

UTAH WILDLIFE BOARD MEETING

Summary of Motions

August 19, 2010, 9:00 a.m., Dept of Natural Resources
Boardroom, Salt Lake City, Utah

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

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

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

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

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

MOTION: I move that we approve the minutes of the June 10, 2010 Wildlife Board meeting with the noted corrections.

3) Cougar Guidebook and Rule R657-10 (**Action**)

The following motion was made by Tom Hatch, seconded by Jake Albrecht and passed 3 to 2, with Bill Fenimore and Ernie Perkins opposed.

MOTION: I move that we accept the Division's recommendations on the Cougar Guidebook and Rule R657-10, with the exception of the Southern region, increasing permits on Mt. Dutton by 3 and on the Monroe by 4, leaving the Paunsaugunt permit numbers the same as last year. The Division will have the flexibility to remove 4 permits from the eco-region.

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

MOTION: I move that we direct the Division to go to a Monday opener on the split units.

4) R657-24 Compensation for Lion and Bear Damage (5-yr) (**Action**)

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

MOTION: I move that we accept R657-24 Compensation for Lion and Bear Damage (5-yr) as presented by the Division.

5) Managing Predatory Wildlife Species Policy W1AG-04 (**Action**)

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

MOTION: I move that we accept the Division's recommendation on the Managing Predatory Wildlife Species Policy W1AG-04.

6) Furbearer Guidebook and Rule R657-11 (**Action**)

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

MOTION: I move that we accept the Furbearer Guidebook and rule R657-11 as presented by the Division.

7) Otter Management Plan Revision (**Action**)

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

MOTION: I move that we accept the Otter Management Plan Revision as presented by the Division, including Straight Canyon as a release site.

8) Waterfowl Guidebook and Rule R657-09 (**Action**)

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

MOTION: I move that we accept the Waterfowl Guidebook and Rule R657-09 as presented by the Division.

9) CHA Variance Requests – Northern Region (**Action**)

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

MOTION: I move that we approve the CHA variance requests as presented by the Division.

10) Convention Permit Allocation (**Action**)

The following motion was made by Jake Albrecht, seconded by Del Brady and passed unanimously.

MOTION: I move that we accept the Convention Permit Allocation as presented by the Division.

11) Rule R657-42 – Amendment (Action)

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

MOTION: I move that we accept the R657-42 amendment as presented by the Division.

UTAH WILDLIFE BOARD MEETING
August 19, 2010, 9:00 a.m., Dept of Natural Resources
Boardroom, Salt Lake City, Utah

Board Members Present

Rick Woodard – Chair
Ernie Perkins – Vice Chair
Jim Karpowitz – Exec Sec
Jake Albrecht
Bill Fenimore
Del Brady
Tom Hatch
Keele Johnson (excused)

RAC Chairs Present

Terry Sanslow – Southeastern
Bob Christensen – Northeastern
Brad Slater – Northern
Fred Oswald – Central
Doug Messerly – Southern
(sitting in for Mr. Flinders)

Public Present

Thom Clark
Kenneth Duncan
James Gilson
Jason Binder
Chad Coburn
Jason Walker
Ernie Millgate
Byron Bateman
Chet Young
Lloyd Nielsen

Division of Wildlife Resources

Staci Coons
Kevin Bunnell
Mike Fowlks
LuAnn Petrovich
Justin Dolling
Alan Clark
Tom Aldrich
Charlie Greenwood
Kevin Christopherson
Dean Mitchell
Boyde Blackwell
Rick Larsen
Justin Shannon
Craig Clyde
John Fairchild
Jason Nichols
Anita Candelaria
Judi Tutorow
Robin Thomas
Ron Hodson

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

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

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

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

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

On p. 12, 4th paragraph, insert “had.” P. 17, last paragraph, 3rd line, change “toes” to “tows.” P. 21, 1st sentence correct “on to one.”

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

MOTION: I move that we approve the minutes of the June 10, 2010 Wildlife Board meeting with the noted corrections.

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

Ernie Perkins asked if any Board member has anything for the action log. There was none.

4) DWR Update (**Information**)

Director Karpowitz presented this information. On August 5, 2010, Judge Maloy in Missoula, Montana ordered that wolves be put back on the Endangered Species Act, which removes the section of northern Utah and puts it back under the full protection of that act. We have had wolf issues all summer. There was what was thought to be a wolf killed on the Idaho border that had killed some sheep. It turned out to not be a wolf. There was one wolf taken by Wildlife Services in Utah and they were in the process of investigating two other livestock kills, one near Hardware Ranch and one in Chalk Creek. We are following Senate Bill 36 that says whenever we have a confirmed sighting of wolves in Utah, we send a letter to the FWS asking that they be removed. The only time they will remove wolves is if they are repeat offenders, which is not well defined. The USFWS is re-thinking the whole process. There are a number of legal and congressional options being worked through presently. There will be appeals to the Judge’s decision. This is a big problem in the intermountain west and we will continue to be assertive in the area of delisting in Utah. Mr. Bunnell is going to West Virginia to attend the meeting where they are creating the new plan and he will report at the next Board meeting. Idaho and Wyoming have greater flexibility because most of the wolves in their states are managed under the 10-J provision. Idaho has a proposal to kill about 75% of the wolves in the Lolo Unit this winter and it will be done by Department of Fish and Game employees, rather than with hunters. Wyoming’s lawsuit is still in court. The judge could rule at any time. They have sued the FWS asking that wolves be delisted in the majority of their state and their management plan be accepted.

Mr. Fenimore asked about advising hunters so they do not inadvertently take a wolf during the upcoming hunting seasons, perhaps by a media release or something.

Director Karpowitz said there is a posting on our website that makes that very clear. No one, including livestock owners can take wolves in Utah. It has never been allowed in Utah, so nothing has really changed. It is very likely that hunters will encounter wolves this fall.

We had a record July on the sale of fishing licenses. The Waterways Task Force, Legislative Task Force and Executive Task Force have met a few times since the last meeting. The Legislative Task Force will meet in Richfield next week and then once more in the Uintah Basin in the future. They really like our Walk in Access Program. The Executive Task Force, headed by Ted Wilson, has met several times. We have met the last two times with them and have not made a lot of progress to this point. Hopefully they will come up with some recommendations moving in a positive direction.

The WAFWA meeting in Anchorage, Alaska was especially informative and helpful. It was interesting to see the issues they are dealing with and how they might affect Utah. We had our annual Tri-State meeting with Wyoming and Colorado. We got into some of these issues in more detail and exchanged a lot of good information.

We had a meeting with the Six County Association of Governments this past month. They sent us a letter with some concerns they had. We had a positive meeting with them, talking through a lot of those issues. Out of it came a commitment for better communication with those counties.

The Forest Service Aspen Group meets to discuss problems with aspen regeneration in Utah. They have had lots of meetings and they are working toward the final draft of their work. This process has been ongoing throughout the summer.

Our non-lead bullet program is up and running. Letters have been mailed with a coupon for \$25 to purchase non-lead ammo to those who hunt in the core area in southwest Utah. We are hopeful hunters will take advantage of this and make the conversion. He asked if there were any questions.

Mr. Albrecht asked if he got a return letter from Six County after the meeting.

Director Karpowitz said no, he did not expect one. We talked our way through many of the issues and came to an understanding.

Mr. Albrecht asked about the bison count.

Director Karpowitz turned the time over to Justin Shannon.

