

UTAH WILDLIFE BOARD MEETING
September 6, 2007, 9:00 a.m. DNR Auditorium
1594 West North Temple, Salt Lake City, Utah

AGENDA

Thursday, September 6, 2007

- | | |
|---|---------------------|
| 1) Approval of Agenda
- Paul Niemeyer, Chairman | ACTION |
| 2) Approval of Minutes
- Paul Niemeyer | ACTION |
| 3) Old Business/Action Log
- Rick Woodard, Vice-Chair | CONTINGENT |
| 4) DWR Update
- Jim Karpowitz, DWR Director | INFORMATION |
| 5) Time Certain – 9:00 am – Jerold C. Kennicott | BOARD APPEAL |
| 6) Fee Proposal
- Greg Sheehan, Administrative Services Chief | ACTION |
| 7) CWMU Rule R657-37
Boyde Blackwell, Private Lands/Public Wildlife Program Manager | ACTION |
| 8) Waterfowl Proclamation and Rule R657-09
- Tom Aldrich, Wildlife Program Coordinator | ACTION |
| 9) Turkey Proclamation and Rule R657-54
- Dennis Southerland, Wildlife Program Coordinator | ACTION |
| 10) Convention Permits Rule R657-55
-Kenny Johnson, Information Analyst | ACTION |
| 11) Convention Report and Permits
- Craig McLaughlin, Wildlife Section Chief | ACTION |
| 12) Other Business
- Paul Niemeyer | CONTINGENT |

Mid- Winter Travel /Youth Hunter Recruitment Committee – Board Member Rep.

Scheduling of upcoming Board Appeals / Mid-Winter Training for RAC Chairs and Board Members

UTAH WILDLIFE BOARD MOTIONS
September 6, 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 presented.
Passed unanimously

- 2) Approval of Minutes **ACTION**

MOTION: I move that we approve the minutes for the August 8, 2007 Wildlife Board meeting with the noted corrections.
Passed unanimously

- 3) Fee Proposal **ACTION**

MOTION: I move that we approve the Fee Proposal as presented by the Division.
Passed unanimously

- 4) CWMU Rule R657-37 **ACTION**

MOTION: I move that we adopt the boundary concept as presented, but add a variance process with submission to the CWMU Committee, reviewed by the Division, returned to the committee and submission of a recommendation to the Wildlife Board for approval or rejection. If it is an existing CWMU and they need a waiver, they have a one year grace period. If it is a new CWMU, there is an automatic one year delay.
Passed unanimously

MOTION: I move that the bull moose split be kept at 60% private and 40% public with the requirement that the public allocation not fall below 40%, at any point cumulatively, during the three year plan. Also that the antlerless allocation be kept at 40% private and 60% public with the requirement that the public allocation not fall below 60%, at any point cumulatively, during the three year plan.
Passed unanimously

MOTION: I move that we accept the Division's recommendation on the CWMU Rule R657-37 with the accompanying motions.
Passed with one opposed, Ernie Perkins

5) Waterfowl Proclamation and Rule R657-09

ACTION

MOTION: I move that we approve the Waterfowl Proclamation and rule R657-09 with the exception that on youth day, it open ½ hour before sunrise.

Passed unanimously

6) Turkey Proclamation and Rule R657-54

ACTION

MOTION: I move that we accept the Division's recommendation on the Turkey Proclamation and Rule R657-54 with the Option 2 proposal.

Passed unanimously

7) Convention Permits Rule R657-55

ACTION

MOTION: I move that we accept the Convention Permits Rule R657-55 as presented by the Division.

Passed unanimously

8) Convention Report and Permits

ACTION

MOTION: I move that we accept the Division's proposal on the Convention Report and Permits.

Passed unanimously

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September 6, 2007, 9:00 a.m. DNR Auditorium
1594 West North Temple, SLC, Utah

Board Members Present

Chairman Paul Niemeyer
Rick Woodard–Vice chair
Ernie Perkins
Tom Hatch
Lee Howard
Del Brady
Keele Johnson (excused)
Jim Karpowitz – Exec Sec

RAC Chairs Present

Bob Christensen (attending for
Amy Torres)– Northeastern
Ron Hodson (attending for
Brad Slater)– Northern
Ed Kent – Central
Jake Albrecht – Southern
Jim Gilson - Southeastern

Public Present

Jon Leonard
Jerald Olsen
Jeff Richards
Michael Christensen
Bud Keyes
Rick Danvir
Ken Clegg
Justin Hansen
Brett Baum
Wes Shields
Todd Bingham
Mike Christensen
Jeff Richards
James Gaskill
Tony Abbott
Miles Moretti

Division of Wildlife Resources

Rick Larsen
Craig McLaughlin
Staci Coons
LuAnn Petrovich
Justin Dolling
Mike Fowlks
Martin Bushman
Boyde Blackwell
John Fairchild
Tom Aldrich
Doug Messerly
Tony Wood
Dean Mitchell
Mark Hadley

Attorney General's Office

Heather Shelton

Chairman Niemeyer welcomed the audience and introduced the Wildlife Board members and RAC Chairs. Keele Johnson was excused from attendance at the meeting today.

