



GARY R. HERBERT
Governor

GREGORY S. BELL
Lieutenant Governor

State of Utah

DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER
Executive Director

Division of Wildlife Resources

JAMES F. KARPOWITZ
Division Director

August 30, 2012

TO: Regional Wildlife Advisory Councils

FROM: Drew Cushing, Sportfish Coordinator

SUBJECT: 2013 Proposed Fishing Recommendations

In order to be timely in the response to the biological needs of Utah's fisheries as well as maintaining high angler satisfaction and providing the best fishing opportunities for the Utah Division of Wildlife Resources (UDWR) angling constituents, the UDWR updates the rules associated with fishing annually. The following updates are recommended for 2013.

Statewide

Amend Rule R657-13-11

Legalize bow fishing for common carp at night statewide

Amend Utah Code 23-20-8

Allow the disposal of common carp

Allow the disposal of other species of fish that have been designated "Catch and Kill" in specific waters as approved by the Wildlife Board.

Amend Rule R657-13-13

Currently gizzard shad are on the prohibited fish list and they are currently allowed as dead bait at Lake Powell. So we would like to add the statement "except at Lake Powell" in the prohibited fish section (gizzard shad) where dead shad may be used as bait.

Amend Rule R657-13-6

Allowance of three hooks per line statewide

Regional Specific Water Regulation Recommendations

Northern Region

Blacksmith Fork River, Cache County

From the first highway Bridge (at the mouth of the canyon) of state road 101 (Blacksmith Fork Canyon Road) to the head waters.

- Only one fish may be over 15 inches.
- Bonus limit of 4 brown trout (total limit of no more than 8 trout if at least 4 are brown trout)



Weber River, Weber and Summit Counties
From The Great Salt Lake to Echo Dam

- All cutthroat trout must be immediately released.

Holmes Creek Reservoir, Davis County

- Six largemouth bass only 1 largemouth bass may be over 12 inches.

Willard Bay Inlet Channel

- Remove closure
- Limits the same as Willard Bay

Central Region

Deer Valley Lakes, Wasatch County

- Two fish limit

Utah Lake, Utah County

- Tributaries are closed to bow angling from legal sunset on May 1 to legal sunrise the second Saturday in July

Blue Lake

- Legalize underwater spearfishing for tilapia only

Northeastern Region

Green River, Carbon, Daggett, Emery, Grand, San Juan, Uintah and Wayne counties

- No limit on northern pike. Anglers must not release any northern pike they catch. All northern pike must be immediately killed.
- No limit on walleye. Anglers must not release any walleye they catch. All walleye must be immediately killed.
- No limit on channel catfish

Vernal Game Farm Pond (Uintah County)

- Limit 2 fish regardless of species (Community Fishery)

Southern Region

Boulder Mountain lakes and reservoirs, Garfield and Wayne counties

Includes all lakes and reservoirs found within the boundary beginning at the junction of SR-24 and SR-62; then south on SR-62 to SR-22, then south on SR-22 to the Antimony-Widtsoe Road; then south on this road to SR-12; then east and north on SR-12 to SR-24; and then west on SR-24 to the beginning point at the junction of SR-24 and SR-62; EXCEPT Otter Creek Reservoir, Pine Lake and Wide Hollow Reservoir (where statewide rules apply) and Dougherty Basin Lake (where separate specific rules apply).

- Limit 4 trout.

- Only 2 trout over 14 inches.
- Bonus limit of 4 brook trout (total limit of no more than 8 trout if at least 4 are brook trout) at the following waters: Donkey Reservoir, Oak Creek Reservoir, and Moosman Lake.
- CLOSED Jan. 1 through 6 a.m. on the third Saturday of April and Nov. 1 through Dec. 31. This closure excludes the following waters, which are OPEN year round: Blind Lake, Coleman Reservoir, **Cooks, Miller**, Oak Creek Reservoir, Upper and Lower Barker reservoirs, Donkey Reservoir, Posey Lake and the Garkane main impoundment.

East Fork Boulder Creek, Garfield County

From the confluence with West Fork Boulder Creek upstream to the headwaters.

- Limit 4 trout.
- Bonus limit of 4 brook trout (total limit of no more than 8 trout if at least 4 are brook trout).

Fish Lake, Sevier County

- Limit 4 trout
- Only one trout may be over 28 inches, regardless of species

Salina City Pond (Sevier County)

- Limit 2 fish regardless of species (Community Fishery)



CENTERVILLE CITY

250 North Main • Centerville, Utah 84014-1824 • (801) 295-3477 • Fax: (801) 292-8034

Incorporated in 1915

July 20, 2012

Mayor

Ronald G. Russell

City Council

Justin Y. Allen

Ken S. Averett

John T. Higginson

Sherri L. Lindstrom

Lawrence Wright

City Manager

Steve H. Thacker

Utah Wildlife Board
Utah Division of Wildlife Resources - Northern Region
515 East 5300 South
Ogden, UT 84405

Utah Wildlife Board
Utah Division of Wildlife Resources
Box 146301
Salt Lake City, UT 84114-6301

Re: *Request for Wildlife Board Confirmation of Ordinance on Hunting Closures
within Centerville, Utah*

Dear Wildlife Board:

Centerville City hereby requests the Wildlife Board's approval of a proposed Centerville City Ordinance to close a portion of the City to hunting for reasons of safety. The Centerville City Council desires to adopt the attached Ordinance proposing to ban hunting within Centerville City limits in the specified area of the City located between Sheep Road and Fire Break Road as such area is more particularly identified in the attached map.