Justin Shannon said they counted 303 adults and 42 calves which is below what the model predicts, at 350 adults. Even if you apply 90% sight ability to that we are at about 337 adult bison. With the permits at 47, we should be below 305 objective after the hunt.

Chairman Woodard said there may have been changes made after the RAC meetings as a result of the information gathered there.

5) **Cougar Guidebook and Rule R657-10 (Action)**

Kevin Bunnell, Mammals Coordinator presented harvest data, a review of the new Cougar Management Plan objectives and the 2010-2013 recommendations. (See Powerpoint Presentation) He showed a chart reflecting cougar mortality 1989-2010. Harvest has stabilized over the last five years. We have reduced the density of cougars relative to what they were in the mid 90's. The last few years we have reduced tags and despite that the harvest has stayed consistent.

Mr. Bunnell then went over the results of the phone survey. 385 cougar hunters were asked if they thought the cougar population was increasing, decreasing or stable on the units they hunted. 5% said increasing, 58% said decreasing, 21% said stable and 17% were unknown.

He then went over Cougar management by eco-regions, pooling all the data to give an idea of the status of the cougar population on a broader landscape. We are using that information to calculate the number of permits available, which will then be distributed to the various units. He then went over the harvest management criteria and management performance for 2007-2010, showing numbers in all eco-regions.

He then went over the recommendation summary for 2010-2013 permits, season dates and recommended rule changes. This concluded the presentation.

RAC Recommendations

Southeastern – Mr. Sanslow said their motion is not correct in their minutes. The motion was amended to request the Division to revisit the cougar numbers and permits, not just the cougar numbers and deer. The clarification was by Derris Jones “that the amendment is removing the 50% that Todd requested, and changing it to having the Division just take a look at it. We’ll let the Division come up with the number instead of a hard 50%.” (See Southeast RAC Minutes) We received a letter from Mr. Shannon and he gave us some numbers and they are sticking with what the Division recommended.

Southern – Mr. Messerly is sitting in for Mr. Flinders who is managing a forest fire on the Beaver Unit. There was extensive public input on this agenda item. MOTION: To accept the Division’s recommendation with the exception that permits be increased by 7 each on both the Dutton and Monroe Units. In addition, the Paunsaugunt and the Henry Mountain permit numbers remain the same as they were in 2009. That motion passed unanimously.

Central – Mr. Oswald said they had good public input and good RAC discussion. They accepted as presented and it passed unanimously.

Northeastern – Mr. Christensen said their discussion centered on the Three Corners and West Daggett Units. There were hunters there expressing concern on not having enough opportunity to be able to harvest cougar on those units, under harvest objective. In late February into March, there is not enough fresh snow on the ground to pick up tracks. There was a request to move the date back and start harvest objective on January 15. Another suggestion was to take it out of the split season and go back to harvest objective. Those units are under the predator management plan and the idea is to aggressively reduce the cougars there because of the bighorn sheep. MOTION: To accept as presented with the exception to go back to harvest objective, away from the split season, on the Three Corners and West Daggett Units.

Northern – Mr. Slater said the public comment included putting a stop to cougar hunts all together. Other input included houndsmen who are concerned that there are not enough lions to hunt and would like to see all northern Utah be limited entry, concerned that too many kittens are killed. The RAC discussion included a request that more pursuit areas be opened on a year round basis. There was concern that houndsmen did not have a place to train their dogs on a year round basis. The motion was to accept as presented and it passed 8 to 2.

Chairman Woodard turned the time back to Mr. Bunnell to go over any changes made by the Division since the RAC meetings.

Mr. Bunnell said there was some sentiment to increase harvest on the Monroe Unit. The DWR response is rather than increasing the number of tags from 8 to 15 would be to change the strategy on that unit from limited entry to split and keep the permit numbers the same as last year, which would be 10. This should result in 25-30 cougars harvested over the next three years compared with 16 that were harvested over the last 3 years. That will accomplish the sentiment that was expressed in the Southern RAC, but keep the recommendation within the Cougar Management Plan.

On the Mt. Dutton Unit, the regional recommendation already included increased permits from 11 to 13, and we have never harvested more than 11 cougars on the Dutton over the past 15 years, despite having quotas for 5 consecutive years between 15 and 20. An increase on that unit will not accomplish much and we will stay with 13 permits, and a split strategy.

On the Paunsaugunt Unit, in response to keeping it the same, the maximum harvest in the past five years has been 6 cougars, despite quotas as high as 12. The plan called for a reduction across that eco-region on units that were not under a predator management plan. We have doe tags on this unit because it is over objective on deer, so there is no reason to be heavy handed on cougars in this unit.

The Henry Mountains is a similar case with a maximum harvest in the past 5 years has been three cougars despite a quota as high as 8. A reduction from five down to three would not impact harvest on that unit.

Southeastern RAC

Justin Shannon said to clarify the argument at their RAC, there was a group of people that said we were impacting the cougars too much we should go back to a limited entry system. There was a counter argument that we weren't getting into the cougars enough on the Manti, so we should increase permits by 50%. If you look at the numbers in 2008, we were under limited entry and based on 48 permits, 19 cougars were harvested and 11% were adult females. The very next year it went up to 27 cougars harvested with 4% adult females. Last year at this time the switch was made to go from limited entry to a split and in doing that the 48 permits that were there weren't changed at all, increasing harvest substantially. From 2008 to 2009, it is about a 156% increase, and 2008-2010 the increase more than doubles on that Manti Unit.

Mr. Hatch asked if they ever put a factor into the research such as weather condition, especially on harvest with a bad year.

Mr. Bunnell said that is why they are looking at things over a three-year period, instead of annually. Over three years you get variations. In this particular case we thought it was worth breaking out just because it was managed under two different strategies during that three-year period. When managing under limited entry in 2008-2009, we averaged 6% adult females and when we changed to predator management with a split, in that year we doubled harvest and increased percent females up to 31%. Conditions on that Manti were not as tough as they were farther south. In summary, the current recommendation of 6 tags across all 4 units should be more than adequate to reach the 25% adult female harvest that is called for in the cougar plan for units under predator management plans.

Mr. Bunnell went on to address the Northeastern RAC recommendation on the North Slope units (Three Corners and West Daggett) The DWR is not opposed to changing the strategy from split to harvest objective on these two units. Both units are currently under Predator Management Plans (PMP) and the cougar plan allows for either strategy.

Director Karpowitz asked if all these modifications of our recommendations keep us within the Cougar Management Plan.

Mr. Bunnell said yes, except we are increasing the Monroe Unit by two tags, which is within the confidence interval that the plan would call for. There is one exception where our recommendation does not follow the plan and it is on the Pilot Mountains. That unit is not under PMP, but we recommend it to be harvest objective as a result of an agreement we have with Nevada.

Chairman Woodard asked Mr. Christensen how he feels about the changes.

Mr. Christensen said they are in agreement. We did hear the recommendations on the other two units.

Mr. Slater said speaking for the RAC members, they would probably be in agreement. He still thinks there is some public concern in northern about the permits and there not being lions to hunt.

Mr. Oswald said there was not discussion to indicate that the Central RAC would not go along with the changes.

Mr. Sanslow said they are satisfied with the results for Southeast.

Mr. Messerly said he believes the recommendation of the RAC were because of the concern over low deer numbers and also some of the livestock depredation on the Dutton. The livestock operator made a presentation at the RAC meeting and their reaction was a result of that. If harvest of cougars were increased on the Monroe, the RAC would be in agreement with the increase. On the Dutton, there might be some concern. With regard to the Paunsaugunt and the Henry Mountains, he believes that recommendation to keep permit numbers the same was also over concern of losing deer to cougars. The information that was presented today was also presented at their RAC, so he is not sure how they would feel about it.

