

UTAH WILDLIFE BOARD MEETING

June 7, 2007, 9:00 a.m.
496 East Main, Vernal, UT

AGENDA

Thursday, June 7, 2007

- | | |
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| 1. Approval of Agenda
- Dr. Jim Bowns, Chairman | ACTION |
| 2. Approval of Minutes
- Dr. Bowns | ACTION |
| 3. Old Business/Action Log
- Dick Diamond | CONTINGENT |
| 4. DWR Update
- Jim Karpowitz, DWR Director | INFORMATION |
| 5. Panguitch Lake
- Dr. Bowns, Wildlife Board Chairman | INFORMATION |
| 6. Aquatic Proposals
- Roger Wilson, Wildlife Program Coordinator | INFORMATION |
| 7. Senate Bill 161 - Multiple Rule Amendments
- Staci Coons, Rules, RAC and Wildlife Board Coordinator | ACTION |
| 8. Mandatory Harvest Reporting Proposal R657-42
- Greg Sheehan, Admin. Services Section Chief | ACTION |
| 9. Use of Division Lands R657-28
- Stephen Hansen, Wildlife Program Manager | ACTION |
| 10. Adjudicative Proceedings R657-26
- Michael Fowlks, Law Enforcement Chief | ACTION |
| 11. Walk-In Access Rule R657-56
- Boyde Blackwell, Private Lands/Public Wildlife Coordinator | ACTION |
| 12. 2007 Northern Region Youth Pheasant Hunt Location
- Dean Mitchell, Wildlife Program Manager | ACTION |
| 13. Northern Region Least Chub & Spotted Frog Reintroductions | ACTION |

- Craig Schaugaard, Wildlife Program Manager

14. Southern Region Proposed Native Trout Projects **ACTION**
- Michael Ottenbacher, Wildlife Program Manager

15. Strategic Plan and DVD **ACTION**
- Jim Karpowitz, DWR Director

16. Other Business **CONTINGENT**
- Dr. Bowns

UTAH WILDLIFE BOARD MOTIONS

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496 East Main, Vernal, UT

1. Approval of Agenda ACTION

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

2. Approval of Minutes ACTION

MOTION: I move that we accept the minutes for the April 26, 2007 Wildlife Board meeting as corrected.
Passed unanimously

3. Senate Bill 161 - Multiple Rule Amendments ACTION

MOTION: I move that we approve Senate Bill 161 multiple rule amendments.
Passed unanimously

4. Mandatory Harvest Reporting Proposal R657-42 ACTI
ON

MOTION: I move that we approve the Mandatory Harvest Reporting Proposal R 657-42 as presented.
Passed unanimously

5. Use of Division Lands R657-28 ACTION

MOTION: I move that we approve the Use of Division Lands Rule R657-28 as presented by the Division.
Passed unanimously

6. Adjudicative Proceedings R657-26 ACTION

MOTION: I move that we accept the Adjudicative Proceedings Rule R657-26 as presented by the Division.
Passed unanimously

7. Walk-In Access Rule R657-56 ACTION

MOTION: I move that we approve the Walk-In Access Rule R657-56 as presented by the Division.

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Passed unanimously

8. 2007 Northern Region Youth Pheasant Hunt Location **ACTION**

MOTION: I move that we approve the 2007 Northern Region Youth Pheasant Hunt Location as presented by the Division.

Passed unanimously

9. Northern Region Least Chub & Spotted Frog Reintroductions **ACTION**

MOTION: I move that we approve the Northern Region Least Chub & Spotted Frog Reintroductions as presented by the Division.

Passed unanimously

10. Southern Region Proposed Native Trout Projects **ACTION**

MOTION: I move that we approve the Southern Region Native Trout Projects as presented by the Division.

Passed unanimously

11. Strategic Plan and DVD **ACTION**

MOTION: I move that we approve the Strategic Plan as presented by the Division.

Passed unanimously

16. Other Business **CONTINGENT**

1) Election of Board Officers

MOTION: I move that we vote for the new Wildlife Board Chairman today.

Passed unanimously

Mr. Howard nominated Paul Niemeyer for Wildlife Board Chairman. The Board voted unanimously to accept Mr. Niemeyer as such.

Mr. Diamond nominated Rick Woodard as vice-chair for the Wildlife Board. The Board voted unanimously to accept Mr. Woodard as such.