1) Approval of Agenda (Action)

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

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

Chairman Niemeyer said we will now address the Board appeal of Jerold C. Kennicott. (At this point the tape was changed).

2) Board Appeal – Jerold C. Kennicott

3) Approval of Minutes (Action)

On p. 5, after Rick Larsen on the roll, add (standing in for Jim Gilson). On p. 12, 8th paragraph, 4th line “eleven” should read “11%.” P. 19, 6th paragraph, it should read, “if a large part of the herd is removed at one time, will we have bison getting into the park?” P. 21, 5th paragraph, last line should read, “vote was 4 to 2 in favor with 1 abstention.” The following motion was made by Rick Woodard, seconded by Lee Howard and passed unanimously.

MOTION: I move that we approve the minutes for the August 8, 2007 Wildlife Board meeting with the noted corrections.

4) Old Business/Action Log (Contingent)

Rick Woodard said we will discuss turkey permits on agenda item number eight today. He proceeded to go through each item on the Action Log. The Cache Working Group section is partially completed. On Cutthroat trout stocking, the fishing proclamation is to be presented in the next round of RACs. CWMU antlerless permits will be covered today. The remainder of the items will be addressed at their corresponding meetings in the future.

Mr. Howard asked if we need to review the calibers and arrow weights.

Mr. Fowlks said a committee addressed this item this summer. They will be coming to the Board with recommendations in the future.

Chairman Niemeyer explained the Action Log to the new Board members.

Mr. Hatch asked about an issue on the Panguitch Lake fishing regulations that he has been approached on by many individuals. Should that be brought up now or at the fishing proclamation meeting?

Director Karpowitz said since the fishing proclamation is coming up next month, we do not need it on the action log. The action log is just a way to keep things from falling through the cracks and keep us on track. There is also the advantage of bringing it up now and it can be considered in the Division's recommendations.

Chairman Niemeyer said if a person comes to the RAC with a great idea, the other RACs have not heard it, so typically it cannot be heard by the other RACs and acted upon until the next year. That is something we are going to try to figure out how to handle more quickly, when possible.

5) DWR Update (Information)

Director Karpowitz welcomed the new Board members. The first item was the fundraiser that took place in Helper for the miner's families. The Division was contacted to see if they could help in some way, as an agency and provide some kind of hunting experience to be auctioned off. On short notice there was not a lot we could do. We did offer some artwork that sold for over \$1000 and also a helicopter ride that sold for \$600. We then contacted the CWMU Association, Ken Clegg, and they donated two elk hunts, a deer hunt, a pheasant hunt and a fishing trip. They raised \$15,000 for these families from these hunts. The man who bought the deer tag did not understand that his fourteen-year-old son could not use it because he had already purchased a deer tag. He then wanted to transfer it to his twelve year old, who does not turn twelve in time to hunt. This man will likely be coming to the Board asking for a season extension.

Director Karpowitz said a fairly controversial issue has shown up in the last 24 hours, because of an ongoing problem with our wildlife forum which is an area on our website where hunters and fishermen can go in and converse, sharing experiences. It has been useful over the last three years, but we have had continuous problems with inappropriate content showing up on this state website. As of yesterday, we shut it down, because of this problem. We do intend to investigate a new way of using the internet to gather public input. Wyoming is initiating a very interesting system that we might use in this way. We still have our DWR comment section on the website. These comments are all responded to by people in the agency.

There has been a Glen Canyon Recreation area news release that states that we probably do not have quagga mussels in Lake Powell. This is great news.

Also, there are good things going on with the Watershed Initiative. When Kevin Conway started what we called the Habitat Initiative at that time, he could not have imagined what it has grown into today. We are going to do around 350,000 acres of projects, which are approved for this year, not counting the burnt reseeds. They might not all get done, but will be held over until next year. This has been very successful and will make more difference for wildlife than anything else we can do. No other state agency does this type of habitat work on anywhere near the scale we do. This is very exciting and a credit to the people of the Division.

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We are very involved with wild fire reseeding. A Milford County Commissioner complimented the Division and how much help they have been on the reseed after the Milford fire.

