

**UTAH WILDLIFE BOARD MEETING**  
April 26, 2007, 9:00 a.m., DNR Auditorium  
1594 West North Temple, Salt Lake City, Utah

**AGENDA**

Thursday, April 26, 2007

- |    |   |                    |
|----|---|--------------------|
| 1) | Approval of Agenda<br>- Dr. Jim Bowns, Chairman   | <b>ACTION</b>      |
| 2) | Approval of Minutes<br>- Dr. Bowns  | <b>ACTION</b>      |
| 3) | Old Business/Action Log<br>- Dick Diamond, Vice-Chair   | <b>CONTINGENT</b>  |
| 4) | DWR Update<br>- Jim Karpowitz, DWR Director   | <b>INFORMATION</b> |
| 5) | Antlerless Addendum, Rule and Permit Recommendations for 2007<br>-Anis Aoude, Big Game Coordinator              | <b>ACTION</b>      |
| 6) | Antlerless CWMU Permit Recommendations for 2007<br>- Boyde Blackwell, Private Lands/Public Wildlife Coordinator | <b>ACTION</b>      |
| 7) | Other Business<br>- Dr. Bowns   | <b>CONTINGENT</b>  |

**UTAH WILDLIFE BOARD MOTIONS**  
April 26, 2007, 9:00 a.m., DNR Auditorium  
1594 West North Temple, Salt Lake City, Utah

- 1) Approval of Agenda **ACTION**

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

- 2) Approval of Minutes **ACTION**

**MOTION: I move that we accept the minutes of the April 5, 2007 Wildlife Board meeting with the noted corrections.**  
Passed unanimously

- 3) Antlerless Addendum, Rule and Permit Recommendations for 2007 **ACTION**

**MOTION: I move that we accept the Division's recommendations on antlerless deer, pronghorn and moose.**  
Passed unanimously

**MOTION: I move that we accept the Southern RAC motion for 300 antlerless elk permits on the FishLake Unit, with 200 into the late hunt and 100 into the regular spike hunt.**  
Passed 5 to 1

**MOTION: I move that we issue 200 draw tags, 130 CWMU tags and 30 mitigation tags for San Juan antlerless elk.**  
Passed 5 to 1

**MOTION: I move that we add a third hunt on the Beaver/Marysvale Unit with 50 permits to be used from December 1 to December 31, using the depredation hunter pool if needed.**  
Passed unanimously

**MOTION: I move that we accept the remainder of the Division's recommendations on the Antlerless Addendum, Rule and Permit Recommendations for 2007.**  
Passed unanimously

- 4) Antlerless CWMU Permit Recommendations for 2007 **ACTION**

**MOTION: I move that we ask the CWMU Committee to strongly consider**

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**the fairness of the taking of antlerless permits by the CWMUs  
and this is to be put on the Action Log.**

Passed unanimously

**MOTION: I move that we accept the remainder of the Antlerless CWMU  
Permit Recommendations for 2007.**

Passed unanimously with 1 recused.

5) Other Business

**CONTINGENT**

**MOTION: I move that we put the issue of raven depredation on the action  
log to be discussed at a future Wildlife Board meeting.**

Passed unanimously

**UTAH WILDLIFE BOARD MEETING**  
April 26, 2007, 9:00 a.m., DNR Auditorium  
1594 West North Temple, Salt Lake City, Utah

**Board Members Present**

Chairman Jim Bowns  
Dick Diamond  
Allan Smith  
Paul Niemeyer  
Lee Howard  
Rick Woodard  
Keele Johnson  
Alan Clark - Executive Sec  
Director Jim Karpowitz

**RAC Chairs Present**

Mike Small - Southern  
Ernie Perkins - Northern  
Ed Kent - Central  
Clay Hamann - Northeastern  
Jim Gilson - Southeastern

**Public Present**

Todd Bingham

**Division of Wildlife Resources**

Judi Tutorow  
Craig McLaughlin  
Justin Dolling  
Ron Hodson  
Staci Coons  
Craig Clyde  
Teresa Bonzo  
Lorin Sperry  
LuAnn Petrovich  
Mark Hadley  
Martin Bushman  
John Fairchild  
Doug Messerly  
Cindee Jensen  
Kevin Christopherson  
Rick Larson  
Boyde Blackwell

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

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

The agenda was then reviewed. Mr. Small said they would like to discuss ravens during “other business.”

The following motion was made by Rick Woodard, seconded by Dick Diamond and passed unanimously.

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

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

The following motion was made by Allan Smith, seconded by Dick Diamond and passed unanimously.

**MOTION: I move that we accept the minutes of the April 5, 2007 Wildlife Board meeting.**

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

Mr. Diamond said the action log is current on the status of the motions, and there is nothing to discuss today.