Pursuant to Utah Administrative Code R657-34-3, the Centerville City Council held a public hearing on February 7, 2012, for the purpose of disclosing a proposed ordinance to ban hunting within City limits and obtaining public comment regarding the same. A summary of the public hearing, including the number of persons in attendance and the public comment received by the City, is attached. The City Council further discussed the proposed Ordinance in a work session held on June 19, 2012, and in a business meeting held on July 17, 2012. In response to public comment and input from the Division of Wildlife Resources, the City Council has revised the proposed Ordinance to restrict hunting to the specified area between Sheep Road and Fire Break Road (rather than an entire ban of hunting within City limits as originally proposed).

The safety reasons for the proposed hunting closure are based on recent residential and commercial development within the City, the construction of the Legacy Highway on the west side of the City, and the extension and expansion of trails and recreational access near the Legacy Highway and in the foothills. Based upon such conditions and the proximity of buildings and structures within the central corridor of the City, hunting within such areas constitutes a legitimate public safety concern.

RECEIVED

AUG 16 2012

WILDLIFE DIRECTOR'S
OFFICE

Based on the foregoing, Centerville City hereby requests the Utah Wildlife Board to confirm the requested hunting closure within portions of Centerville City as more particularly set forth in the attached Ordinance.

Sincerely,



Steve Thacker
Centerville City Manager

cc: Neal Worsley, Police Chief
Lisa G. Romney, City Attorney

Attachments

- A. Copy of Proposed Ordinance
- B. Plat Map Showing City Boundaries and Areas of Closure
- C. Summary of Public Hearing

ORDINANCE NO. 2012-04

**AN ORDINANCE ENACTING SECTION 13-03-090 OF THE
CENTERVILLE MUNICIPAL CODE PROHIBITING HUNTING WITHIN
THE CITY LIMITS**

WHEREAS, the City Council of Centerville City has previously adopted Title 13 of the Centerville Municipal Code known and referred to as the Centerville City Criminal Code; and

WHEREAS, the City Council desires to amend Title 13 by enacting Section 13-03-090 prohibiting hunting in designated areas within the City limits; and

WHEREAS, in accordance with procedures and regulations of Wildlife Resources, including provisions of Section R657-34-3 of the Utah Administrative Procedures, the City Council held a public hearing regarding the proposed enactment of Section 13-03-090 prohibiting hunting in designated areas within the City limits; and

WHEREAS, in accordance with procedures and regulations of Wildlife Resources, including provisions of Section R657-34-4 of the Utah Administrative Procedures, the City submitted the proposed ordinance prohibiting hunting in designated areas within the City limits and additional required supplemental information to the Wildlife Board; and

WHEREAS, the Wildlife Board confirmed the City's request for prohibiting hunting in designated areas within the City limits and has notified the City in writing of such confirmation; and

WHEREAS, based on the existing residential and commercial build-out of the City, the limited undeveloped open space and recreational areas on the east and west sides of the City, and the extensive trails and public use of such limited undeveloped open space and recreational areas within the City, the City Council finds that the proposed adoption of Section 13-03-090 prohibiting hunting in designated areas within the City limits is in the best interest of the public health, safety and welfare and is necessary to protect life and property within the City.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF
CENTERVILLE CITY, STATE OF UTAH, AS FOLLOWS:**

Section 1. Enactment. Section 13-03-090 of the Centerville Municipal Code prohibiting hunting within the City limits is hereby enacted to read in its entirety as follows:

13-03-090. Hunting Prohibited.

Hunting is prohibited within the City limits of Centerville City in those areas of the City located between Sheep Road and the Fire Break Road. For purposes of this Section, "hunting" means to hunt or pursue wildlife, in accordance with and as defined in the Utah Wildlife Resources Code as set forth in *Utah Code Ann.* § 23-13-2, as amended. Nothing under this Section shall be construed so as to prevent the Division of Wildlife

Resources from controlling, maintaining or otherwise managing wildlife within the City, or to prevent any authorized person from trapping, controlling, or maintaining wildlife or nuisance animals by or under the direction or control of the Davis County Animal Services. A violation of this Section is a class B misdemeanor.

Section 2. Severability. If any section, part or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance, and all sections, parts and provisions of this Ordinance shall be severable.

Section 3. Effective Date. This Ordinance shall become effective immediately upon publication or posting, or thirty (30) days after passage, which occurs first.

PASSED AND ADOPTED BY THE CITY OUNCIL OF CENTERVILLE CITY, STATE OF UTAH, THIS ____ DAY OF _____, 2012.