Chairman Woodard asked if there were any questions.

Mr. Perkins said he has noted a large number of differing comments on deer mortalities both in general and on collared deer in Southern region. Do we have that data available? If not, could the doe and fawn mortality information be sent out?

Mr. Bunnell said he would put one caution on that since we are less than a year through it, so it is very tentative at this point.

Jason Nicholes said they will send Monroe information. On the Pine Valley Unit, it is a little above average, 5 of 30 on adults and 13 of 30 on the fawns. This is what we expected with the winter we had.

Mr. Albrecht asked on the cougars treed per day, how do you get that number?

Mr. Bunnell said it is based on the phone survey. We have been collecting that information over the last 15-20 years, so we are not as concerned with accuracy of the number, but change. We set the numbers in the cougar plan based on the normal range in the past.

Mr. Albrecht asked what kind of restrictions they would put on using snares if you give authorization to a livestock person.

Mr. Bunnell said a specific geographic area, number of snares that could be used, and number of animals to potentially be removed.

Mr. Messerly said this idea came about in 2005 with a problem bear. We worked with a livestock operator to develop this proposal for the bear rule and it was used once. In that circumstance, we limited the area that he could use snares in, the number of snares, the time frame and certain specific reporting requirements to increase communication between Wildlife Services, DWR and the livestock operator. It was successful in removing the bear, since the livestock operator had more time and ability to catch this bear. We do not anticipate a lot of use, but the problem we have on the Dutton with cougar depredating on sheep led us to think this might be a good solution, with focus on the offending animal.

Chad Cover asked if in the PMPs, is there a point where we will re-evaluate units that have been on the plan for a long time because of deer numbers, and perhaps take the plan off those units? The second question is on one of the Manti units, it was over harvested by six lions on the last weekend with the good snowstorms. Is there a solution we are going to try to implement to prevent that from happening?

Mr. Bunnell said on units that are perpetually under PMPs, the new statewide cougar plan says we strive to not have any unit under a PMP for more than six years. In addition to that each PMP individually has a criteria that identifies three ways PMP will end, one is we are back above objective on the prey population that we are concerned about, second, we know we have reduced cougar population sufficiently, and third, a lack of response in prey population.

Mr. Bunnell continued on the second question. Going over on harvest objective on the split units, we did have a unit last year where we went over objective on the Manti. That is the exception, not the rule. We have been managing with the split strategy for several years and in general, we do not go over. Despite that, we did reach 31% adult females in harvest.

Ken Duncan, Northern Utah Big Game Hunt Association, said his concern on cougars treed per day, it was .25 and in the past, it was .36 per day. With 385 people surveyed at .25, you would have to hunt 1,540 days to tree a cougar. That is a large decrease in lions to indicate that amount. On the Monroe, 12-14 years ago, over 40 permits were issued, and most were harvested. In a matter of three years, it was down to a few permits on the Monroe. At the RAC meeting three years ago, we heard there were less than 10 lions on the Monroe, and at the same time the deer herd hit its all time low. Why are we trying to increase lion permits when the stats do not show any deer increase with the taking of cougars?

Mr. Bunnell said on cougars treed per day, the previous plan that ended last year, called for .36 cougars treed per day. When we looked at the data we had never reached that during the life of that plan, so we looked at trying to find a number, given the current

status of the cougar population and where it had been. We found that at .25 and .35 in new plan because we did not want an unrealistic goal.

Director Karpowitz said the .25 -.35 means that a hunter trees a cougar every three to four days.

Mr. Bunnell said on the Monroe, we did hunt it very aggressively intentionally, then we backed off because we wanted to understand what the dynamics were after we hunted a population very aggressively. How long did it take to come back? How did the cougar respond to that? Within three to five years we were back at approximately the density we were before we started the reduction. Moving forward, we picked a level where we want it to be. Now we are trying to see what is the appropriate harvest for a stable population there, rather than have the huge swings. This increase will let us know if we have gone over that and we will evaluate it over the next three years.

Chet Young with the Houndsmen Association asked if they have seen any deer herd increases after aggressively reducing the lions. Would the Division be opposed to starting a split unit date on the 4th Monday, instead of the 3rd Wednesday, so we would not over harvest?

Mr. Bunnell said, on the deer herds, it is difficult to address. In general, we have reduced the number of units under PMP. It is hard to know if the deer numbers have gone up on some units because of less cougar, or better weather conditions.

On the second question, currently we start the harvest objective portion of the split units on a Saturday and the question is, would we be opposed to opening on a Monday? This would make it so our offices would be open and we could communicate better and get things updated more quickly. A two-day difference will not make that much difference. There is some logic in having the opening on a Monday when our offices are open. In general, we would not be opposed to that.

James Gilson said last year the Division recommendation for the Manti was not PMP. The deer herd was below the 65% threshold in the Deer Management Plan. Only through the RAC/Board process did it go to PMP. Why didn't it automatically go under PMP on the Manti?

Mr. Bunnell said because although the population was below objective, the region did not feel cougar predation was what was keeping the population down.

Mr. Gilson said so if the deer plan says it goes into PMP at 65% of objective, is that what really happens?

Mr. Bunnell said the predator management policy says there must be evidence that there is a predator problem. If it is not part of the problem, we are going to address other issues.

Mr. Gilson said he appreciates the additional information that was presented today, but in the cougar plan, it says the data should be from the three years prior. The data used today included 2010. One of the years when it was under PMP, they used 2008 and 2009, should it have been 2007? It went into PMP last year.

Mr. Bunnell said they use the three most previous years. In the future it won't be a problem, with the change in strategy. This being the first recommendation under this new plan we did have some units that changed during the first year period, but in all cases we used up to the most recent data we had to make our recommendation.

Mr. Gilson said when we enter PMP, the plan says use the three years prior to entering.

Mr. Bunnell said it is a different situation this year, because it is the first year of making recommendations under the new plan. In the future, everything will be consistent and we are going to use our most recent data.

Chairman Woodard said the plan does have flexibility to adjust numbers throughout the three-year period, if it becomes necessary.

Mr. Bunnell said yes, we put some safety valves in there and we hope we do not trigger them.

Jason Binder asked if the area managers and biologists over the Manti Unit did not see the lion being a problem with the deer numbers, why was it put on PMP for lions and not just coyotes.

Mr. Bunnell said the Board directed the Division to put it under PMP for cougars last year.

Lloyd Nielson asked why we didn't increase the tags on all the units on PMP, like the Elk Ridge which is 37% of normal and the tag numbers were not raised.

Mr. Bunnell said that is when a unit has not been under a PMP and is then going into a PMP at the time we are making a recommendation. Those units have been under PMP for several years and that is not the situation being referred to.

Jason Walker asked why we couldn't put the Manti units back on limited entry, since information on the doe/fawn ratios shows that it is coyotes.

Mr. Bunnell said because we are following the cougar plan. Limited entry is not an option when it is under PMP, only split or harvest objective is allowed according to the plan.

Public Comment

Lloyd Nielson of Sunrise Outfitting, said he has been hunting lions for over 30 years. Lions have to have deer to survive. The only good thing about the cougar plan is it points out that if there are no deer, the lions will move on. Generally I think the plan stinks. We are at 37% of the Division's deer objective on Elk Ridge, there is nothing there to keep a lion there. Follow the plan and put all the PMP units in a reduction of lions. We must take care of the food base first.