**4) DWR Update (Information)**

Mr. Clark, Assistant DWR Director, said they held the annual awards banquet this past week. We recognized many individuals including volunteers, people who have partnered with the Division from different conservation groups, and legislators. Awards were given for each of the sections and regions in the Division. There were many people who attended that are a great help to the Division. They awarded the first Kevin Conway Habitat Conservation Award. This was given to Sportsmen for Fish and Wildlife and Sportsmen for Habitat, for their work in getting the Habitat Initiative established. The Career Award was given to Walt Donaldson.

2007 is the 100<sup>th</sup> year anniversary for the first fishing/hunting licenses ever sold in Utah. Later in the fall we are going to have some type of celebration around this event. Mr. Clark asked if anyone has any ideas to let the Division know.

The Wildlife Board nomination process is moving along. The deadline for nominations is May 4. The nomination committee will meet on May 9. The online application for nomination can be found on the Governor's website.

The Reber Case was settled this week in favor of the Division, so we are back to law enforcement in the Northeastern Region.

Drew Cushing is the new warm water community fisheries person. Rick Larson is the new regional supervisor in Southeastern Region. Dave Olson is the new Wildlife manager in Northeastern Region. Craig Clyde is the new Wildlife manager in Central Region. We continue to fill vacancies within the Division.

People are very interested in getting the names of people who are successful in getting draw permits. A new state law was passed that says the Division cannot provide those names to anybody, including conservation organizations and guides. This has made some people very unhappy. We are working on a way to deal with that. If the law is not changed, the Division is looking at making one mailing to all the individuals who were successful. If these organizations are interested in being included in the mailing, they would have to get their material to the Division. People would have to pay for this service.

On the Henry Mountains bison plan, we have a tentative agreement with all those involved. There will be a revised Henry Mountain bison plan in August and it will go back through the

Mr. Bushman discussed the Little Hole issue. The Division continues to gather evidence and interview witnesses. To date, there is not any compelling information to suggest there was a public road that crosses over into Section 16, which is the SITLA parcel, at least prior to the Division taking ownership. That is what we are looking at. Once the state takes ownership, the Bureau of Reclamation has an interest in it. We are convinced, that legally you can acquire a public thoroughfare against the state. That is an issue that has never been adjudicated in our state and we will see if it ever makes it to court. There are principles of sovereignty that say you can acquire any kind of property interest against the state by adverse possession. "Based on ten years of continuous use" is a very similar principle. We are taking some of these concepts out of property law dealing with prescriptive rights and importing them into this public thoroughfare statute to make a legal argument. We have a meeting scheduled this coming Monday with the Lieutenant Governor at Little Hole with some of the witnesses we can gather together. We will listen to witnesses and determine where they cross the Division land to get to the Green River. There were multiple routes to get down to the river. One of them went over Gorge Creek in the SITLA parcel.

Mr. Bushman went on to say that the auction is still on and SITLA has set the minimum bid at 1.25 million dollars. The Division should be in that bid by virtue of the fact that we have the grazing permits. There will be a sealed bid auction first and then the top three bidders move onto the open auction. There have been threats of litigation.

Mr. Diamond asked if it helps or hurts us to find people who have crossed that property from the Pipe Creek side, the south side.

Mr. Bushman said there are many people that have come down off Diamond Mountain, down to the Green River, but once they get onto section 15 that is owned by the Division, there are a couple of old routes. There are still a lot of facts to be gathered and the site visit will be very helpful. The road must have ten continuous years of use by the public for it to become a public road.

Mr. Howard asked if the Division has the money to buy this parcel.

Mr. Clark said they would probably participate on the minimum bid level, beyond that we do not know where it might go.

Mr. Johnson asked whose responsibility it is to prove the existence of this road.

Mr. Bushman said it is the burden of the party trying to prove the use of the road. It has to be proved by clear and convincing evidence. We do not have to disprove it at this point. We have a series of aerial photographs that show segments of this road, starting in the 1950's to the present. They show the various roads moving around quite a bit.

Mr. Hamann asked Mr. Bushman to clarify on the Reber Case. Is it settled for good, or until the next appeal?

Mr. Bushman said the Utah Supreme Court came down with a five/zero opinion, unanimously in our favor. They adopted every single point the Division made in their brief. In November 2005, the Utah Court of Appeals took a very obscure issue in Mr. Reber's brief that argued that the State did not have jurisdiction over this case because the Ute Tribe was the victim of the crime. Federal law designates when you are operating in Indian country and there is an Indian as the victim or the perpetrator, federal court has jurisdiction, not state. Reber argued that he was an Indian by virtue of his one-sixteenth blood as a descendant of a terminated mixed blood Ute and the tribe was the victim of the crime. The court of appeals was not interested in the blood issue, but as the Tribe being the victim. They said that the Tribe had an exclusive regulatory right for wildlife everywhere within Indian country. Mr. Bushman went on to discuss the details of this case. The conclusion was that the state of Utah does have jurisdiction over Indian country. The Tribe was not the victim. The State is now managing the wildlife there and we are right back to where we were before this case, where we should be. A lot of time was put into this stop gap measure where we had to use a law enforcement program in the interim.