CENTERVILLE CITY

By: _____
Mayor Ronald G. Russell

ATTEST:

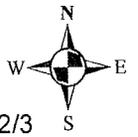
Marsha Morrow, City Recorder

Voting by the City Council:

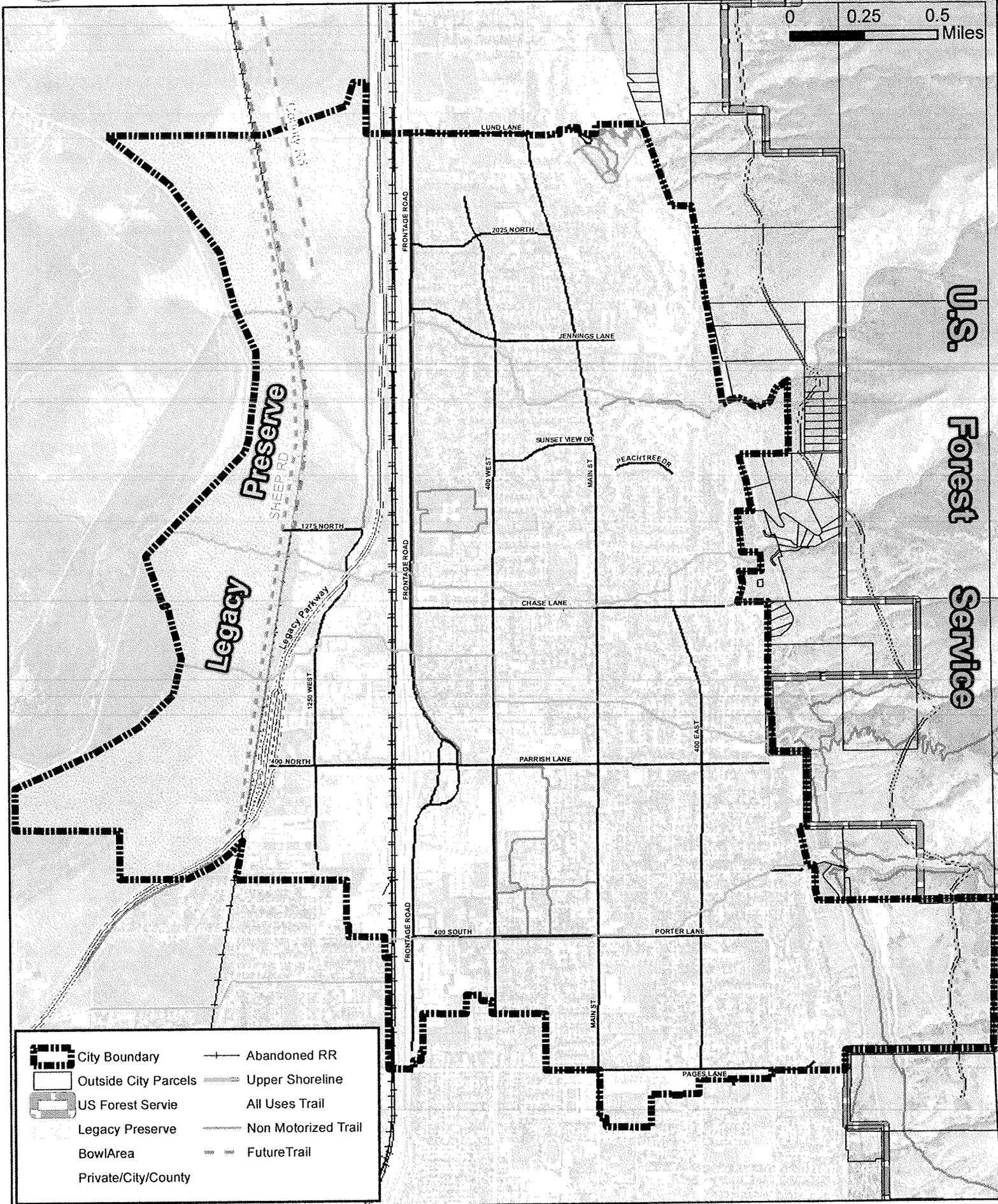
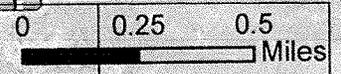
	"AYE"	"NAY"
Councilmember Allen	_____	_____
Councilmember Averett	_____	_____
Councilmember Higginson	_____	_____
Councilmember Lindstrom	_____	_____
Councilmember Wright	_____	_____



City Of Centerville Hunting Restrictions City Boundary & Bordering Entities



Print Date 8/2/13

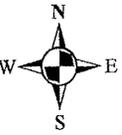


- | | | | |
|--|----------------------|--|---------------------|
| | City Boundary | | Abandoned RR |
| | Outside City Parcels | | Upper Shoreline |
| | US Forest Service | | All Uses Trail |
| | Legacy Preserve | | Non Motorized Trail |
| | Bowl Area | | Future Trail |
| | Private/City/County | | |