2) Other Business - change of August Wildlife Board meeting

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. **MOTION: I move that we change the August 2, 2007 Wildlife Board meeting to August 8, 2007.**
Passed unanimously

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496 East Main, Vernal, UT

Board Members Present

Chairman Jim Bowns
Dick Diamond - vice chair
Allan Smith
Keele Johnson
Lee Howard
Paul Niemeyer
Rick Woodard
Jim Karpowitz - Exec Sec

RAC Chairs Present

Clay Hamann - Northeastern
Mike Small - Southern
Ernie Perkins - Northern
Fred Oswald - Central
Terry Sanslow - Southeastern

Public Present

None

Division of Wildlife Resources

John Fairchild
Ron Hodson
Mike Fowlks
Kevin Christopherson
Dean Mitchell
Stephen Hansen
Craig Schaugaard
Boyde Blackwell
Staci Coons
LuAnn Petrovich
Greg Sheehan
Roger Wilson
Walt Donaldson
Marcia Warren
Rick Larsen
Dave Olson
Mike Ottenbacher

Chairman Bowns thanked Northeastern Region for hosting our June Wildlife Board meeting. He then welcomed the audience and introduced the Wildlife Board members and RAC Chairs. Chairman Bowns recognized Director Karpowitz and the Division's effort in acquiring the Little Hole Property.

1) Approval of Agenda (Action)

The agenda was then reviewed. Chairman Bowns added the change of the August Wildlife Board meeting date in August under "other business."

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

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

2) Approval of Minutes (Action)

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On p. 9, 8th paragraph, 2nd line should read “portion passed 6 to 4 with the exception of the Fish Lake elk.” On p. 11, 2nd paragraph, 4th line, “individual grazer” should be changed to “landowner.” On p. 18, 2nd paragraph, change “management” to “antlerless” and add “permits on the Fish Lake Unit” to the last line. On p. 20, bottom motion, add “seconded by” before Lee Howard.

The following motion was made by Paul Niemeyer, seconded by Rick Woodard and passed unanimously.

MOTION: I move that we accept the minutes for the April 26, 2007 Wildlife Board meeting as corrected.

3) Old Business/Action Log (Contingent)

Mr. Diamond went through the Action Log and clarified the status of each item.

4) DWR Update

Director Karpowitz talked about the selection process for the new Board members. There is an eleven person nominating committee that met and discussed all the applicants. They forwarded two names for each of the three positions to the Governor’s office. The new members will be Ernie Perkins, from Northern, Del Brady, from the Vernal area and former Senator Tom Hatch from Panguitch. They have to be confirmed by the Senate on June 20, 2007. Their effective date will be August 16, 2007. There will be an orientation on August 9, 2007. We want to honor our outgoing board members at a banquet to be held the evening of August 8th.

We are excited about the purchase of the Little Hole property. This property will never be developed and is now secured for future generations. We had the minimum bid, 1.25 million dollars, arranged for, but fortunately Questar came in with the additional money needed for the purchase, just in the last week. They gave their donation with no strings attached. All they wanted was recognition in the news release for the donation. They wanted to go through the Nature Conservancy and so they became a mediator in that process. Since then some other groups have come along including FNAWS who donated \$100,000. The net cost of the property to the Division was just under \$400,000. \$800,000 came from the Mitigation, Reclamation and Conservation Commission. We are excited that this is done. This was such an important piece of property; we just could not stand by and let it go into private ownership. It is hard to compete with development and the other money that is out there.

Mr. Howard asked where the FNAWS money came from.

Director Karpowitz said he thinks it came from conservation permit money.

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Director Karpowitz went on to discuss quagga mussels. This is potentially a huge threat to our fisheries. He went over what is happening at Lake Meade and Lake Powell. The National Park Service has put together an Incident Management Team. They get the best minds in the business together and decide on a plan of attack. They have decided to treat Lake Meade and other areas where the mussels already exist in a containment approach. Lake Powell and other waters are in a prevention approach. After taking a boat from Lake Meade, everyone has to make their boat mussel free and they are educating people accordingly. At Lake Powell, before boats are launched, individuals are educated and must determine that their boat is certified mussel free. We have to protect our waters around the state. We will follow the model of Minnesota where they have an extensive outreach education program. They spend about 2.5 million dollars a year. They have been very proactive and have been very successful. These mussels can drastically affect an ecosystem and fisheries.