Mr. Diamond asked if this would set precedence on this issue.

Mr. Bushman said they could appeal this to the U.S. Supreme court, but it is unlikely that they would take it on. It is even more improbable, if they did, that it would be overturned.

Chairman Bowns said there have been some elk eating cactus and they are starving because their tongues are filled with spines.

Doug Messerly, Southern Region supervisor said that about a month ago they had a complaint about a sick elk in the Koosharem Reservoir area. The officers responded and found the elk. It was in such poor body condition, they had to put it down. Upon examination of the animal, they found sores on the mouth and tongue, which was full of cactus spines. They have found three more elk since then all with spines in their mouth. They were all bulls. At this point they do not know how big of an issue this will become. Several of these elk died because of malnutrition, one was hit by a car. These elk are from areas where there has been a lot of habitat restoration done. The forage is in good condition in these areas. It is the time of year where forage is available. We do not have many answers at this point, or know how wide spread it is.

#### **5) Antlerless Addendum, Rule and Permit Recommendations for 2007 (Action)**

Anis Aoude, the Big Game Coordinator, presented this agenda item. He displayed a graph showing deer population trends and subsequent permit recommendations that were made, starting in 2001 through 2007. These numbers track according to trends. Now the herds are starting to improve again and this is the first year we have increased permits since 2004. We had set a 320,000 milepost that we wanted to reach in 2008 and we are close to that this year. The majority of the permits in the increase are not on herd units where populations are below objective. The majority of the increase surrounds valley deer and depredation problems. He then showed a graph on fawn production trends 1998-2006. Things have been improving slightly since 2002. Usually around 70-80 fawn per 100 does is fairly normal for a statewide average.

Mr. Aoude showed a graph on elk population trends and antlerless permit recommendations. The elk populations are increasing and getting close to objective. Many units are over objective and that is reflected with the harvest that is recommended. The harvest recommendations track pretty well to maintain or enhance populations.

On doe pronghorn permits, permits have been reduced this year. One of the main sources of doe pronghorn permits was the Plateau Unit, which is starting to come into objective. We have reduced harvest recommendations on that unit and we will do one more transplant this coming year. That will bring it into check and from now on we will be able to maintain that herd through harvest only. On antlerless moose, some additional permits are recommended. There is a new hunt on the Ogden Unit where we are getting an increase in moose population that is starting to interface with the urban areas.

Additional changes that affect the 2007 antlerless hunts are House Bill 67 that reduced minimum age to hunt big game to 12 years of age for general season hunts. This includes antlerless deer, elk, pronghorn; and excludes limited entry, premium limited entry, OIAL and CWMU bucks/bulls. Antlerless applications will be accepted online only. This concluded the presentation and Mr. Aoude asked if there were any questions.

Mr. Howard asked if they are looking to giving moose to Colorado for trade on other game.

Mr. Aoude said we do currently have an agreement with Colorado to provide them with some moose. In addition, if the moose are there and we can both transport them and have hunts, why not have the opportunity for hunters to take an antlerless moose as well? There is not a problem with doing both.

Mr. Johnson said he is concerned on the moose numbers also. If there are opportunities to transplant moose to other states, he is not sure we should be harvesting them.

Mr. Aoude said they can do both and the population is thriving.

Mr. Johnson said on the increase on deer permits, where are the problems?

Mr. Aoude said they are generally valley deer that are not hunted during the general season. They are staying in the valleys year round. Most of these hunts take place from August to September.

Mr. Johnson said he is concerned about when landowners have asked for depredation hunts in the past, then the landowner would not allow anyone onto their land to harvest the deer that are causing the problem. This occurred 10-15 years ago. We need to make sure we do not do this again, because it damaged deer herds.

Mr. Aoude said the way depredation hunts are handled currently, is they cannot hunt outside their property, in the majority of the cases. Sometimes we do have a buffer zone around their property if the animals are only coming in the dark. These hunts specifically target deer that are problems

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or are staying in the urban areas year round. They are usually primitive weapon hunts and do not go into September.

Mr. Johnson asked about antelope on Parker Mountain. Can we supplement these populations and bring some new genetics in?