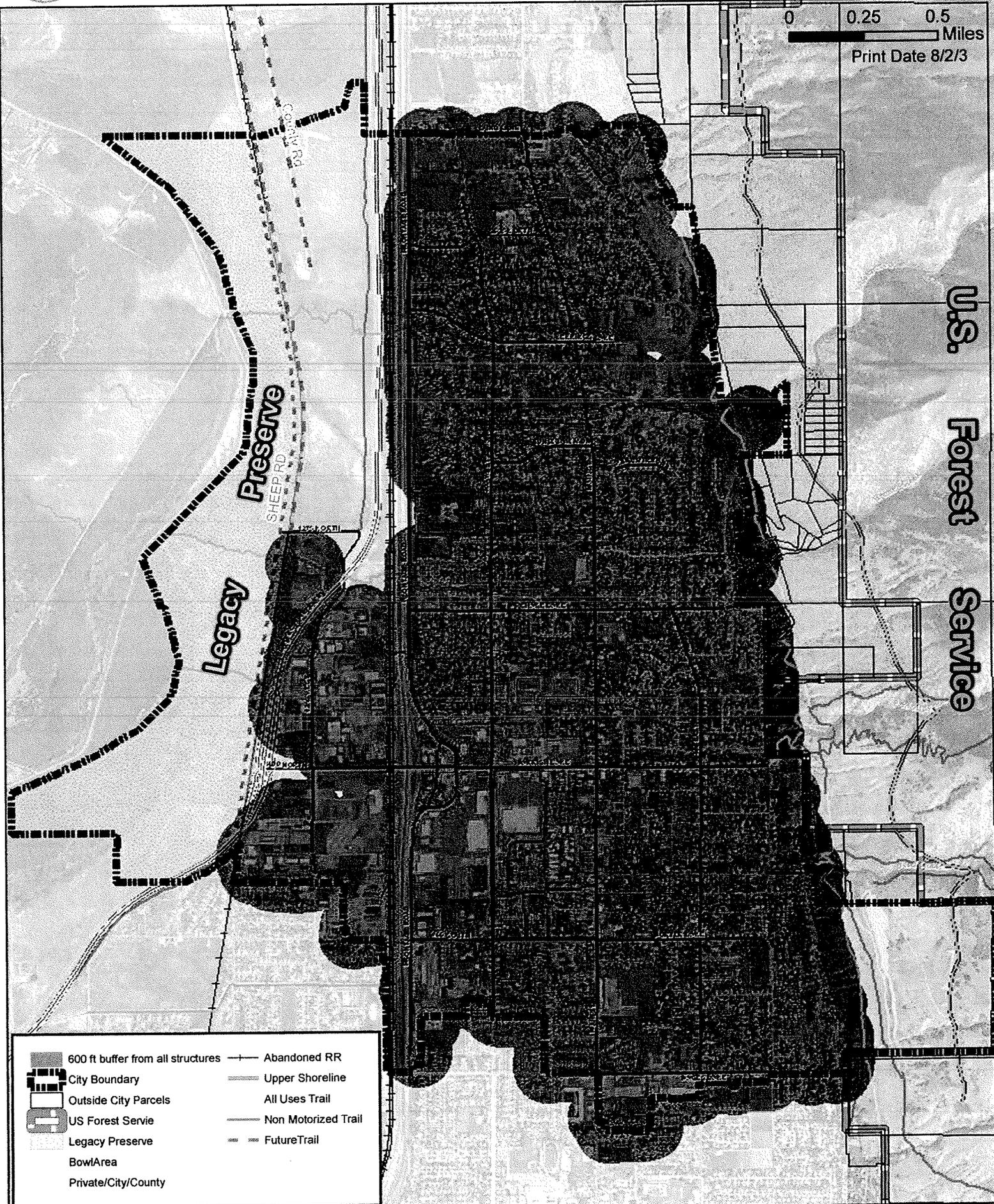


City Of Centerville Hunting Restrictions

600' Buffer From Any Structure Per State Code



0 0.25 0.5 Miles
Print Date 8/2/3

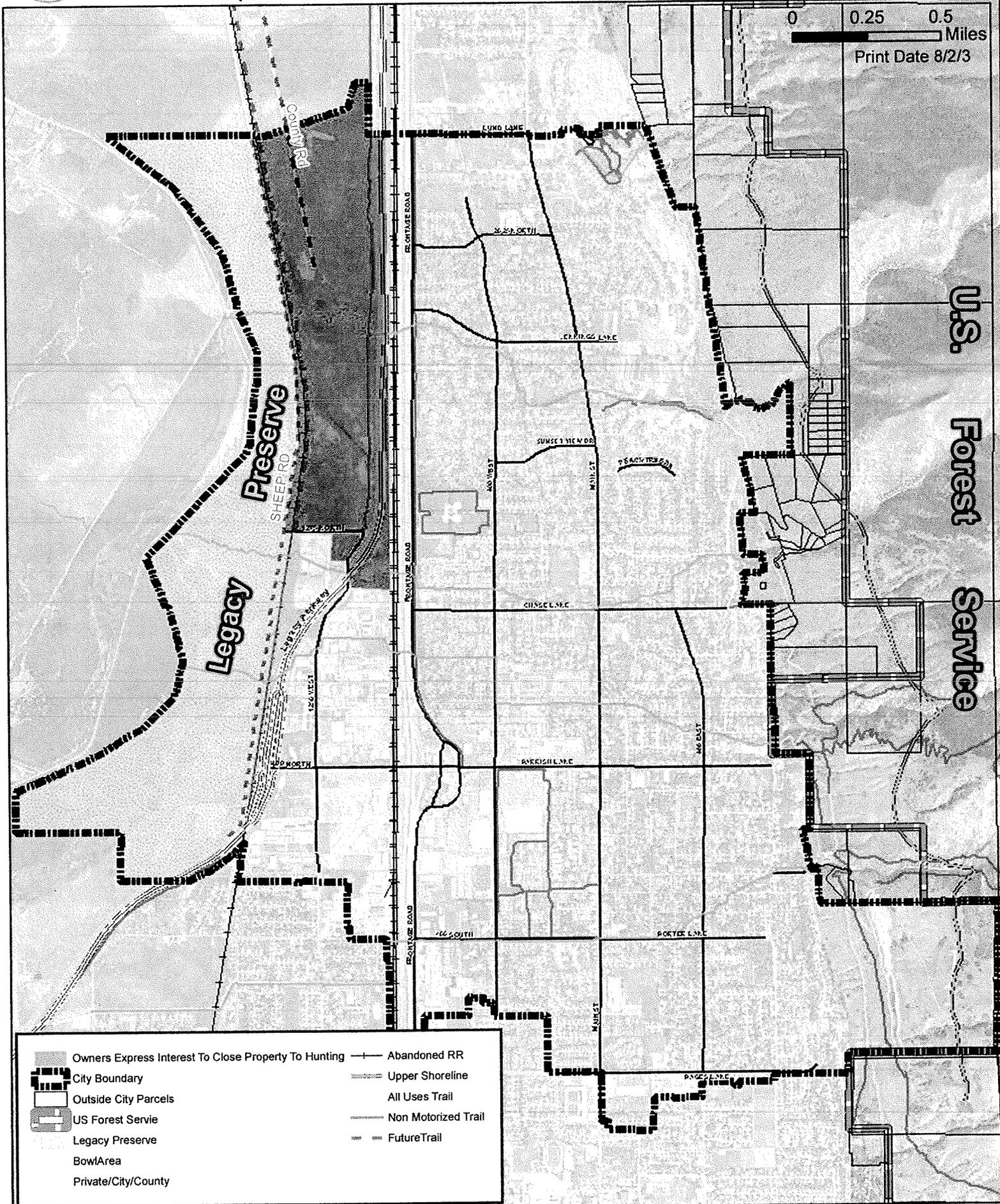


- 600 ft buffer from all structures
- City Boundary
- Outside City Parcels
- US Forest Service
- Legacy Preserve
- Bowl Area
- Private/City/County
- Abandoned RR
- Upper Shoreline
- All Uses Trail
- Non Motorized Trail
- Future Trail

City Of Centerville Hunting Restrictions Private Property Where Owners Have Expressed Interest To Close Property To Hunting



0 0.25 0.5 Miles
Print Date 8/2/3



- | | | | |
|--|--|--|---------------------|
| | Owners Express Interest To Close Property To Hunting | | Abandoned RR |
| | City Boundary | | Upper Shoreline |
| | Outside City Parcels | | All Uses Trail |
| | US Forest Servie | | Non Motorized Trail |
| | Legacy Preserve | | Future Trail |
| | Bowl Area | | |
| | Private/City/County | | |

July 25, 2012

For the Property of KDC Holdings LLC., and Centerville Partners LLC.
C/O Bill Dyer
3311 South Rainbow Blvd. #209
Las Vegas, NV. 81946

I, William Dyer certify that I am the owner or person directly responsible for the parcels listed on the back of this letter. I wish to work with the Centerville Police Department and the Division of Wildlife Resources in the closure to hunting on the property for which I am responsible.

This letter will be on file with the Centerville Police Department as documentation of my intent to close my property to hunting.

William Dyer
Signature

July 30, 2012
Date

(762) 257-0021
Phone

July 25, 2012

For the Property of Rigby, William Barnes and Helen S:
1616 North Main
Centerville, UT 84014