We have recently gone to the state for money to support our efforts in stopping the spread of mussels in Utah. We feel we need to be very proactive. They said spend the money necessary to stop the spread of mussels in Utah and we will get it at the next legislative session. We are looking to spend 1.5 million dollars in fy 2008, doing lots of education and monitoring at every boating water in the state. We will also bring some people on board who will work full time on this crisis. On June 20, we go to the Legislative Executive Appropriations Committee for approval and then we will go after it. We are in the process of hiring two full time coordinators, one in Outreach and one in Aquatics. We will eventually hire five new law enforcement officers and around 34 technicians/specialist to work the waters around the state. This is a massive effort.

In the midwest, mussels have caused between one billion and 1.5 billion dollars damage. Water intake systems, hydroelectric plants, canals, and drains all through the Midwest have been affected. They ruin fisheries, boat docks, recreation, swim beaches, and equipment.

Mr. Niemeyer asked if there will be treatment facilities at launch sites.

Director Karpowitz said yes. As part of our plan for these 29 technicians at various waters, they will all have a portable cleaning unit that will heat to 120 degrees, which will kill mussels.

Director Karpowitz went on to say that our fishing promotion and season is in full swing. There has already been some great fishing in Utah. There is a phenomenal amount of good fishing to be had across the state. It is a great credit to the Division's people and their efforts. There is some concern over gas prices. We have seen huge crowds at our community fisheries.

We are also marketing our new license plates. They have all been redesigned and include an eagle, a cutthroat trout and an elk.

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Mr. Niemeyer said when the Olympics marketed a license plate, they put a license plate example at the dealerships. The process to obtain a plate needs to be very simple.

Director Karpowitz said Ms. Thomas has been meeting with the car dealerships to get this in place.

Mr. Woodard asked how the two-pole permit has been received.

Director Karpowitz said we are selling quite a few.

Mr. Howard asked how the foundation is coming.

Director Karpowitz said it is formed and they have bylaws. They are in the process of selecting a board, which will be in place this fall. If you know of someone you think would be a good foundation board member, let Director Karpowitz or Bob Hasenyager know.

5) Panguitch Lake (Informational)

Michael Ottenbacher, Wildlife Program manager presented this agenda item. He went over the recent chemical renovation of Panguitch Lake. The problem fish species was Utah chubs that were in competition with the stock trout. 95% of the biomass was chubs before treatment. They created the Panguitch Lake Advisory Committee and their goals and objectives were outlined. Chuck Chamberlain was the project leader and Dale Hepworth also played a big part as this project was launched. They are looking to adopt a sport fishery management plan that will provide direction to create a quality sustainable fishery at Panguitch Lake and maintain an average catch rate of 50 trout per net night. Goals are to maintain at least 10% of the rainbow trout as 2-year-old fish (15 inches), increase salmonid predators to 25% of catch produce and mean angler catch rates of at least .5 trout/hr.

Steps to reach goals were to complete removal of Utah chubs using rotenone, restock Panguitch Lake soon after detox (by Memorial Day) with catchable rainbow trout, fingerling rainbow trout, Bear Lake cutthroat trout and tiger trout. They look to protect large predators from harvest using restrictive regulations and will also use media releases to advise the public.

The first trout were stocked May 25, 2006 and the treatment was very successful with over 400,000 trout stocked to get it started again.

Mr. Ottenbacher showed some charts on how they came up with the regulations. He showed a chart reflecting trout populations, size and frequency distribution on a creel count that was done in 2001. Most of the rainbow trout were creeled before they were 16-17 inches long. The slot limit mandates a release of all trout between 15 and 22 inches. 50% of cutthroat harvested in

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2001 were over 15 inches. There has been incredible growth on all the fish stocked last year.

Since regulations have been in place since January 2007, law enforcement reports that on Panguitch Lake from January - April 2007, they have had good compliance with only 14% of violations being slot limit violations. Trout populations and size frequency distribution were checked in netting during May 2007 and showed lots of fish up against the slot. They will make adjustments with the stocking program to maintain a group of harvestable fish.

On the Panguitch Lake objectives, the results from the May 2007 gill nets sampling show we are maintaining an average catch rate of 50.5 trout per net night. The maintenance of at least 10% of the rainbow trout as 2-year-old fish at 15 inches data will not be available until 2008. The increase of salmonid predators to 25% of catch has been reached with May 2007 gill nets at 35%. The goal of mean angler catch rates of at least .5 trout/hr is quite close with the January - April 2007 counts.