Mr. Aoude said on a lot of these units, we cannot keep transplanting if drought wipes them out. We have to plan what the carrying capacity of those units are. If they need a boost, we do transplant animals onto the units. On the other hand, we do not want it to look like a put and take situation. We do not want to artificially increase it, just so we can transplant.

Mr. Johnson said we need to educate the livestock people, stressing the fact that antelope and cattle complement each other.

Mr. Aoude said they do educate them. Information is available, every chance we get we try to educate. He believes the problem is a trust issue.

### **RAC Recommendations**

Northern - Mr. Perkins said they unanimously accepted the Division's recommendations as presented.

Central - Mr. Kent said they unanimously accepted the Division's recommendations as presented.

Southern - Mr. Small said they had a lot of discussion. The deer portion passed 9 to 1. The elk portion passed 6 to 4. With the exception on the Fish Lake elk. Pronghorn and the remainder of the recommendations passed unanimously.

Southeastern - Mr. Gilson said they had two motions. MOTION: To reduce the number of antlerless elk permits on the San Juan Unit (available through public drawing) from 250 to 200. Fifty permits will be allocated to the CWMUs east of Highway 191, divided at the discretion of the Division. This passed 5 to 1. The remainder of the recommendations passed unanimously.

Northeastern - Mr. Hamann said there was discussion on doing antlerless deer permits again. The antlerless permits are valley only on agricultural ground for muzzleloader, shotgun and archery. Once that was explained, there was full support. The motion was made to accept as presented and it passed 4 to 2. The descending votes were relative to concern with the huge increase in the number of antlerless elk permits for the region.

### **Board Discussion**

Chairman Bowns summarized the RAC recommendations.

Mr. Gilson said there was concern that those elk are not accessible. If they are not already there, they quickly go to the two large CWMUs to the east. They are then not accessible to the public.

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We are shooting the cows on the public lands side and the herd on the other side is not able to be harvested. In order to keep the balance of the herd on the public and private land, some of the permits need to be reduced.

Mr. Smith asked if the CWMU operators stepped up and said they would take some of the antlerless elk permits.

Mr. Gilson said there were not any of the CWMU operators at their meeting. Mr. Bates said they would contact these operators and address this. This issue came up at the RAC meeting and was discussed. They said the CWMU operators need to cooperate as well. It is not fair to take all the antlerless harvest off the public side and leave elk protected on the CWMUs.

Brad Crompton, Southeast Region Wildlife biologist, said Guy Wallace contacted both the CWMU operators. They took some additional permits, but not the complete 50. We are already at 130 antlerless permits on an antlerless population of about 200 elk. Adding 50 to that would be up to 180, which is on the high end. We added 15 permits to the Spring Creek CWMU and an additional five to the Summit Point CWMU. This is what they were willing to take. He is talking public and private combined.

Mr. Johnson asked how the CWMUs felt about adding any permits.

Mr. Crompton said there was an increase in permits this year already. Mr. Wallace approached the operators with a good number to control the population and they were agreeable to these additional increases. We are up against a border in that area where we are starting to have a lot of crowding. Any increase in permit numbers will not result in a whole lot more harvest. Mr. Johnson said the concern was that this is a dramatic increase in permit numbers. We might be hitting this too hard. Perhaps the objective is too low. There have also been complaints that there were not any cows in the area on some of these hunts.

Mr. Crompton said we are required to manage toward the existing population objective. They get to fly the unit this winter. Last time we flew we were well above objective. The model said we are decreasing. We are on the high side of harvest with these recommendations, but we get to check it this winter. That is the logic behind it.

Mr. Johnson said he would like to be more on the conservative side and meet with the private landowners east of Monticello. He wants to get their input.

Mr. Clark asked what the success rate is on the San Juan Unit.

Mr. Crompton said just about 50%, which is typical of other antlerless hunts.

Mr. Small said, to correct the RAC summary, the Southern RAC motion carried 9 to 1 on deer.

Mr. Johnson asked about the objective on the Book Cliffs.

Mr. Crompton said all the antlerless permits on both areas are targeted at specific situations. There are range concerns and depredation problems. These are small units with specific drought related concerns.

### **Public Comment**

Todd Bingham of the Farm Bureau said in the Marysvale Beaver Unit, we have some real challenges with a private landowner and somewhere between 200 and 300 head of elk on some very small acreage. They are also impacted by some large numbers of resident deer. We would like to see some recommendations in terms of some depredation tags for this individual landowner. Our regional folks have met with them and looked at some ways to deal with the problem. These animals are eating these folks out of house and home.

Mr. Diamond asked if this landowner will allow hunters on his land.

Mr. Bingham said he will and wants to get the hunters onto his land to help with this problem. When our landowners have problems with depredation they want to get the hunters onto their land and take care of the problem. It is not the norm for them to reject having individuals come in and help with that type of situation.