Chet Young said he is with the Houndsmen Association. (See Attachment #1) On cougar mortality, it shows that we are down below the average harvest, have been for five years and not seeing any change in the deer herds. The Board needs to consider this. We have brought the lions down and there is no reason to increase tags. We need to get lions down to the average harvest and stabilize it there.

Byron Bateman, representing SFW and Utah FNAWS said they want to change the two units in the Northeast region, Three Corners and West Daggett to harvest objective. The deer population is low and we also have bighorn sheep in that area. We do agree with the plan that has been presented today. On the split season transition, if we went to a Monday opener, it would help prevent over harvest.

Ernie Millgate, representing himself, said he really likes the new cougar plan. It is meant to create a balance between big game and lion. We do not want to go back to PMP where we annihilate lions. Chalk Creek and the Manti are source areas for cougars. The areas surrounding those units might take a dive in cougar, if we continue to aggressively hunt them on the Manti and Chalk Creek. He also supports what Mr. Bateman said and appreciates him representing SFW.

Ken Duncan of Northern Utah Big Game Hunt Association, said last year they did an extensive survey in their club, because the lion populations are down so low in northern Utah. Last year he treed one lion off one track. Normally he trees 13-20 lions per year. A lot of them are probably the same ones, but there have been no tracks to find. On their club survey, they were averaging around nine days per cat treed in northern Utah. Their club requests all units in northern Utah be limited entry.

Jason Walker with Utah Houndsmen Association said the Division's recommendation for Central Mountains Nebo Unit 16A to be under PMP. According to the 2009 cougar harvest report says the mean age of cougars harvested was 2.7 years old on this unit. This is only slightly above the breeding age of 2.5 years old. Unit 16A already has a low cougar population and the cougar are barely getting above breeding age. In 2009, cougars treed per day was at .21 and .25 is the minimum in the plan. Unit 16A should not go under PMP. Also on Mt. Dutton, they understand the concern for livestock, but there are complaints from the area on setting too many snares. One man lost a good dog in a snare several years back. Where it is so rugged and remote, how is the Division going to enforce the snare restrictions?

Chad Coburn, Utah Hounds Association board member, said we are concerned about the lion population as we continue to see no response with the deer herd. Our members are

out there and know the lion population is in decline. We need to give this plan a chance and hopefully we can make evaluations on the PMP units that are not responding and make those changes. He is concerned on the four Manti units where the Board made the increase in tags, overriding the Division's area managers. Now we just over harvested by six lions and once again, on the local level, there was no reason to put those lions on those units and ended up with 151% female harvest. He encouraged the Board to consider if this is the direction we want to continue to go? As far as the over the counter tags on those harvest objective units, opening day of that harvest unit, there was a lion killed on the wrong side of the road. It was turned in and told there was nothing we could do on that unit, because he was not caught in the field and did not admit to it. Units that have over the counter tags, these lions are being harvested on the limited entry units. There is not a lot of enforcement out there. Inside the PMP, you could use split or harvest objective, rather than limited entry. The whole plan depends on accurate data being gathered. Employees need training to accurately check in the lions. It would be great to change the opening to Monday.

Jason Binder, President of Utah Houndsmen Association, addressed the Board (see Attachment 1), 3rd page – chart. We need to count for the sub-adults on harvest and on a lot of the units there are more females harvested when these are counted. He then went over the recommendations on the first page of the handout. Division needs to come up with something to address the coyote problem. We are losing fawns. They support the Monday opener to help not go over quotas, also trained personnel to check in lions for gender accuracy.

James Gilson said it is not just lions. In the case where the Manti Unit is 50% of objective, the deer cannot recover. Cougars do impact these populations and should be the criteria that when below the 65% objective, it should enter PMP. The deer cannot recover at these numbers with all the demands being placed on the herd. In 2005, when we left PMP, the herd had gotten to 74%. After this we quit the aggressive coyote control and here we are down on objective again. During PMP we are hitting cougars and coyotes hard. We need to address the fawn survival. He referred to a study sent to him by Director Karpowitz last year.

Director Karpowitz said the study was done in the Book Cliffs. 40% annual mortality between birth and one year of age and 60% of the mortality was due to predators. During those years fawn production varied between 70 and 85. Despite heavy mortality from predators, fawn production was high.

Mr. Gilson said when it comes to fawn survival, coyotes and bears are the two major culprits. It requires action to keep as many adult deer alive as possible. The good news is the units are in harvest objective and split strategies, but the West Manti was never under PMP. In the area, 5 of the 6 extra lions taken were males. He is upset that it is hunter verses hunter in our discussions at this point. It would be nice if we could fix the deer herd.

Chairman Woodard said that Kirk Robinson, through an e-mail, said that the Western Wildlife Conservancy agrees with the Division's recommendations.

Board Discussion

Mr. Perkins said he is surprised at all the new ideas that have been brought up today and they should have been brought up at the RAC meetings. We need to use the process in the future, a little more than we have today. With all the new ideas that have been presented, he would like Mr. Bunnell to respond to some of these ideas. The Monday opener sounds pretty good, but he hates to jump at things when people have not had time to think about them.

Mr. Bunnell said on the Monday opener, in terms of logistics and our people, it would be helpful in being more responsive. The downside is are people going to go out if it is a Monday opener. I think the houndsmen will be out, but we need to watch this. Overall this is a good idea.

Mr. Bunnell went on to say that things were mis-represented on the Manti, in terms of the percent of the population objective went down drastically, when it went off PMP in the past. That was not a result of the deer herd, but a change in the way we were modeling it. We do not feel the deer population changed at all, or very little. That's why the percent went from 74% down to 54%. As soon as we went off PMP, things did not go into a tail spin.

Mr. Fenimore asked, on the recording of the harvest on the day of the week the hunt starts, how many people are taking calls?

Mr. Bunnell said people could go directly to a Division Office if they are open. If the offices are closed we ask people to call the local dispatch number and they will contact the local conservation officer, then they set a place to go meet in the field. The conservation officer then phones in to Ms. Candelaria, leaving her a message and then she updates the website. It would cut out some of this process if people could go directly to a Division office.

Mr. Fenimore asked if it would make more sense to change the opener to a Monday, verses changing someone's schedule and have them work starting their week on a Wednesday.

Mr. Bunnell said our law enforcement officers are already doing that.

Mr. Fenimore then asked how difficult it is to determine the sex of a cougar if it is right in front of you.

Mr. Bunnell said the cougar plan did identify the need to better train our people who are checking in cougars. We fully intend to do this. It isn't necessarily difficult, but

sometimes they do not take time to look, but just take the word of the hunter. We need to take the extra step of confirming that.

Mr. Fenimore asked how he feels about including sub-adults in the numbers.

Mr. Bunnell said the premise of the plan is based on how cougars are harvested. The most vulnerable are the adult males, next are the sub-adult males, then sub-adult females. Adult females are next. When we start carving into the adult females, that is indicative of the other age and sex categories are already at low levels and now we are in the breeding portion of that population and will reduce the densities. Having it be adult females verses all females is an important distinction based on the way animals are removed from the landscape under hunting.

Chairman Woodard summarized the RAC recommendations.