Ongoing work includes creating a catch and release pamphlet to educate anglers, continued sampling to assess stocking regime and regulation, conducting angler creel survey in 2008, and additional media releases to inform and educate. This concluded the presentation.

Chairman Bowns said they were giving tape measures, free of charge, to educate anglers on slot limit. He asked how they are going to make more fish available to keep.

Mr. Ottenbacher said he hopes that a lot of the fish right up against the slot will be harvested. The incredible growth that occurred last year was not planned on. We do not have a lot of smaller fish now. We have made some stocking adjustments, putting in smaller fish, so some will be available. We will have to do multiple stockings throughout the year.

Mr. Johnson asked if they have seen any chubs since the treatment.

Mr. Ottenbacher said no. There is a good chance we have gotten rid of them.

Chairman Bowns thanked Mr. Ottenbacher and asked him to thank Chuck Chamberlain for his efforts. He did a great job.

6) Aquatic Proposals (Informational)

Roger Wilson, Wildlife Program Coordinator presented this item on the proposed changes to the 2008 Fishing Rule and Guide. The fishing informational meetings are designed to provide an opportunity for biologists to share preliminary proposals for the 2008 Fishing Rule and Guide with the public. The public gets a chance to provide their own ideas and then the DWR evaluates these ideas.

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The regulatory objectives of the Division are to continue efforts to simplify, clarify, and standardize regulations, further refine the "Fishing Guide" format to make it easier reading, provide a wide variety of opportunities to the angler and protect aquatic resources of the state. The proposals under consideration for general and statewide angling are changes to baitfish regulations with the prohibition on the use of baitfish products imported from areas infected with the viral hemorrhagic septicemia in the Great Lakes region. Also, a prohibition on the use of tiger salamanders live or dead, as bait to protect native amphibian populations from disease transmissions and genetic introgression.

Another proposal is changes to spearfishing regulations, and extending spearfishing season to the period of June 1 to November 30. Several other waters have been added to the spearfishing list, Jordanelle, Pineview (except for tiger muskie) and Yuba Reservoir. Joe's Valley has been dropped from the spearfishing list. The spearfishing limit is changed to the general or specific regulations that apply to the particular water. The proposal also includes clarification on nongame fish spearfishing provisions. The Division is looking to consider a prohibition on free-shafting (i.e. spears must be tethered to the diver), on-line registration and a spearfish permit.

The standardized statewide burbot "catch and kill" regulation (removal of 25 fish limit) includes no creel limit for burbot. You may not release burbot and all must be killed immediately. Additional information regarding illegal introductions and their impacts will be presented in the future.

Other changes include fishing contest/tournament regulations. They are looking to consider changes to accommodate live-weigh bass fishing tournaments on size-restricted waters:

Option 1 - relaxation of possession standard (warm water only)

Option 2: changes in limits to allow possession of some of the larger sized bass (i.e. standardized bass regulations)

Other recommendations are to consider an increase in the \$500 prize restriction for fishing contest COR requirements, to reduce fishing contest COR processing time from 60 to 45 days, make changes to fishing contest regulations for Echo Reservoir, to correct several errors in the rule and consider preparation of a separate rule for fishing tournaments and tagged fish contests.

The Division proposes standardization of black bass regulations and will begin discussions of standardized bass limits this year. The DWR will work closely with bass anglers, bass groups, and other interested parties in these discussions. Changes to bass regulations may be considered for implementation during 2008. Proposed changes, if any, would be based on public input, biological considerations and attempts to accommodate live-weigh bass tournaments at size restricted waters.

A consideration to change processing/filleting regulations for warm water species on length restricted waters is being looked at. Current regulations require fish to be transported whole.

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Some states allow filleting when anglers suspend fishing or transport fish away from the water body. They are also considering changes to allow filleting of lake trout at Flaming Gorge.

Mr. Wilson then went over the regulations for the specific regions. (See Attachment # 1)
He also mentioned a website for sharing ideas with the DWR by June 1. Share ideas at RAC meetings, e-mail idea to DWRComment@utah.gov or mail ideas to the Division.

Mr. Niemeyers said some fisherman want filleting methods made available.

Mr. Wilson talked about filleting and leaving a strip of skin on them for identification.