Mr. Smith asked if Mr. Bingham is suggesting that we increase the antlerless tags and not necessarily just depredation tags.

Mr. Bingham said that is what they would like to see. Sometimes we have had problems getting depredation tags issued. Since this is happening right now, we would like to see the antlerless numbers increased specific to that area.

Mr. Messerly explained that this is a serious depredation problem and they have been aware of it for a couple of years. They met with the landowner yesterday morning. This is on the Beaver Unit where we are currently at 875.3 elk and the objective is 950. The particular area of concern is on the east side of the Beaver Unit, along Highway 89, two miles south of Marysvale. This landowner has 160 acres there and as of last week we counted 163 elk and between five and seven hundred deer. There were 317 elk on his ground in November last year. This year's recommendations include two back-to-back hunts with a total of 100 permits. The landowner was concerned that this was not enough permits. We are trying to hold the hunters to a tight area. Because we are under objective, we do not want to let the hunters across the entire area. This landowner is very accommodating to hunters. They want to take this bunch of elk down, not reduce the Beaver Unit. Solutions are to add one more hunt of 50 permits for the month of December. We will have to set up a regimen where we keep constant pressure on these animals. Another solution would be to set up a depredation hunt for the same time period and number of permits. Logistically, that is a lot of work for the Division. His concern about amending the recommendation at this point is it has not gone through the RACs. This is a serious problem and we are attempting to handle it by using the sportsmen.

Mr. Johnson asked if we should get some hunters in there right now.

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Mr. Messerly said harvesting this time of year is not appropriate, not until the first of August. The landowner wants more permits and is agreeable to work on this in the fall. We are working on this problem. The biggest concern with extending the hunt is it has not gone through the RACs.

Mr. Smith said when we redo the elk plans this area might be built up and maybe the best thing to do would be to fence the 160 acres. This would be good for the people who want to see the elk numbers sustained.

Mr. Messerly said he agrees with that assessment, but this acreage is on the end of about 4000 acres. If they fence this property, the elk would move and then the other landowners would expect the same. If we are going to continue to grow elk in the state we are going to have these kinds of problems. If we can address the hot spots and keep elk in the favor of everyone, people will be more tolerant. This landowner has been very tolerant of the animals on his property, but there is a limit for everyone.

Mr. Woodard asked if Mr. Messerly would be comfortable adding that extra hunt today, even though it hasn't gone through the RACs.

Mr. Messerly said he would if the Board chooses to do so. The extra 50 would end up about 25 elk with the 50% success rate.

Mr. Niemeyer asked when the elk start coming into this area.

Mr. Messerly said October 1, generally speaking, although there are a few who spend the summer there. The elk come from three directions and they come a long ways. We could target them up on the mountain, but we would get less and less specific in that circumstance.

Mr. Howard asked if we could give the landowner more tags and then allow him to issue them at will. How many did he have last year?

Mr. Messerly said 23 and only 3 were taken. This is a classic situation where the elk spend the days in the trees and the nights in the fields. We could come up with the solution to allow the landowner to go up on the public lands to take the elk, but this is a chance for sportsmen to take the animals. Frankly, the landowner does not care, he just wants the elk gone.

Mr. Johnson asked why we couldn't give tags that would be good for three months.

Mr. Messerly said if you give somebody a three-month tag, they wait until it snows. If you break up the hunt into three-week hunts, what you get is a lot of enthusiasm for the first and second weekend and not as much on the last. After that, you get a new group and it runs the same. Getting new hunters in every three weeks or so will keep constant pressure on the elk.

Mr. Small said the landowner was so upset it was all he could do to get him to identify himself at the microphone. He feels his RAC would be okay with another hunt added with 50 permits.

Also, it might be good if youth could participate in some of these tags.

Chairman Bowns went over the RAC recommendations. The issues that need to be addressed are the number of permits on the Fish Lake elk, elk numbers in the Southeastern Region and the issue on this private land south of Marysvale.

The following motion was made by Keele Johnson, seconded by Dick Diamond and passed unanimously.

**MOTION: I move that we accept the Division's recommendations on antlerless deer, pronghorn and moose.**

Mr. Howard said he would like to address several of the elk herds, because he feels they are high on their permit recommendations. He went down the list and identified those he would like to address.

Chairman Bowns said the RACs have voted to accept the Division's recommendations on these elk herds.

Mr. Howard said that at this point he does not believe we need to follow the RAC recommendations.

Mr. Smith asked Mr. Howard why he wants to go over each of those units. Does he have a specific different recommendation on each of them?

Mr. Howard said he feels we are way over on the number of tags that we should be issuing for cows.