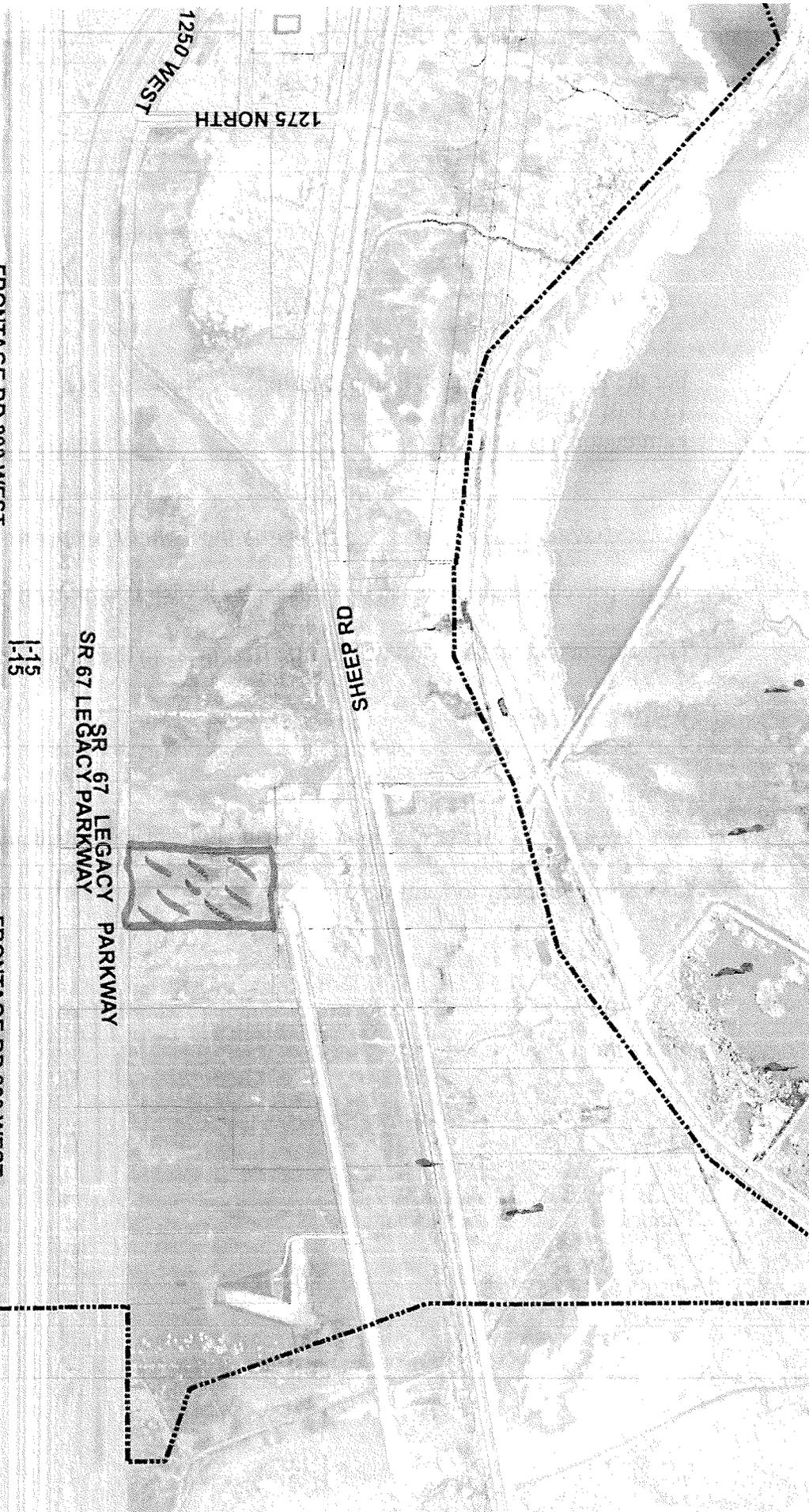
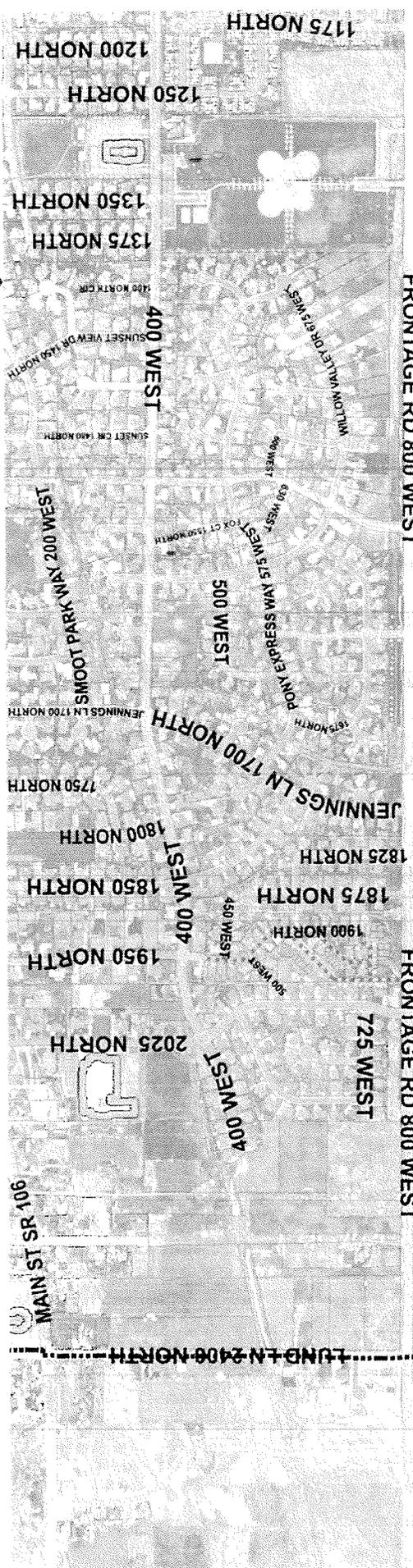
I, **William Rigby** certify that I am the owner or person directly responsible for the parcels listed on the back of this letter. I wish to work with the Centerville Police Department and the Division of Wildlife Resources in the closure to hunting on the property for which I am responsible.

This letter will be on file with the Centerville Police Department as documentation of my intent to close my property to hunting.

William Rigby
Signature

7/26/12
Date

801-292-0245
Phone



435-773-9114
OK per Calvin
7-31-12 1000

July 25, 2012

For the Property of Smoot, Calvin and Jone H. Trustees - Etal.
153 East 200 South #2
Farmington, UT 84025

I, Calvin Smoot certify that I am the owner or person directly responsible for the parcels listed on the back of this letter. I wish to work with the Centerville Police Department and the Division of Wildlife Resources in the closure to hunting on the property for which I am responsible.

