have heard nothing but good things about it. We are interested in maintaining hunting access, but the conservation easement will not go away.

Mr. Howard asked if we are still allowing cougar and bear hunters in there for hunting access.

Mr. Larsen said yes and they have to walk in.

Ms. Coons reminded the Board members about Board appeals on December 13<sup>th</sup>. There is one scheduled at 11 am and one at 1 pm.

The meeting was then adjourned.