Mr. Hatch said as he read the RAC minutes, there was very few public. Everyone of the public spoke to the low deer numbers, from all parts of the state. Many different things have been blamed for this, some we have control over and some we have no control over. In the southern part of the state, we have not seen the loss of habitat as in the northern part of the state. There has been a lot of talk today, particularly by the houndsmen, about the fact that taking cougars has not had any effect on the deer herds. Maybe we haven't hit them hard enough to see an effect on the deer. It is not a coincidence that when we started to manage and be selective on taking cougar, that the deer herd started to fall in this state. He is convinced that cougar are having a larger impact on deer than we might think. The predators will not let the herds come back. He supports the Southern RAC's recommendation to increase permits on the units there.

Mr. Albrecht said on the 2010 archery hunt preview. The Cache, Ogden, Summit, East Canyon are all below objective. He went on to review the various units. On the Fish Lake Plateau and the Monroe he was taken back. He went on to read, "the number of fawns that died this past winter was higher than normal. That will affect the number of yearling bucks during the hunt. The number of fawns we started with was lower than normal before winter even hit." There are lots of things that go into getting our deer herd back and we need to do it. Whether it is cutting back on cougar permits, mortality on the roads, getting the state to go after coyotes, it needs to happen. We have some areas where we have some problems. The state needs to help the livestock people and we should increase the tags to do this if necessary. This is a good cougar plan, but we have some areas that have some problems that need to be addressed.

Director Karpowitz said he does not want to leave this meeting without clarifying the massive effort that is underway to help the deer herd recover. We have by far the most aggressive habitat improvement effort of any of the western states with 60 million dollars invested. There is nothing like it out there and nothing to compare it to. It is just now starting to pay off and over the next years and decade it will pay off in a big way. We have the most aggressive PMP. We send \$500,000 annually to Wildlife Services with a detailed PMP that identifies units where coyotes are a problem to aggressive target and

kill them. They are killing several thousand coyotes annually. We also have one of the most aggressive cougar management plans of anywhere in the United States. There was great support for the new cougar plan last year and we need to stick with it. He is concerned if we now depart from that plan and he would like to see the motion stay within the plan. We are concerned about our deer herds. Deer tight fences are going up all over the state in partnership with UDOT. I am confident that we are doing everything we can. We need to stay within our cougar management plan. Whatever motion is made today, he would like Mr. Bunnell to tell us if it falls within the plan.

Chairman Woodard said we have four RACs in agreement. Southern RAC has several issues.

The following motion was made by Tom Hatch, seconded by Jake Albrecht and passed 3 to 2, with Bill Fenimore and Ernie Perkins opposed.

MOTION: I move that we accept the Division's recommendations on the Cougar Guidebook and Rule R657-10, with the exception of the Southern region, increasing permits on Mt. Dutton by 3 and on the Monroe by 4, leaving the Paunsaugunt permit numbers the same as last year. The Division will have the flexibility to remove 4 permits from the eco-region.

Director Karpowitz said he needs clarification. In our compromise on that, what was the harvest objective portion?

Mr. Bunnell said the compromise they put in place was to change the strategy from limited entry to split, then to keep the tags consistent with last year, which would be an increase of two over our original recommendation, from 8 to 10. That is going to result in almost doubling the harvest over what it has been over the last three years.

Mr. Hatch said he does not know if we are bound to stay within the Cougar Plan on the numbers. If the motion passes, he is not quite comfortable having the Division decide where the reduction is taken. Is that what would happen?

Director Karpowitz said that is what would happen if it is not specified.

Mr. Bunnell said they would have to take tags from units that are not under PMPs. There are two pools of tags, those under PMPs and those not. Those two units currently are not under a PMP, so the nine tags would come from units that have not been reaching their quota if they have been under a split, or if they have been higher on percent adult females. Those would be the criteria, using the plan as a guide. The regional biologists would determine this.

Mr. Hatch said, in the spirit of compromise he would include in the plan giving the Division the flexibility to remove four permits, realizing we are outside the scope of the plan.

Mr. Bunnell said they would remove four tags from other units, but we would still be five over the normal for this.

Director Karpowitz said to be outside the plan, it depends on what the harvest is, not just the permit numbers. We have to monitor it for three years, before we really know if we are outside the plan.

Mr. Bunnell said the plan sets the number of permits and we would be increasing that number. This puts us outside the plan. Whether that violates the thresholds the plan sets would be determined at the end of this three-year recommendation cycle.

Mr. Albrecht said the thing that upsets him, even though they adopted the plan a year ago, if there is no room for adjustments, then why do we send it before the RACs and then back to the Wildlife Board? Just because the Division thinks we can go to 10 on the Monroe to stay within the plan, and we cannot change that as a Board, we have defeated our purpose.

Chairman Woodard said it is at the Board's prerogative to reopen and change a plan. We have just passed the plan and the Division is requesting we stick to that plan.

Mr. Perkins said there are nine non-predator management units in the Southern region, is that right? If we reduce nine tags, that would be one per unit.

Mr. Bunnell said that is not actually the case. There are nine, but three units are the ones that have had tags added to by this motion. That leaves six units left.

Mr. Fenimore said he would like to give the plan time to work, as opposed to having lots of swings in the early stages of the plan. There have been parameters set that have merit, and if the science is reliable. The plan should be given a chance, rather than make changes based on emotion, and social and political issues on the fly.

Mr. Perkins said he would really like to stay with the plan. The plan went through unanimously, through every RAC and the Wildlife Board. It is a good plan with heavy sanctions when thresholds are exceeded. It is easier to add tags than remove them. He is disappointed that we are trying to add tags against the plan in units where we are over population objective in areas where we have doe hunts and management buck hunts. These recommendations seem like an after thought. On the plus side, he has heard more effort to try to compromise and stay within the plan.

Chairman Woodard said we do have a good plan, but there is concern about fawn loss with the hard winter, especially in the southern part of the state.

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

MOTION: I move that we direct the Division to go to a Monday opener on the split units.

6) R657-24 Compensation for Lion and Bear Damage (5-yr) (Action)

Mr. Bunnell presented this five-year review. This is timely because the legislature did some things last session relative to this rule. (See Powerpoint Presentation) He went over the purpose and authority of the rule. Species included are lion, bear, eagle and wolf. He then went over the changes and clarifications. Under the payment of damage claims, payments are only made up to the amount allocated by the legislature, currently \$140,000. Damage claims are only paid to livestock owners who have paid the appropriate head tax in accordance with state law. A chart was shown on the historic summary of livestock losses and compensation paid from 2000 to the present. We can only pay eagle damage after we have paid for damage done by all other species.

Mr. Hatch asked if they can carry the funds over from year to year.

Mr. Clark said no.

Director Karpowitz said we would like to increase damage funds, if we can get the legislature to come through with some general funds.

Mr. Bunnell said we had up to \$200,000 annually for two years, but it was recently cut back to \$140,000.

Mr. Albrecht asked if our compensation funds are consistent with other states.

Mr. Bunnell said no, every state does it a little differently. For example, Wyoming pays a multiplier. For example, on sheep damage, for every confirmed loss they will pay up to three times more knowing that not all are confirmed. Still, it almost becomes a wash, because they pay a higher head tax. We ask the Department of Agriculture to give us a market price and he is quite sure the other states go through a similar process in determining the value of each animal.

Chad Coburn asked if there is a provision in the plan for hounds lost.

Chairman Woodard said it would probably only be possible if there was a head tax on hounds.

Mr. Bunnell said the state legislature defines livestock by those that are required to pay a head tax.

Mr. Perkins said sheep guard dogs and horses do not get reimbursed. The state defines livestock through code.

Mr. Bunnell said everything is possible, but it would take legislative change to accomplish that.