This letter will be on file with the Centerville Police Department as documentation of my intent to close my property to hunting.

Signature

Date

Phone

7-31-12

435-773-9114

See above

July 25, 2012

For the Property of Five DS Family Limited Partnership
840 North 400 East
Centerville, UT 84014

I, Seymour Rigby certify that I am the owner or person directly responsible for the parcels listed on the back of this letter. I wish to work with the Centerville Police Department and the Division of Wildlife Resources in the closure to hunting on the property for which I am responsible.

This letter will be on file with the Centerville Police Department as documentation of my intent to close my property to hunting.

Seymour Rigby
Signature

6-26-12

Date

801-295-4932

Phone

Dave Evans said he wants this area closed.
He has the map, will sign and send it back
To the P.D.
Chief Neal Worsky

July 25, 2012

For the Property of Hillcrest Investment Company, a Limited Partnership
5320 South 900 East, Ste 250
Salt Lake City, UT
C/O Dave Evans

I, _____ certify that I am the owner or person directly responsible
for the parcels listed on the back of this letter. I wish to work with the Centerville Police
Department and the Division of Wildlife Resources in the closure to hunting on the property for
which I am responsible.

This letter will be on file with the Centerville Police Department as documentation of my intent
to close my property to hunting.

Signature

Date

Phone

Dr. Joel Naisbitt
801-337-5800
yes to Closing

Aug 1-2012
By phone
NW



1 **PRESENTATION RE: COMMUNITY COVENANT BY LT. JOSEPH SIMMONS OF THE**
2 **U.S. ARMY**

3
4 Lt. Joseph Simmons of the Utah National Guard invited the Centerville community to
5 participate in the Community Covenant Program. Mayor Russell indicated that the City would be
6 proud to participate. Steve Thacker, City Manager, will act as liaison for the City to coordinate
7 and plan a signing event, with assistance from Councilman Wright.

8
9 **CENTERVILLE CITY COMMUNITY CENTER AND CITY HALL USE POLICY**
10 **REVISIONS**

11
12 Staff has recommended that wedding receptions and events of similar impact be removed
13 as a possible use for City Hall because of the excessive demand on staff time. At 7:26 p.m.
14 Mayor Russell opened a public hearing. Seeing that no one wished to comment on this matter
15 the Mayor closed the public hearing. After a discussion of the issue, Councilman Allen made a
16 **motion** to approve Resolution No. 2012-06 formally amending the City Hall Use Policy. The
17 motion was seconded by Councilman Higginson and passed by unanimous vote (4-0). The City
18 Manager was asked to keep the Council informed of requests for wedding receptions and
19 reactions to this policy.

20
21 **PROPOSED HUNTING BAN WITHIN CITY LIMITS**

22
23 Neal Worsley, Centerville Police Chief, explained the proposal to ban hunting entirely
24 within the city limits, as expressed in proposed Ordinance No. 2012-04. State law does not allow
25 the City to prohibit licensed hunters from hunting within the city during hunting seasons unless
26 such prohibition is approved by the State Wildlife Board. Conflicts between hunting, housing and
27 recreational uses (such as trails) within Centerville city limits have generated an increasing
28 number of complaints, according to the Police Chief. Of particular note is the area between the
29 Legacy Parkway Trail and Sheep Road. The foothills, however, have also been a source of
30 complaints from trail users who are in the vicinity of others shooting guns. Chief Worsley
31 suggests that the ordinance specify a ban on hunting with firearms and include all land within city
32 limits.

33
34 Rich Hanson, a representative of the Department of Wildlife Resources (DWR) and
35 manager of Farmington Bay Waterfowl Management Area, showed on a map where it is currently
36 legal to hunt on the west side of the city during hunting seasons. Mr. Hanson reported that the
37 Legacy Nature Preserve property may be deeded within the city limits to DWR or the Nature
38 Conservancy, which could result in additional land open to hunting.

39
40 Mayor Russell opened a public hearing on the matter at 8:00 p.m.

41
42 Brian Beck – In Mr. Beck's experience the huntable land within city limits is more than 600
43 feet from any roads, and hunters do not usually shoot in the direction of the trails.

44
45 Jeff Richards – Mr. Richards is President of the Utah Waterfowl Association. He does not
46 have a concern with a hunting ban east of Sheep Road, but does not feel there is a valid safety
47 concern with hunting west of Sheep Road. He feels Sheep Road would be a clear, obvious
48 boundary.

1 Kenneth Nessen – Mr. Nessen considers the proposed ban on the discharge of firearms
2 to be unconstitutional. He reminded the Council that they are under oath to support and defend
3 the constitution.

4
5 Jack Ray – Mr. Ray lives just below the firebreak road. He walks it often and has never
6 felt threatened. As a waterfowl hunter he feels that a great deal of hunting space has been lost
7 over the years and that the existing hunting land should be preserved on both the west and east
8 boundaries of the city.

9
10 Jeffrey Hicks – Mr. Hicks is a representative of the Utah Airboat Association. He feels that
11 the hunting land lost to the Legacy Parkway project was a devastating loss, and that as much
12 land as possible should be preserved. He does not consider hunting west of Sheep Road to be a
13 safety concern.