Mr. Woodard asked if they are actively looking to expand the community fisheries. He has heard lots of positive feedback on these fisheries.

Mr. Wilson said yes.

7) Senate Bill 161 - Multiple Rule Amendments (Action)

Staci Coons, Rules, RAC and Wildlife Board Coordinator, presented this agenda item. The changes being requested are a direct result of the proposed fee schedule that was approved by the RACs and Wildlife Board at the October 6, 2006 board meeting. The legislature agreed with the RAC and Board's recommendations and passed Senate Bill 161 during the 2007 legislative session.

The bill includes changing the name of the small game license to a hunting license, and requires a hunting license to hunt small game and apply for, or obtain a big game, cougar, bear or turkey permit. It alters the combination license to allow a person to fish, hunt small game and apply for or obtain a big game, cougar, bear or turkey permit. It requires anglers 12 and 13 years old to purchase a fishing license. The license fee is \$5.00.

This bill impacted 13 of the DWR's rules. In a nutshell, you are required to purchase a hunting or combination license to apply for or obtain permits or bonus points for any of the following: Big Game - general season, limited entry, premium limited entry, once-in-a-lifetime, CWMU, management bull elk, antlerless, conservation, dedicated hunter permits, sportsman, landowner, mitigation, depredation, convention and poaching-reported reward permits.

You are required to purchase a hunting or combination license to apply for or obtain permits or bonus points for any of these species: cougar, bear and turkey. This concluded the presentation.

Director Karpowitz said we have been dealing with the unforeseen results from this bill and will continue to do so. On the 12-14 year old fishing license, it will be an educational effort for at

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least six months.

RAC Recommendations

All of the RACs voted unanimously to accept the Division's proposal.

There was no public comment.

The following motion was made by Keele Johnson, seconded by Paul Niemeyer and passed unanimously.

MOTION: I move that we approve Senate Bill 161 multiple rule amendments.

8) Mandatory Harvest Reporting Proposal R657-42 (Action)

Greg Sheehan, Administrative Services Chief presented this agenda item.

The Division requires hunters to report harvest information within 30 days of the end of the big game or swan hunts. If the hunter does not report within the 30 days, they become ineligible to apply in the next big game or swan drawing. Each year many hunters do not comply.

The Division proposes that upon paying a late fee and completing the harvest survey, a hunter would be allowed to apply in the big game or swan drawing. More specifically hunters would need to:

1. Have the survey form completed at least five days prior to the end of the big game or swan application period.
2. Pay the late fee in the amount of \$50.00, which has been set in the legislatively approved fee schedule
3. Payment would be made to the 1-800 telephone number using a debit or credit card.

For implementation, the current big game proclamation does not have the language for this change, but upon approval by the RAC's and then Wildlife Board, we would implement these changes for 2007. The next waterfowl proclamation will be modified. It was requested of the RAC's to modify this rule. This concluded the presentation.

RAC Recommendations

Northern, Southern, Southeastern and Northeastern voted unanimously to accept the Division's recommendations as presented. The Central RAC voted to accept, 6 to 2. The two opposing votes were concerned that data would come in too late to be useful.

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Mr. Diamond asked if people met their obligation at a check point when they harvested their swan. They said they thought they had taken care of this at that point and that is why they did not respond to the harvest report.

Mr. Sheehan said there will still be some problems with that. We tell them that being checked or sending in a tooth is not the same as the harvest report, but some still think it is. This change allows for a way to let them back into the draw.

Mr. Johnson asked if when a harvest is checked, couldn't they make that their harvest report?

Mr. Sheehan said his initial fear is that sometimes the Conservation Officer's reports might get lost.

Mr. Fowlks said there are two different databases where this information is entered.

Director Karpowitz said we are trying to get hunters to work toward doing this on all hunts.

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

MOTION: I move that we approve the Mandatory Harvest Reporting Proposal R-657-42 as presented.

9) Use of Division Lands R657-28 (Action)

Stephen Hansen, Wildlife Program Manager, presented this item, which also incorporates the Wood Products Rule. The DWR owns lands to benefit wildlife and provide wildlife-based recreation. This rule addresses the following significant issues: all types of leases, special use permits, livestock grazing, grass banks, seed harvesting, surface mining, water rights, firewood, Christmas trees, ornamentals and posts, and commercial contracts. We use livestock to manage vegetation through grazing permits, which are good for one year, with permittee option to renew options good for a cumulative of 10 years (or five years) and the DWR retains flexibility to issue permits without options to renew.