RAC Recommendations

Southern – Mr. Messerly said they accepted as presented 6 to 3. The 3 opposed were the livestock operators with the issue relative to the limit that can be paid on reimbursement.

All the other RACs passed the proposal unanimously.

There was no public comment

Board Discussion

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

MOTION: I move that we accept R657-24 Compensation for Lion and Bear Damage (5-yr) as presented by the Division.

Mr. Albrecht asked about verified kills on the Mt. Dutton and the Monroe. If they call in a verified kill, do they look at areas adjacent?

Jared Zierenberg of USDA Wildlife Services, said as time allows they search out a broader area and they return if there are repeat calls from the sheep herder. In reality, most of the animals that are killed are not found, so there is a higher loss than what is reported.

Mr. Perkins said he hopes that somebody lets Farm Bureau know that if they go forth for some one time money this year for an increase on the depredation funds, it would be broadly supported by those here today.

7) Managing Predatory Wildlife Species Policy W1AG-04 (**Action**)

Mr. Bunnell presented this agenda item. He pointed out that the Division does not usually bring their policies to the Board, but this is one that has traditionally been brought out due to interest. This may help clarify come of the cougar issues that were discussed earlier today. He then went over the purpose of the policy, the policy itself, and procedures. (See Powerpoint Presentation)

There are three options available to the Division to remove predators, one licensed or permitted hunters or trappers will take predators in the season provided. Two, designated individuals, including Wildlife Services agents, will systematically take specified predators, or Division personnel will take predators in a selected geographic area.

Mr. Bunnell then went over Predator Management Plans and the outline used in their preparation. They include a definition of the area and a definition of the problem. Strategies and management actions are included, along with when to stop actions. He then went over the criteria for the consideration of a unit predator management plan. This concluded the presentation.

Director Karpowitz said, for clarification, they send about \$500,000 over to Wildlife Services.

Chairman Woodard asked what happens if the first year is high with a stable population and the next two years show an excessive drop.

Mr. Bunnell said that is why they have the two levels, with a 65% level and if it goes below that it has a consideration of its own. The 75% is based on a three-year average. There is a safety valve in there and if we have devastating effects that happen one time, that is where the 65% level comes in and we can respond, based on one year and not three years of information.

Mr. Perkins said on coyote control, our wildlife contribution is probably up over what it was a decade ago, but conversely, the Department of Agriculture contribution to coyote control has significantly reduced over what it was in the past, corresponding to the decrease of sheep. Is that correct?

Mr. Bunnell said the biggest contribution would be in the change of tools that are available to them, that happened in the late 70's and early 80's with 1080 not being available any more. The number of Wildlife Services personnel has not changed much over the last few years.

Mr. Zierenberg of Wildlife Services said their personnel numbers have decreased as far as Wildlife Service agents. The emphasis has changed and they have been focusing on fawning grounds, which is where the wildlife money is important to their agency. They are not using that money for the livestock. It does benefit them indirectly, but when the biologists direct us where they want us to go in each region, that is where we go. The more input we get from the Division, the better the dollars are spent. A lot of those dollars go towards helicopters and not toward their employees' salaries. We still receive support from the Utah Department of Agriculture and Food. We appreciate the Division's support.

Mr. Hatch asked if money goes to pay salaries.

Mr. Zierenberg said he cannot answer that, he is not exactly sure.

Mr. Hatch asked if they actually report back as to the biologists on the number coyotes that are killed on a fawning area.

Mr. Zierenberg said they do.

Mr. Hatch asked if they have information on the cost per coyote removed.

Mr. Zierenberg said you have to take the overall number of dollars spent and the number of coyotes removed, but you have to look at what the population would do without that control as well?

Mr. Bunnell said, for clarification, with the agreement we have with Wildlife Services, none of the money we send goes to salaries, it all goes directly on the ground.

Mr. Albrecht asked for an explanation on the 75% on a unit.

Mr. Bunnell said if a unit is at 75% or below for three consecutive years, and the trend is either stable or continuing to go down, that is a criteria that would consider a PMP. The second one is if it ever drops below 65%. The 65% catches the one year red flags that might occur.

Tom Clark asked what the predatory policy is on the eagle population verses the antelope. Are the young monitored, or just the adults at 65%?

Mr. Bunnell said they do not direct PMPs toward eagles, largely because we do not have management authority over them. As a migratory bird, they are managed by the federal government. There is actually federal legislation that protects bald and golden eagles. We do direct predator management efforts towards ravens and crows in some situations, to protect sage grouse populations.

RAC Recommendations

Northern – Mr. Slater said they have a motion to accept, with the exception to remove “should” and replace it with “must.” It passed 9 to 1.

The remaining RACs passed the proposal unanimously.

There was no public comment.

Board Discussion

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

MOTION: I move that we accept the Division’s recommendation on the Managing Predatory Wildlife Species Policy W1AG-04.

Mr. Perkins said they noted the Northern RAC’s proposal to change the wording, but chose to stay with the Division’s recommendation.

8) Furbearer Guidebook and Rule R657-11 (**Action**)

Justin Dolling, Game Mammals Coordinator, presented this agenda item. (See Powerpoint Presentation) He went over the bobcat management plan, and showed a graph illustrating bobcat trapping harvest from 1982 to the present. He then went over the population objective performance targets and the management system. The 2010-2011 recommendation is to reduce the permits by 1, reduce the season length by 1 week and cap the number of permits at 4,600 which is 80% of the number of the permits sold last year. They will return to baseline when performance target return to normal ranges.

Mr. Dolling then went over furbearer rule change proposals, including the requirement of a furbearer license before temporary bobcat permits can be purchased. The name and address of the trapper who has another individual transport bobcat and marten in addition to current requirements will be provided. Applications for muskrat trapping on WMAs will be accepted on-line only in 2010. Furbearer Rule will undergo a complete review in 2013. Other furbearer recommendations include removing 7 and adding 3 new sites to the beaver trapping closure list. This concluded the presentation.

Tom Clark asked if there is an established beaver population at Indian Peaks, which was formerly closed.

Jason Nicholes said the Indian Peaks WMA was originally an area that we had determined to take some problem beavers that were trapped from nuisance areas, and it never did take. We probably will not try to do that again, so there is no need to protect the area.

RAC Recommendations

Southern – Mr. Messerly said they passed the proposal unanimously.

Southeastern – Mr. Sanslow said they voted unanimously to accept as presented.

Central – Mr. Fairchild (sitting in for Mr. Oswald) said they voted unanimously to accept as presented.

Northeastern – Mr. Christensen said they had a few comments and one was concerned with the methods of the data collection. Mr. Dolling responded to those comments. The motion passed 5 to 1, with the opposed disagreeing with the reduction in tags and the season.

Northern – Mr. Slater said there was some comment and questions from the public. Mr. Kirk Robinson expressed desire to preserve as many beavers as possible. They also discussed retaining an area in the North Slope in the closure list. The recommendation passed unanimously.

There was no public comment

Board Discussion

Chairman Woodard summarized RAC recommendations.

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

MOTION: I move that we accept the Furbearer Guidebook and rule R657-11 as presented by the Division.

6) Otter Management Plan Revision (**Action**)

Mr. Dolling presented this revision. (See Powerpoint Presentation) He went over the history of the river otter and its legal status. In 2005 the five-year otter management plan was put in place. He then went over past management actions including reintroduction efforts and known otter distribution. He then discussed the diet of the otter. They tend to focus in on the slower fish. In the first reintroduction effort, the Green River system, there was an otter diet study that was conducted. In Flaming Gorge Reservoir, 33% of the food resources consisted of suckers, 18% crayfish, 17% carp then followed by sunfish, catfish and a minor amount of trout. In the upper stretch of the Green River that is primarily dominated by trout, even in that system, 43% of their diet was made up of carp. As you move down lower in the Green River system, again carp was the preferred food, followed by catfish, trout and sucker.