Mr. Smith said the recommendations are set forth on antlerless tags in order to come into compliance to the population goals as stated. The only reason the Division has made these recommendations is to keep these populations close to objective. He sees no reason to look at each individual unit.

Mr. Diamond said he agrees with Mr. Smith. The Division does a lot of work in getting to these recommended numbers and then it goes through the RACs. The RACs have a lot of expertise on their boards and they know these areas. He would not ever want to make recommendations that are counter to the Division and RAC recommendations. None of us have that much expertise.

Mr. Howard said he would like to take things slower on the recommendations and be cautious.

Mr. Johnson said he disagrees with Mr. Diamond. We have a responsibility to critique and question every unit. We were appointed by the Governor, not the RACs. They are advisory. We are not out of line on questioning some of these units.

Chairman Bowns said we have a disagreement on the Board on how to approach this. He

believes that we should just look at the Division's recommendations and consider the RAC positions.

Mr. Niemeyer said we could talk about these seven units that Mr. Howard is concerned about. We might not want to change the recommendations, but it would not hurt to talk about them and the rationale behind them. It will not take that long to discuss them.

Mr. Smith said he feels Mr. Howard needs to be heard, but he does not want to go against the RACs.

Mr. Woodard said he feels that unless there is specific concern on a specific unit, he would look to go with the Division's recommendation. If there are issues that are local, they are definitely aired out in the RACs. If there is a lot of public concern or sentiment, it is covered there. Chairman Bowns went over Mr. Howard's concerns and summarized. He asked Ms. Bonzo to discuss the Fish Lake.

Ms. Bonzo said currently our model shows that we are at 4,350 elk and the objective is 4,800. We did count this unit two years ago and we were at about 3,200. We are growing and have not issued cow tags for quite a few years. Last year we proposed antlerless tags and they were not approved. This year when the calves hit the ground we will be above objective. We want to avoid having the spikes in the population and then the next time we fly it, we will be several thousand above objective. We are mandated to manage to the objective in the plan. We want to recommend a moderate amount of tags each year and keep the population on an even keel. We have a recommendation of 450 tags, plus 118 CWMU tags, and 20 estimated mitigation tags.

Mr. Woodard asked what the estimated recruitment would be on a herd of 1000.

Ms. Bonzo said with 800 cows, 400 calves would be born. In the model we are using, the population might be a little less. We incorporate out migration and mortality in this model. The 4,350 is a bit conservative. We do not want to have to issue 1000 tags year after year to bring this herd back into objective. We want to keep this population doing small fluctuations, rather than the drastic fluctuations.

Mr. Perkins asked if 3,200 was the actual count two year ago.

Ms. Bonzo said that was the actual count, then they add in sight ability, so the population is higher than that.

Mr. Niemeyer said the people in Southern Region are grateful to have this hunt shut down. On the late hunts the Fish Lake elk winter in very open areas. When we hunt them late, it moves them considerable distances. He would like to see permits more specific to areas. There has to be certain parts of the unit that need more relief than others. On the late hunts, they take the easiest possible way to hunt them. He would also like to see some of the tags moved into the regular hunt. That would help stabilize them.

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The following motion was made by Paul Niemeyer, seconded by Lee Howard and passed 5 to 1 with Allan Smith opposed.

**MOTION: I move that we accept the Southern RAC motion for 300 antlerless elk permits, with 200 into the late hunt and 100 into the regular spike hunt.**

Chairman Bowns said he has been working with the Forest Service on an allotment between Loa and the top of the mountain just east of Fish Lake. The conditions there are not very good. The BLM has done a lot of rehabilitation on that area. They were at the RAC meeting and one of their members spoke for the Richfield District. Their recommendation for permit numbers was 450. We are also not very good on moisture conditions in Southern Utah this year.

Chairman Bowns said on the Southeastern San Juan Unit, the Division recommended 250, and the RAC wanted to reduce it to 200, transferring 50 permits to the CWMU east of Highway 191.

Mr. Johnson said the RAC was concerned about there being too many permits on the public draw. That's why they lowered it from 250 to 200 on their recommendation.

The following motion was made by Keele Johnson, seconded by Lee Howard and passed 5 to 1 with Dick Diamond opposed.

**MOTION: I move that we issue 200 draw tags, 130 CWMU tags and 30 mitigation tags for San Juan antlerless elk.**

Mr. Woodard asked if the CWMUs were willing to take more antlerless tags.

Mr. Crompton said they did say they would take an additional 20.

Mr. Smith asked if elk were more accessible on the CWMUs.

Mr. Crompton said there are two different objectives on each side of the Highway 191. West of the highway, we are right where we should be, but on the east we are above objective. Forcing hunters east of the highway is sound logic, but we have found you can only give so many permits and still get results.