Mr. Hansen went over sealed proposals or negotiated proposals criteria, referring to rule.

Mr. Howard asked if as an operator, they could trade out improvements on these leases.

Mr. Hansen said yes, but they would have to be cleared with the Division first.

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Mr. Diamond asked if an operator would have to get permission for everything they do.

Mr. Hansen said yes.

Chairman Bowns asked if the Division would consider paying a leasee to make improvements on the land for the Division.

Mr. Hansen said he has not heard of doing anything like that on a larger scale.

Mr. Smith said this proposal, with regard to grazing, would be impossible to run without a long term plan. He asked if there are any specific regulations for a person to go on Division lands and do recreational prospecting.

Mr. Hansen said that technically the rule says it would not be allowed. If an individual wants to do some minimal impact mining, they should have some type of agreement with the Division. The reason we own property is for the benefit of wildlife and wildlife recreation.

Mr. Rick Larsen said through Water Rights, some years ago, the Division agreed that they could accept some types of modification on certain waters and gold dredging. We might be cautious in making a rule, since this is covered under Water Rights.

Mr. Howard asked who the permittee on the Mill Draw property is.

Mr. Larsen said he thinks it is Ray Hunter.

RAC Recommendations

Southeastern, Northeastern, Northern and Central voted to accept the Division's recommendations unanimously. Southern voted to accept 6 to 1.

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

MOTION: I move that we approve the Use of Division Lands Rule R657-28 as presented by the Division.

10) Adjudicative Proceedings R657-26 (Action)

Michal Fowlks, Law Enforcement Chief, presented this item on the Adjudicative Proceedings Rule changes. These changes take precedence in mitigating circumstances. Also, House Bill 48 (Horse Sense Bill) passed.

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Suspension statute changes to Utah Code 23-19-9 grants latitude to the hearing officer with regard to determining the time length for suspension periods. The maximum suspension periods are 1 year Class C misdemeanor conviction, 3 year Class B misdemeanor conviction, 5 year Class A misdemeanor conviction and 7 year felony conviction. This change did away with the habitual suspension section, added provisions for a class C misdemeanor suspension, and kept the knowing/intentional or reckless standards.

Other changes include the hearing officer will have the option to suspend up to the maximum level set by statute. The hearing officer will need to take into account the mitigating and/or aggravating circumstances of each case when determining length of suspension. This change also allows the presiding officer to suspend either concurrently or consecutively for multiple criminal episodes or for previous suspensions already imposed. It also ties the maximum time to the statute.

On license statute changes, the legislature approved the requirement of a hunting license to apply for big game cougar, bear and turkey. This affects how we address suspension for small game by adding a provision to allow persons suspended for small game, to purchase or obtain an alternate license to apply for big game, cougar, or bear permits, but will not be valid for hunting small game.

Technical changes were made to clarify references and terminology. It is proposed to add the violation of taking big game for pecuniary gain to the list of violations the presiding officer can suspend all hunting privileges or all privileges. Also, these suggested changes do not alter the current process the board follows on addressing appeals of suspensions. We will also need to alter our current DWR guidelines for the officers to follow, with regards to submitting suspensions to encompass any adopted rule changes.

Mr. Howard said the hearing officer has more latitude in taking away time consuming issues from the Board.

Mr. Fowlks said how we have been dealing with it is, Mr. Bushman would review cases and then refer them to the Board. With the changes, the hearing officers can make the decision up front.

Mr. Niemeyer asked about the habitual offenders section.

Mr. Fowlks said that was eliminated, but we still have the ability to take care of these situations. The legislature took it out.

Mr. Niemeyer said he is not pleased that this was taken out.

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Mr. Fowlks said we can still deal with these situations under the new system.

RAC Recommendations

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

Mr. Howard asked if we could approve this rule with the comment that any time we get a habitual offender, it would go from the hearing officer to the Wildlife Board, automatically?

Mr. Fowlks said they could track habitual offenders along with suspensions. We still identify those who get more than three citations in five years.

Mr. Howard said that will be fine. We need to track those habitual offenders.

Mr. Smith said this system will decrease those appeals coming to the Board.

Mr. Diamond asked if offenders are usually made aware that these suspensions can affect their opportunities in other states.