14
15 Mark Briggs – Mr. Briggs hopes that the Council will support hunting west of Sheep Road.
16 He uses the Legacy Parkway Trail and has always felt safe.

17
18 Bruce Farber – Mr. Farber would hate to see any more land banned to hunting use. He
19 supports using Sheep Road as a boundary. He is concerned about the language banning
20 hunting on the east side in areas of potential annexation. Mr. Farber uses the Legacy Parkway
21 Trail and does not feel unsafe.

22
23 Steve Earley – Mr. Earley invited the Council and Mayor to join him on a visit to the land
24 being discussed to get a better perspective of what is being considered.

25
26 Earl Stanbridge – Mr. Stanbridge feels the current law is sufficient. He stated that citizens
27 should be aware of the hunting seasons and the risks involved with being in areas where hunting
28 is legal. He feels the proposal is not necessary and that further discussion should be tabled.

29
30 Robert Burns – Mr. Burns is Chairman of the Northern Region Advisory Council for the
31 DWR. He reminded staff of the timeline involved in submitting proposals to the Northern Region
32 Advisory Council. He recommended limiting the ban request to specific methods of hunting.

33
34 Darrick Katsilas – Mr. Katsilas suggested that it is the weekend target shooters that pose
35 the problem, not the licensed hunters. He is concerned at the prospect of losing more hunting
36 land.

37
38 Scott Anderson – Mr. Anderson stated that the DWR and Waterfowl Advisory Group
39 recently made sure there are buffer zones around public areas to ensure safety.

40
41 Bob Snyder – Mr. Snyder pointed out that no one was here to speak in support of the
42 proposed ordinance. There have not been any recent cases of accidental injury from firearms.
43 Mr. Snyder feels that if no one is getting hurt the current ordinances should be left alone.

44
45 Mayor Russell closed the public hearing at 8:33 p.m. (Note: 31 persons, not including City
46 employees, were in the audience during the public hearing.) The Mayor supports a hunting ban
47 east of Sheep Road. The Council discussed the proposed ordinance. Chief Worsley is
48 concerned about public safety along the Legacy Parkway Trail.

1 Councilman Averett commented that members of the public have felt threatened, and it is
2 the job of the Council to protect the public. However, he does not think a hunting ban is what is
3 needed. He feels the problem stems from the casual firearms users. Councilman Averett made
4 a **motion** to table the discussion and direct staff to arrange a fieldtrip to look at both the east side
5 and west side, and to announce a second public hearing on the matter. Councilman Allen
6 seconded the motion, which passed by unanimous vote (4-0). Councilman Averett feels that the
7 concerns can be eliminated with an ordinance that prohibits use of firearms within 600 feet of
8 certain areas, and suggested that the organizations represented at the meeting help in an effort
9 to educate the community about firearm safety. Councilman Wright thanked Chief Worsley for his
10 concern for public safety.

11
12 Mayor Russell called a recess at 8:55 p.m. and reconvened the meeting at 9:07 p.m.

13
14 **AMENDMENT TO ZONING CODE, SECTION 12-32-040(b)(3)(e) RE: THE NUMBER OF**
15 **HOUSEHOLD PETS ALLOWED**

16
17 There is currently a discrepancy between City Zoning Ordinance and County Animal
18 Control Ordinance. Staff recommends amending the Zoning Ordinance. Mayor Russell opened
19 a public hearing at 9:10 p.m. Seeing no one who wished to comment, the Mayor closed the
20 public hearing. The Council discussed the proposed text amendment.

21
22 Councilman Allen made a **motion** to approve Ordinance No. 2012-03, amending the
23 Zoning Ordinance, Section 12-32-040(b)(3)(e), Residential Zones, Uses Allowed, to revise the
24 number of household pets allowed, to be consistent with the Davis County Animal Control
25 Ordinance, based on the following findings:

- 26
27 a. Davis County Commission recently adopted a revamped "Animal Control" Ordinance.
28 b. The amendment would eliminate the conflict between the newly adopted County
29 Ordinance and the City's Zoning Ordinance.
30 c. The amendment would mitigate the problems with enforcing the pet limitations involving
31 other types of pets other than just dogs and cats.
32 d. The City has adopted the County's Ordinance by reference, and has an interagency
33 agreement in place for the management of household pets.
34 e. The County's Animal Control Division is the only place that has the appropriate facilities
35 and services to manage these types of animals.

36
37 Councilman Higginson seconded the motion, which passed by unanimous vote (4-0).

38
39 **WATER REVENUE BOND ISSUE**

40
41 It is proposed that the City issue Water Revenue and Refunding Bonds, Series 2012,
42 which would both refinance existing water system debt as well as generate new money that
43 would allow the City to continue with capital plans. At 9:14 p.m. Mayor Russell opened a public
44 hearing to receive public input regarding any potential economic impact the project to be financed
45 with the proceeds of the Series 2012 bonds may have on the private sector. Seeing no one who
46 wished to comment, the Mayor closed the public hearing.

47
48 The Council was presented a Certificate of Compliance with Open Meeting Law with
49 respect to this February 7, 2012 meeting. It was noted that pursuant to the provisions of the
50 Local Government Bonding Act, Title 11, Chapter 14, Utah Code Annotated 1953, as amended, a