Mr. Blackwell said the CWMUs are currently taking 70 on Spring Creek Dodge and 60 on Summit.

Mr. Diamond said the 130 CWMU tags and 30 mitigation are redundant. That is the Division's recommendation.

Chairman Bowns said we need to address the hunts on the Beaver Unit.

The following motion was made by Paul Niemeyer, seconded by Dick Diamond passed unanimously.

**MOTION: I move that we add a third hunt on the Beaver/Marysvale Unit with 50 permits to be used from December 1 to December 31, using the depredation hunter pool if needed.**

Director Karpowitz said that five-day notice hunts are very difficult to administer. We could do depredation pool hunts.

Mr. Howard asked if it would help to extend this hunt into January.

Mr. Messerly said when this was discussed yesterday, there was agreement that the end of December would be long enough. They will call depredation pool hunts if necessary.

Director Karpowitz asked if they still get plenty of depredation pool hunters.

Mr. Messerly said yes.

Mr. Howard said he would like to see less permits on the Cache, North Slope, W. Daggett, South Slope, Vernal/Diamond Mountain, Book Cliffs and Central Mountains Manti units.

Mr. Hamann said the people of the Northeastern Region were not concerned about these numbers on these units. The biology for these recommendations was explained at the RAC meetings. It seems unfair to make recommendations different from the Division without a biologist here from the area.

Mr. Perkins asked that the Board not change the numbers on the Cache. They have a deer herd at 58% and to try to help it, we need to keep this unit at or below elk objective until we can make some progress on the deer.

Mr. Kent said as it was explained at the RAC, the increase was to address some problem areas on the Central Unit. There was no concern amongst the RAC members once the explanation was made.

Mr. Perkins said in the Northern Region we can grow elk easily. If we over shoot this a little this year, we can recover quickly. We cannot stand another unit that is 40% above objective. Their RAC members are not concerned about this.

Mr. Diamond said the hunters also want this additional opportunity on the elk and this offsets the cutback on the deer.

Mr. Smith said he respects Mr. Howard's concerns on some of these units. On the Book Cliffs, the population goal is a long-range objective. It is way out there and a lot of issues will need to be addressed along the way.

Director Karpowitz said when a unit gets above objective, the Division has to get very aggressive

with permits. We have to take annual recruitment, plus the extra animals. When the hunts are at a 40-50% success rate, it is very difficult to play catch up, then we have to go with extremely high permit recommendations. We have some herds now that we are having a hard time catching up on. He encouraged the Board not to overshoot the objectives. Our biologists love the elk, but they also have a responsibility to stay within objective.

Mr. Johnson said Mr. Howard was not out of line asking for further explanation. He said he knows how RAC meetings run. Most of the time they are quite reasonable, but sometimes they get chaotic and psychotic in what comes out of them. In looking at the Book Cliffs Unit, I needed an answer to my question. The biologist gave me the rationale and that was sufficient. I seldom go against a RAC recommendation. The RACs are advisory and they are good at that, but the Board has to make the final decision.

Director Karpowitz said the Board does have responsibility when they see a huge change in permits to ask why, but it is what comes out in the end that matters.

Mr. Diamond said asking questions relative to the rationale behind it is fine. Mr. Howard's comments started out as if we were going to take over the process of establishing the number of tags, but asking questions is part of the process.

The following motion was made by Allan Smith, seconded by Dick Diamond and passed 5 to 1, with Lee Howard opposed.

**MOTION: I move that we accept the remainder of the Division's recommendations on the Antlerless Addendum, Rule and Permit Recommendations for 2007.**

**1) Antlerless CWMU Permit Recommendations for 2007 (Action)**

Boyde Blackwell, Private Lands/Public Wildlife Coordinator presented this agenda item. We have agreements on all of the CWMUs except six. We have 103 CWMUs in the state, covering 2,024,463 acres of which 96% is private land. There are 61 CWMUs in Northern Region, 10 in Central Region, 6 in Northeastern, 17 in Southeastern and 9 in Southern. He went over how antlerless permits are allocated on CWMUs, including buck's/bull's permit options.

The 2007 CWMU permit recommendations are as follows: 63 CWMUs have applied for antlerless permits. On deer, there are no private, 170 public, on elk 307 private 1089 public, on pronghorn 49 private and 82 public, on moose 17 and 23. There is a total of 373 private and 1364 public permits.

The DWR and the CWMU operators disagree on six recommendations.

Pagano Conover owner did not want antlerless tags. The management units' elk population is over objective. The CWMU needs to take their share of management permits. The DWR recommendation is 0 private and 15 public.

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Alton CWMU wanted elk permits. The management unit is under population objective. Permits are not needed. DWR recommended 0 permits.