The last issue is relative to scopes on muzzleloaders. This has been a hot topic in the RACs when it has been discussed in the past. The word from the FWS is to make accommodation for visually impaired people and the use of scopes on muzzleloaders. We have come up with two options, one would be a note from a doctor for handicapped people and the other is to allow scopes for everyone. We have already made many accommodations for muzzleloader hunters with special hunts and seasons to hunt big game animals. We will take this to the RACs and propose that we deal with it the way we do with other situations for handicapped people.

Director Karpowitz said we are continuing to deal with changes in personnel. We are having a lot of turn over. We have recently had quite a few new hires, at entry level.

Chairman Niemeyer explained the public comment cards and the format of the meeting.

6) Fee Proposal (Action)

Greg Sheehan, Administrative Services Chief presented this agenda item for fiscal year 2009. He went over the proposed fee adjustments, and processes for changing fees. Our proposals are minimal in nature for this year. Last summer the Division via the RAC/Board process made many proposed changes in the fee structure for FY 2008. Those changes were presented to the legislature and were passed. The most notable change was the requirement to purchase a hunting license before buying a permit or before applying in any hunt drawings. Since the change on July 1, 2007, there has not been significant public outcry.

The actual changes proposed this year are:

Commercial brine shrimp COR is going from \$13,000 to \$14,000.

Non-resident cougar pursuit increased from \$30 to \$135 (subject to outfitter license legislation).

Non-resident bear pursuit increased from \$30 to \$135 (subject to outfitter license legislation).

5 yr private pond COR to increase from \$195 to \$200 (This would save \$40 in handling fees over the 5 year period).

Resident limited doe – pronghorn increased from \$20 to \$25.

All other fees as currently in place and this concluded the presentation.

Mr. Howard asked how the outfitter bill is coming in the legislation.

Director Karpowitz said it is not a Division sponsored bill, but we are helping them with it. There are some issues that we hoped would be handled with the Division of Professional licensing. That could not happen, so we are trying to help them. We will keep the Board informed as to the process. They need to find a sponsor to run the bill.

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They are looking for a license to guide on public land, just for hunting.

Mr. Hatch asked if the doe permits are under subscribed.

Mr. Sheehan said they are under subscribed, but the way the draw works is after we go through the first round, anything that is left over for nonresidents rolls into the second round to be obtained by residents. We would typically not have any left over for sale at the end of the day.

RAC Recommendations

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

Southeastern – Mr. Gilson said there were questions on the outfitter legislation. The recommendations passed with two opposed. These were people with concerns that the outfitter part was premature.

Board Discussion

Mr. Howard asked if the outfitter legislation issue should be put on the action log.

Mr. Sheehan said if we do not do the increased fee for nonresidents, we could leave it as is and it would push it out another year, to be raised at that time. We have had a lot of dissatisfaction with the fact that our nonresident pursuit permits are the same as for residents. If we have a place for the fee for nonresidents, if the legislation passes, we can just go with it next year.

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

MOTION: I move that we approve the Fee Proposal as presented by the Division.

7) CWMU Rule R657-37 (Action)

Boyde Blackwell, Private Lands/Public Wildlife Program Manager presented the recommended rule changes for R657-37. This change process started in summer of 2006 with internal meetings, which included managers, biologists and law enforcement. They have reviewed this proposal several times since and involved the CWMU Advisory Committee, which includes two sportsmen representatives, two CWMU representatives, one agriculture representative, one at large representative, one elected representative, one RAC chair representative that was a non-voting member and one section chief who was a non-voting member. Mr. Blackwell went on to review the purpose and authority of the CWMU program, clarified definitions and the requirements for establishment of a

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CWMU, and the details of the CWMU management plans. (See Powerpoint Presentation) There are no longer any CWMUs in the program that are less than 5,000 acres, so that wording was eliminated. They are recommending that they cannot use “corner to corner” to constitute a contiguous parcel for the purpose of obtaining the minimum acreage for a CWMU. The intent is to establish CWMUs that function well as hunting units. He then went over the process for application for Certificates of Registration (CORs). CWMU CORs will be issued on a three-year renewal basis unless there is a change in boundary. The Division is asking that the management plans include an antlerless harvest objective. This can be worked out with the biologist in the area. This will help the Division meet population objectives. The plans will be reviewed by the Division and approved by the Wildlife Board.

CORs can be amended within the three year period for the following reasons: Permit numbers, season dates, land ownership, operator change and any other matter related to the management and operation of the CWMU. These requests may be initiated by the CWMU or the Division and are due August 1st of the year prior to when hunting occurs.