Mr. Dolling then went over the management plan objectives and strategies. There are not a lot of changes in the plan. Essentially, the old plan functioned quite well with a few minor changes made in this revision. He went over the objectives and strategies put in place to support them. There was a recommendation to approve otters as a watchable wildlife species from the Northern RAC. This concluded the presentation.

Mr. Fenimore said we recently lost another otter in a city water system when they were trying to remove a beaver, can we provide information to those entities along river systems where there are otters about that, and so they can try to avoid that type of scenario.

Mr. Dolling said they met with the individual that trapped that otter and suggested that they use a modified coniber trap, or a leg hold trap, or look at a nonlethal method of trying to control beaver. That is a good suggestion and he will talk to the regional people to get the word spread.

Mr. Albrecht said on the Straight Canyon release, do they have some type of verification from the irrigation company that we are ok?

Mr. Dolling said our agency entered into an MOU with the irrigation company and it appears the differences have been resolved.

RAC Recommendations

Northern – Mr. Slater said praise on the reintroduction effort was given by the public, and they had a recommendation for otters be approved as watchable wildlife. They accepted as presented with those modifications. It passed unanimously.

Southeastern – Mr. Sanslow said the Emery County water users had some concerns. Rick Larsen and Tony Wright met with them and made an agreement. Their concern that in the future, stream flows might get restricted with otters in there. They were assured that would never happen. The county commissioner and those on the RAC are in favor of the recommendation. They voted unanimously to approve.

Central, Southern and Northeastern passed the recommendation unanimously.

There was no public comment.

Mr. Hatch said one objective was to have at least one breeding pair in place within five years. How are we doing on the Escalante?

Mr. Dolling said there have been sightings down by Lake Powell and also up high. There are no sightings on the main stream and it is very hard to get to that area.

Board Discussion

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

MOTION: I move that we accept the Otter Management Plan Revision as presented by the Division, including Straight Canyon as a release site.

7) Waterfowl Guidebook and Rule R657-09 (Action)

Tom Aldrich, Wildlife Coordinator presented this agenda item. He started out with saying waterfowl are migratory birds and ultimately controlled by the federal government. This limits us somewhat. The federal government has not gotten through their public input process, and although it hasn't happened yet, it is theoretically possible that they will make some changes that effect what we can do. We would have to adjust accordingly if this happened. He then went over the 2010-11 recommendations and status information. (See Powerpoint Presentation) He went over the goose/swan status, May ponds, duck breeding populations, the 2010 regulation decision which is liberal, and regulation packages in the Pacific Flyway. A graph was shown on scaup populations on state WMA's. The 2010 season frameworks were presented on each species. Shooting hours will be ½ hour before sunrise-sunset, with a 7:30 am opener SL, Davis, Weber, Box Elder, and Cache counties. 2010 contingency regulations were also covered and this concluded the presentation.

Director Karpowitz said he had the opportunity to fly over the prairie potholes and the Director from North Dakota was with him. Everyone was very happy with the waterfowl forecast for this fall.

RAC Recommendations

Southern – Mr. Messerly said there were some concerns about the White Goose Festival hunt in Delta, primarily trespass issues and conflict between hunters and landowners. The RAC approved the recommendation as presented with the caveat that the Division try to work out a plan with the Delta community.

Southeastern – Mr. Sanslow said there were some comments on the White Goose Festival, but everything worked out. They passed the recommendation unanimously.

Central – Mr. Fairchild said they passed the proposal unanimously.

Northeastern – Mr. Christensen said they passed the proposal unanimously.

North – Mr. Slater said there were a few RAC questions on brood counts and they passed the proposal unanimously.

Board Discussion

Mr. Perkins asked if the Southern region is going to take care of working with the community of Delta.

Mr. Messerly said yes. It is an enforcement issue to this problem. They are basic trespass issues on cultivated lands that need to be made clear. They have tried to enforce it with a saturation of patrols with law enforcement and we have been successful in doing that. We work closely with the Delta Chamber of Commerce with the Snow Goose Festival and we will take whatever suggestions they have in addition. We just need to continue to address the problems and it will work out. The area is inundated with hunters the first few days of the hunt.

Mr. Aldrich said they have added a message, in bright blue, in the proclamation relative to the White Goose hunt in Delta, specifically addressing the need for following trespass issues and respect for landowners.

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

MOTION: I move that we accept the Waterfowl Guidebook and Rule R657-09 as presented by the Division.

Mr. Brady said an individual out in Jensen talked to him yesterday about thousands of sandhill cranes at his place all the time. He even said he saw some trumpeter swans. When do we talk about sandhill cranes? What does a trumpeter swan look like?

Mr. Aldrich said that is the proclamation that just preceded this one, the Upland Game Proclamation which deals with all the early season migratory birds. The trumpeter swan is a great big white swan that looks much like a tundra swan, far fewer numbers and they nest in the tri-state area of Wyoming, Montana and Idaho. There is a bigger population of them in Canada. The tundra swans come from Canada.

Chairman Woodard said there is a problem with pelicans at Strawberry Reservoir, especially during spawning.

Director Karpowitz said the pelican issue is on the agenda for the next Board meeting.

8) CHA Variance Requests – Northern Region (**Action**)

Randy Wood said they have four CHA requests. All the operators have been contacted and are in agreement with the restrictions that we are recommending. Three of the CHAs are asking to be able to operate less than ¼ of a mile from a WMA. The Real Trout Outfitters will be adjoining Ogden Bay WMA. We are recommending approval of this variance with restrictions of rooster only pheasant hunting, a well defined 150 yard buffer zone between the CHA and WMA posted at least every 50 yards and compliance with waterfowl shooting hours during that season. Diamond Ranch Pheasant Hunts CHA is asking for a variance next to Howard's Slough. We are recommending approving this variance with no restrictions. The adjacent land across the border on the WMA has no wild birds. The Box Elder County CHA is asking for a variance of less than ¼ from Salt Creek WMA. We are recommending approval of that with the restrictions that they comply with the waterfowl shooting hours, all released pheasants are banded and banded and unbanded birds are documented as to location of harvest, number of harvest and date of harvest and reported to the DWR. The final CHA variance is Let the Good Times Fly and they requested chukar and Hungarian partridge. We are recommending denial of the wild Hungarian partridge population, because of the season length of the CHAs and the wild population in the area.

RAC Recommendations

Northern – Mr. Slater said there were a few questions clarifying species and season lengths from the RAC members and it passed unanimously.

Board Discussion

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

MOTION: I move that we approve the CHA variance requests as presented by the Division.

9) Convention Permit Allocation (**Action**)

Alan Clark, Assistant Director, presented the permit allocation. This is the fifth year of this rule. (See 2011 Draft Convention Permits by Species and Residency Handout in Board packet). They are recommending the list of permits that will be issued by drawing at the Wildlife Convention that will be held in 2011. The permits are the same as last year with three exceptions. The exceptions are because we are cutting back on bison hunting. We only have one cow bison hunt, so one permit was dropped and it was replaced with a limited entry elk permit for the Southwest Desert late hunt. Second change was on a pronghorn hunt where we dropped the permit and replaced it with a permit from a new hunt from last year, which is a Plateau Muzzleloader hunt. The third change was on a South Slope High Uintahs east goat permit and replaced it with a west, because our number of permits are going up significantly on the west unit and not on the east. There are 200 permits that have been allocated.