Mr. Fowlks said they have put the fact out that Utah is a member of the Wildlife Compact and these violations reach far beyond Utah.

Director Karpowitz said when the bill went through the legislature to accomplish these things, we came close to losing our suspension authority entirely. There were some legislators that questioned why the DWR was suspending beyond court authority and it was amended out of the law. At this point, we did some convincing with some other legislators that we need this, and it was amended back in. We need to be careful with this issue.

Mr. Fowlks said they deal with 4,000 wildlife violations and suspend about 120 annually.

Mr. Niemeyer said the suspensions do not mean much to the offenders, but the fines do.

The following motion was made by Lee Howard, seconded by Dick Diamond and passed unanimously.

MOTION: I move that we accept the Adjudicative Proceedings Rule R657-26 as presented by the Division.

Mr. Woodard asked if their officers have been updated with computers in their vehicles.

Mr. Fowlks said they are in Southeastern Region, and they are working toward all of them.

11) Walk-In Access Rule R657-56 (Action)

Boyde Blackwell, Private Lands/Public Wildlife Coordinator presented this agenda item. This rule provides the procedures, standards, and requirements to administer a walk in access program. We have been working with this program for the last three years in Northern Region. This program increased wildlife opportunities for sportsmen and viewing, and improved relationships with landowners and sportsmen. We are looking to expand this into the Central and Northeast Regions.

With the expansion some changes needed to be made to the rule. Changes include expanding wording to include the entire state, rather than just the Northern Region. Also a property must contain no less than an 80-acre contiguous block of land, and contain no less than a 40-acre contiguous block of wetland or riparian land. There needs to be suitable fishing waters and fish to support the recreational lease activity.

The members of the advisory committee for walk in access shall serve a term of four years, except members may be appointed for a term of two years to ensure that the term of office are staggered. The Wildlife Section Chief or representative will sit on the committee as long as it exists.

Mr. Diamond asked how much time an operator has to let the Division know to opt out.

Mr. Blackwell said 30 days. We are not really changing anything major in the program, just looking toward expansion. Because of budget restraints, we cannot go statewide yet.

Director Karpowitz said we want to get this statewide as soon as possible.

Mr. Blackwell said it has been an excellent program.

Mr. Sanslow said this program is not just for sportsmen, it is for everybody.

RAC Recommendations

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

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

MOTION: I move that we approve the Walk-In Access Rule R657-56 as

presented by the Division.

12) 2007 Northern Region Youth Pheasant Hunt Location (Action)

Dean Mitchell, Wildlife Program Manager presented this item. The Division conducts five youth hunts throughout the state each year. The last few years we have moved it onto the Willard Bay area. It has been difficult to manage this hunt safely, because of all the cover. It is difficult for a young, first time hunter to be safe while he is getting through the heavy cover. We are asking to move this hunt out onto some of the walk-in access properties in Northern Region, the Douglas/ Sorensen walk-in access property located in Howell Valley in central Box Elder County. They offer over seven thousand acres. This property provides open, short vegetation types and more land suitable for a safe youth pheasant hunt.

Mr. Perkins said the original letter in Northern Region mentioned a two-day closure.

Mr. Mitchell said he sent out a memo to close the property for one day following the youth hunt. Typically there is a number of the public that comes the day after to get the rest of their birds. We have decided we do not have to do this, because of the way the landowner limits the hunters that are allowed on the property.

RAC Recommendations

Northern - Mr. Perkins said their RAC voted unanimously to accept the Division's recommendation.

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

MOTION: I move that we approve the 2007 Northern Region Youth Pheasant Hunt Location as presented by the Division.

13) Northern Region Least Chub & Spotted Frog Reintroductions (Action)

Craig Schaugaard, Wildlife Program Manager presented this item. The Division has several locations in Cache and Box Elder counties that we feel would be suitable locations to reintroduce least chub (they were historically found in both counties). In Summit County, we want to move spotted frog tadpoles from a location on the Provo River to Beaver Creek in the Weber drainage. The distance between these two locations is only a couple of miles.

The DWR has already contacted the counties that would be affected and favorable responses were received. The spotted frog reintroduction would take place on USFS land and the Forest

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Service is in favor of this project. Least chub reintroductions would either take place on federally owned land or on private land with willing landowners. This concluded the presentation.

Mr. Smith asked if they have had success in the reintroductions.