A CWMU must provide a minimum of five days to hunt with buck, bull or turkey permits and a minimum of two days to hunt with antlerless permits. The general public permits shall be allowed to hunt the entire CWMU except areas excluded to all. Details for posting of boundaries was covered in the discussion.

On permit allocation, moose permit splits shall be considered on a 50/50 split and it is currently 60/40. Currently there are ten CWMUs that are at 50/50. Mr. Blackwell then went over the various CWMUs and their ratios on moose. The committee went over this issue and this is what they came up with the 50:50 split.

Failure to meet antlerless objectives on a three-year average may result in discipline. If they do not meet those requirements, they could still bring the situation to the advisory committee. Under discipline or violation, it has been added that the Wildlife Board may change permits or allocations. Other issues that do not require CWMU rule change were then reviewed, but they will not be addressed as action items today. (See Powerpoint Presentation) This concluded the presentation.

Mr. Howard asked to look at R657-37-4. He is concerned about making equal opportunity all the way through.

Mr. Blackwell said that is in the management plan and we have asked that operators identify how they are going to provide equal opportunity.

Chairman Niemeyer then asked for any questions from the public.

Todd Bingham asked about the RAC member sitting on the committee. Wouldn't this present a problem of a potential tie if he is a voting member?

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Mr. Blackwell said if that is a problem, we can always add another member to the committee.

Mr. Howard asked, on the resident cow tags, wouldn't it provide additional opportunity or income if we made it for residents and nonresidents?

Mr. Blackwell said it would, but as the committee discussed this, providing opportunity for residents is the way they went.

Chairman Niemeyer asked Mr. Blackwell to explain the "corner to corner" explanation on boundaries.

Mr. Blackwell showed the maps. They are trying to get away from CWMUs that are trying to come up with a minimum acreage and little sections of land meeting just on a corner. When they start piecing things together, the land does not function well as a hunting unit. The core unit of the acreage needs to be adjacent. Existing CWMUs would be grandfathered in if they have corner-to-corner boundaries.

RAC Recommendations

Southeastern – Mr. Gilson said their first motion was to reject all recommendations and this failed. The second motion was to approve the sections on definitions, population management, and boundary issues. In the same motion, they rejected the sections on comparable opportunities for public hunters, COR issues and permit split. This motion carried with two members opposed.

Southern – Mr. Albrecht said there was a lot of discussion about the 60:40 split and corner-to-corner issues. They wanted an appeal process that would go to the CWMU advisory committee to allow corner to corner in some cases. MOTION: To accept the CWMU rule as presented with the exception of leaving the 60:40 split as an option for bull moose CWMUs. This passed unanimously. There was an AMENDMENT to the MOTION: To provide an appeal process through the CWMU advisory committee for CWMUs who need to take advantage of corner to corner properties in order to meet the minimum acreage for a CWMU. This passed 6 to 1.

Northeastern – Mr. Christensen said they had the same concerns as the Southern RAC. MOTION: To accept as presented by DWR, but keep 60:40 split. This passed unanimously.

Central – Mr. Kent said they had some concern on several issues. They had some criticism on CWMUs last year, not working with biologists to get to objectives. There was some concern as to discipline that might occur if they will not help with objectives. Ultimately they voted to unanimously approve the proposal as presented.

Northern - Mr. Hodson said they had lots of discussion on the moose split, land configuration and boundaries. There were two motions. MOTION: Unanimously

accepted as presented. MOTION: Recommend that the Wildlife Board give further consideration to the moose permit ratio and possible variance for land configurations and acreage of a CWMU.

Public Comment

Todd Bingham of the Farm Bureau and as a member of the CWMU advisory committee addressed the Board. It is important to remember that we live in a public land state, over 70% is public land. The definition of contiguous is corner to corner and is used by the state tax commission and how we assess farm land. There is some precedent on how that is applied. In looking at drastic changes to the program in terms of how properties are laid out and the ratios, we need to use some concern. He hopes that those things do not cause a net effect of loss of property that is huntable. We need to provide as much opportunity to the public as possible. We do not want the landowners to be discouraged when they are looking to create CWMUs. All properties do not meet totally adjacent. Keeping the committee together to look at future issues is a good idea.

Wes Shields of the CWMU Association expressed appreciation for the advisory committee. They put in a lot of time and effort into the process. They support most of the changes that have been recommended with some exceptions, one being the moose permit split, and two, the boundary and acreage requirements. They oppose any changes in the permit ratios. (See Attachment #1)

Brett Baum from the Allan Ranch CWMU in central Utah addressed the Board. It is the only antelope CWMU in the state. His concern is that by taking away the corner to corner, it will prevent them from building the CWMU. He has been trying to build it to include more opportunity. Taking away "corner to corner" will affect areas where he does hunt and these pieces would be eliminated. By leaving them there, he is trying to entice the other landowners in the area and show them how this works, hoping they will join with them.