Mr. Perkins said the rule allows up to 200 permits, is that correct?

Mr. Clark said yes. The Board has chosen on the first four years to do the full 200.

Mr. Hatch said he is concerned about our total conservation permits. Our numbers are much higher than any of the surrounding states.

Mr. Perkins said as we see limited entry permits decreasing in the future, that everybody else should take their fair share of the hurt, along with public hunters.

Mr. Brady said he agrees with Mr. Hatch, but he also sees the good they have done in the state. We are way above other states in the number of these permits, but we are way above other states in other good ways.

The following motion was made by Jake Albrecht, seconded by Del Brady and passed unanimously.

MOTION: I move that we accept the Convention Permit Allocation as presented by the Division.

13) Variance Request – Jared Zierenberg (**Action**)

Mr. Zierenberg asked that the Board separate his professional occupation from his request today. He said he purchased an archery tag over the counter and the next day he was told it would not be a valid permit, the Division was not authorized to sell that permit. He went on to explain his situation and request. (See Attachment #2)

Mr. Hatch asked the tag is invalid.

Ms. Tutorow said with Jared's tag, he purchased it over the internet along with 45 others. When we noticed the problem the next day, we voided all the tags and refunded the funds, this made it invalid. What happened is Jared had some problems, so he came down to the office to see if he got an elk tag and since that didn't go through he bought the over the counter archery elk tag here. While he was here, he asked one of our personnel to duplicate his deer tag. The person he asked knew we did not have any for sale, so they thought they were duplicating one he had drawn on. They thought they were duplicating a valid tag, but they duplicated an invalid tag. The duplicate he has in his possession is invalid and has not been paid for.

We caught the other tags right away and refunded the money. The ten that were sold from license agents did end up with a tag in their hand. We have all those back except two. That is one of the reasons a certified letter went out to those who had not returned them, when they said they would.

Mr. Zierenberg said the reason he went into the office on his archery elk tag was because it wouldn't print. He went on to explain how he ended up with a copy of the deer tag.

Mr. Clark said Mr. Bushman did review this situation and give us some advice. The core issue is the tag should never have been made available, so it was a Division error. 55 were issued in eight minutes. The difficulty we would have in granting a tag that fixes that, is we had 1,682 people who applied for archery tags in the drawing and didn't get one. So if you give one to Jared, should you give one to everybody else who did not draw out, not to mention the other 54 who we have gotten them back from. This creates a problem for the Board. This does not fit any of the criteria for issuing an extra tag for correcting an error or anything else. The Error Committee did meet and determined they had no authority, that is why they are here.

Mr. Zierenberg said he recognizes that it would set a new precedent. Issuing a modified tag, just archery for the Northern unit could be done. In this you are allocating a unit of deer to be hunted. The Division said there is a muzzleloader or a rifle tag they could offer. I would prefer an archery tag for Northern region.

Director Karpowitz said he has even more concern with the Board creating a new single category permit for an individual. That is even a more dangerous precedence.

Mr. Zierenberg said you do that when you do landowner permits and attach special regulations to that. If a muzzleloader or rifle tag is available, why does it matter the weapon used?

Chairman Woodard said if they did create something special, it would throw our whole allocation process off and there would be an equity issue with the other 1,600 people. He would ask the Division, is there another tag that is available over the counter?

Mr. Clark said we could provide a Northern region muzzleloader or an any weapon tag to him, then the error rule can kick in if a tag was available at that time. There is still the opportunity that Jared could pay the fee and get a Northern region muzzleloader or any weapon. Those two are available. Actually, we do not even need the Board's approval to do that.

Mr. Zierenberg said if he has the opportunity to kill a deer in northern Utah with a muzzleloader, you are allocating one deer to kill. If he killed it with archery equipment, which is his preference, is there really a difference?

Chairman Woodard said he can get an any weapon tag and go after it with archery during the any weapon hunt.

Mr. Zierenberg said he would have to wear orange and it would be a lot more difficult.

Mr. Perkins said there was an error made with the 55 people and of those we have one who is asking for an archery tag. If he went to the store and paid for something and he was given the product, it is his.

The following motion was made by Ernie Perkins, and died for the lack of a second.

MOTION: I move that we grant the variance request of Mr. Zierenberg for the statewide archery tag.

Mr. Hatch said of the 55, only one has asked for a variance and if they set this precedence, they might all come back and ask. We would almost have to treat them all the same way, if we grant this request.

Director Karpowitz said they would feel obliged to contact the others and offer them a tag. The problem is the Division sold a tag that was not authorized by the Wildlife Board to offer, so we had to retract it. This is also not fair to those who put into the draw and did not draw out. They will certainly come and make a case. That is the predicament we are in. Occasionally the electronic system lets us down on this. Unfortunately, the system was switched on, when it should have been switched off, and we caught it within eight minutes.

Mr. Hatch withdrew his second.

Chairman Woodard said the motion died for the lack of a second.

Director Karpowitz said we denied Mr. Zierenberg the opportunity to buy a muzzleloader or any weapon permit and the Division can provide the opportunity to get one now. He said there is always a chance for a mistake when you rely on a machine. By and large our online system serves the public much better than we could do without it. On balance, our online system is the envy of all sportsmen in the west.

14) Rule R657-42 – Amendment (**Action**)

Judi Tutorow, Licensing Coordinator presented this amendment. (See Attachment #3) We are getting surrendered permits in right now and reallocating them. In the process, we realized that in the rule we attached a 30-day waiting period on a person that has a general season permit. We cannot have that and be able to refund people who turn the permits back in to get a limited entry. The change will take that waiting period out of the rule. It will also allow us to give them their refund back. These two changes will get us back where we need to be on this rule.

There was no public comment.

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

MOTION: I move that we accept the R657-42 amendment as presented by the Division.

15) Other Business (**Contingent**)WAFWA Update

Mr. Perkins said it was a very fine meeting with a lot of information passed. They picked up some interesting differences and passed them along to the Division. He sent an executive summary to all the Board members. He also gave the three Board members who did not go to Alaska a copy of Recession and Commissioner Committee State reports.

Mr. Fenimore said it was very educational and informative. He enjoyed Aaron Clark's presentation on windmills and some of the issues dealing with them. He advised everyone to tread carefully as they look and plan for transmission lines. Utah will be a pass through state. There is potential risk of tall structures and other risk to sage grouse. It is quite alarming. He was up on Deseret last week and from there you can see the windmill turbines just outside of Evanston. It is quite amazing how large they are.

Chairman Woodard said he agrees and he sat in on that presentation also. The wind farms are not all they are cracked up to be as far as being eco friendly. Also, in surrounding states, wolves are a major concern. With the fishing industry in Alaska, both commercial and public, that they had not taken a stronger stand on invasive species. We had a very good presentation on holding public meetings, and the things that are open to us in the future.

b) Tri State Meeting

Mr. Brady distributed handouts to the Board members. Wind farms were discussed. They also said to watch out for grizzly bears, because they are coming. The closest one is 40 miles away. He really enjoyed the meeting. There was lots of relevant information shared. Wyoming has significant problems with wolves and grizzly bears.

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Director Karpowitz said they are talking about having a five state meeting next year including Montana and Idaho.

The meeting was then adjourned.