Mr. Shaugard said yes. They have to make sure it is a suitable spot. They have moved the spotted frog from Park City to Snyderville and they have taken off really well.

RAC Recommendations

Northern - Mr. Perkins said their RAC voted unanimously to accept the Division's recommendation.

The following motion was made by Paul Niemeyer, seconded by Keele Johnson and passed unanimously.

MOTION: I move that we approve the Northern Region Least Chub & Spotted Frog Reintroductions as presented by the Division.

14) Southern Region Proposed Native Trout Projects (Action)

Michael Ottenbacher, Wildlife Program Manager presented this item. The DWR in Southern Region, in cooperation with the Fishlake National Forest, the Dixie NF, BLM Richfield Field Office is proposing to establish populations of native trout (two subspecies Bonneville cutthroat trout and Colorado River cutthroat trout) in ten streams in south central and southwestern Utah. In 1977 there were three known remnant populations in 9.9 km of streams.

The following are proposed native trout projects: Cottonwood Creek, Deer Creek, Fish Creek, North Creek, Pine Creek, Pole Canyon/Three Creeks and Shingle Creek, Tasha Creek, Willow Creek and Upperclear Creek. These Native trout projects include the assessment of habitat, nonnative fish distribution and the need for barriers.

The project sequence includes initial planning, coordination with local government, scoping/identifying issues, project analysis/NEPA, review/project adjustments, UDWR review process, formal decision (State, FWS), appeal period, and implementation.

Mr. Ottenbacher talked about cutthroat on Boulder Mountain and the changes in past 10 years, focusing efforts on lakes with stunted populations. A number of those lakes have started to produce some good fishing for Colorado cutthroat trout.

RAC Recommendations

Southern - Mr. Small said this was one of the first topics of the meeting. There were lots of questions and discussion and it was accepted unanimously.

The following motion was made by Keele Johnson, seconded by Paul Niemeyer and passed unanimously.

MOTION: I move that we approve the Southern Region Native Trout Projects as presented by the Division.

15) Strategic Plan and DVD (Action)

Director Karpowitz said this plan and process is different from other plans. It was developed by the employees, looking to refine our past management plan and knowing full well what is expected by the public. There are three major goals and 10 objectives. There is a goal that involves our agency - constituency goal. These goals were established and then given to the employees around the state to identify barriers and then put strategies in place to help us get to where we need to go. This is an internally formed plan and we wanted everyone in the Division to buy into making this happen. We worked hard on this for a couple of years. It is going to be adaptable if necessary. We have greatly abbreviated our mission, which is to serve the people of Utah as trustee and guardian of the State's wildlife. The three goals, core belief, vision and values are outlined. (See Attachment #2)

Mr. Smith said he appreciated receiving all the details on the plan via e-mail. He said it is a fabulous plan.

Chairman Bowns said he liked the way it has been made concise. People will read something that is written this way.

Mr. Niemeyer asked about the new logo.

Director Karpowitz said the new logo will be on everything that comes out in the future.

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

MOTION: I move that we approve the Strategic Plan as presented by the Division.

16) Electing of Board Officers (Action)

Director Karpowitz said he discussed this procedure with Mr. Bushman. The present Board could elect to let the new Wildlife Board vote in the Board Chairman. They need to decide if they want to do it now or leave it to the new Board.

Mr. Smith said he feels this decision should be made by the new Board.

Mr. Howard said we should do it now and perhaps look at making it a one-year term.

Director Karpowitz said continuity is very helpful. It takes a while to learn the job.

The following motion was made by Paul Niemeyer, seconded by Lee Howard and passed unanimously.

MOTION: I move that we vote for the new Wildlife Board Chairman today.

Mr. Howard nominated Paul Niemeyer for Wildlife Board Chairman. The Board voted unanimously to accept Mr. Niemeyer as such.

Mr. Diamond nominated Rick Woodard as vice-chair for the Wildlife Board. The Board voted unanimously to accept Mr. Woodard as such.

17) Other Business - change of August Wildlife Board meeting (Action)

There is a need to move the Wildlife Board meeting and dinner from August 2 to August 8, 2007.

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

MOTION: I move that we change the August 2, 2007 Wildlife Board meeting to August 8, 2007.

Director Karpowitz thanked Chairman Bowns and Mr. Diamond for serving as Chairman and vice-chair.

The meeting was then adjourned.