Boobe Hole owner did not want antlerless tags. Draw permits are recommended for this unit to maintain the elk population and slow growth. The CWMU should take their share of antlerless CWMU permits. The DWR recommends 25 private and 75 public permits on the fishlake unit.

Johnson Mountain Ranch owner did not want the recommended antlerless tags, 0/25. Additional draw permits are recommended for this unit to maintain the elk population and slow growth. The CWMU should take their share of management permits. DWR recommends 0 private and 36 public.

Missouri Flat CWMU, according to rule, qualified for a 40/60 split, not 50/50.

Moon Ranch CWMU, the biologist is not recommending antlerless moose tags for this management unit.

Mr. Blackwell showed a bar chart on CWMUs and antlerless elk permits. Regular draw permits increased by 3032 and CWMU permits increased by 115 over a two-year period.

On antlerless moose we had six permits in 2005, 43 in 2006 and 40 in 2007. On units four, five, and six, this will help control units that are over objective and decrease urban area moose problems. This concluded the presentation.

Mr. Howard asked if we can force the CWMUs to take the antlerless permits?

Mr. Blackwell said yes, it is in rule.

Mr. Perkins said if CWMUs were doing their part on antlerless, wouldn't they be taking significantly more permits?

Mr. Blackwell said yes.

Mr. Perkins said in order to be good partners, they need to step up.

Mr. Blackwell said yes.

Mr. Kent asked why the resistance.

Mr. Blackwell said they get all the big money permits on the bucks/bulls. It depends on the split. There isn't as much money in working in the public permits.

Mr. Niemeyer said those concerns on the Fish Lake are that they do not want any cows killed.

Mr. Woodard asked if there are any access issues with these landowners.

Mr. Blackwell said there have not been any issues.

Mr. Howard asked if it would be advantageous to insist that they take more antlerless.

Mr. Blackwell said what we have recommended is good for this year. The regions have worked hard to get them to take a few antlerless. The biologists have worked and in some areas the number of these permits has increased.

Mr. Perkins said a number of CWMUs are not cooperating, but there are a number that are taking more than their fair share.

### **RAC Recommendations**

Northeastern - Mr. Hamann said they voted unanimously to accept the Division's recommendations.

Southeastern - Mr. Gilson said their motion was to raise the number of antlerless elk permits on the two CWMUs east of Highway 191 from 130 to 180, and this passed with one abstention and one opposed. They also had a motion to accept the remainder of the Division's recommendations and this passed unanimously.

Southern - Mr. Small said they accepted the Division's recommendations as presented and it passed 8 to 1.

Central - Mr. Kent said they had two motions. MOTION: To take some steps to reduce the number of bull permits the following year, if CWMUs were resistant to accepting antlerless permits. This passed 6 to 4 with one abstention. The next MOTION: To accept the remainder of the recommendations passed unanimously.

Northern - Mr. Perkins said they accepted the Division's recommendations unanimously with 3 recused.

There was no public comment

### **Board Discussion**

Chairman Bowns summarized the RAC recommendations.

Mr. Smith said regarding Central RAC's motion to reduce bull permits, they could wait and see how it comes out after the rule revision. He also commended the Northern Region CWMUs for taking their fair share of antlerless tags.

Mr. Kent said the review of the CWMU rule was discussed. This motion came out more so as a message to the Board. Their RAC would not be opposed to Mr. Smith's suggestion. There were

some strong opinions on this issue.

Mr. Smith said there does need to be more enforcement on this issue.

Mr. Kent said the impression was that some of these CWMUs did not want to participate in taking antlerless tags and just ignored the Division.

Director Karpowitz said this might do well as an action item. This would be looked at next year, since permit numbers are already set.

Mr. Howard said this is an important point made by the Central RAC.

The following motion was made by Lee Howard, seconded by Allan Smith and passed unanimously.

**MOTION: I move that we ask the CWMU Committee to strongly consider the fairness of the taking of antlerless permits by the CWMUs and this is to be put on the Action Log.**

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

**MOTION: I move that we accept the remainder of the Antlerless CWMU Permit Recommendations for 2007.**

#### **1) Other Business (Contingent)**

Mr. Small said there was someone at their meeting who was concerned about the damage being done around the state by ravens.

**MOTION: To recommend that the Wildlife Board ask the Division to commission a study on significant damage done by ravens in the State of Utah.**

This motion carried unanimously.

Director Karpowitz said the Division can come back with a discussion on this issue. We need to have the right personnel here to discuss this. There actually are provisions for harvesting crows, and potentially ravens. We could make this an action log item.

The following motion was made by Allan Smith, and seconded by Lee Howard and passed unanimously.

**MOTION: I move that we put the issue of raven depredation on the action log to be discussed at a future Wildlife Board meeting.**

The meeting was adjourned.