Mr. Howard asked if this ranch meets the minimum acreage without corner to corner.

Mr. Baum said yes it does, but part of the area that would be eliminated is a viable area, because of water and other logistics.

Mr. Perkins asked Mr. Blackwell to comment on this CWMU.

Mr. Blackwell said because the Allan Ranch is already in the program, this regulation would not affect them. He could still hunt the corner to corner areas, even though he does not need it to make up the CWMU.

Mr. Baum said if the land changes hands, it would affect the status of the CWMU. He is the operator, not the owner.

Mr. Blackwell said that is correct.

Justin Hansen, representing the Durst Mountain and Folley Ridge CWMUs, addressed the Board. They are against the moose permit split recommendation. They are in agreement with Mr. Shields' comments. When they began the CWMUs in the early 90's, it was with the understanding that they would keep the 60:40 splits, although they do appreciate working with the biologist and the public hunters. If their moose numbers continue to decline and with this change, they might have to drop that hunt in the future. They see it as an opportunity to have public hunters on their lands. This helps them provide great experiences for them and gives the landowners the opportunity to be in the CWMU program.

Mr. Howard asked how much different the recommendation change makes on the moose ratio.

Mr. Blackwell said because we are dealing with such a small number of permits, the 60:40 split seldom comes out that way. Most of the time it comes out to a 67:33 split. The committee was trying to bring it closer to what it actually is and wants to give the public better opportunity. However, Mr. Hansen has made a valid point and in some cases if we were to force them to go to a 50:50, they may say, if that is the case, I will drop down permits, rather than take extras or go up a permit to take an added public hunter.

Ken Klegg, President of the CWMU Association said they were happy to help with the fundraiser in Helper. One of the phrases that comes to mind on these split ratios is "unintended consequences." There are a lot of good things that have come about with the committee. The 60:40 split is a problem. Mr. Klegg referred to a handout he prepared. Over the course of the whole program there are 36 public and 60 private moose permits, therefore the overall ratio is askew, with 37 ½ to public and 62 ½ to the private. We also feel this needs to be rectified. He said this could be remedied if the first permit would always go to the public, regardless of how many permits they have. The lion's share of the CWMUs that have 2:1 would most likely come on board with this proposal and over the three year course of a COR it would come out to be a 60:40. Some members were very upset about some of these recommendations and feel strongly about having some ability to address local situations.

Rick Danvir of Deseret Land and Livestock said the biggest concern with the CWMU program has always been to keep working ranches as wildlife habitat. Lots of good solutions have come from the advisory committee. He is against changing the 60:40 split on moose. The public should not get less than 40% and they will not if we do it over a three-year period. Most of the recommendations today have to do with the public getting a fair shake. On the other side, these CWMUs are businesses and some will not fit into a canned program. Families, corporate and individual landowners plus other various groups are involved in the program. Mr. Danvir encouraged the Board to provide each CWMU the opportunity to go to the committee to consider individual circumstances. This is a two way street. Operators need to be able to file a complaint about some of the hunters they have had to deal with.

Bud Keys is rancher/operator who uses the moose permit money to improve land for wildlife. He said they (farmers and ranchers) take care of the wildlife. This year they spent over 100 hours of backhoe work doing water projects that needed to be done, but they did not have the money. He wants to keep the 60:40 split on moose. If they take another moose permit from him, they might as well take them all. The split has worked just fine as it is. The owner of the CWMU told him today, as far as he is concerned, if they have to take less, there will be no public hunter or private hunter.

Mike Christensen said he was a sportsmen's representative on the CWMU committee. He is speaking for sportsmen today. They want to maintain the 60:40, as long as it is that. It has always worked out to be 67:33. They could go along with the CWMU Association as long as the public gets the first permit. That will make it right for the public and it will be a good motivation for the CWMU to maintain for the three year COR. On antlerless tags, residents get more opportunity off the CWMU program. He hopes that all open land in a CWMU be open to all hunters. The CWMU Association response to the 60:40 split is viable.

Board Discussion

Chairman Niemeyer reviewed the RAC recommendations.

Mr. Perkins asked Mr. Blackwell to discuss these issues and give insight into the perspective of those who sat on the committee. Mr. Perkins sat on the CWMU Advisory Committee as a non-voting member. It was a grueling set of meetings and he has a lot of respect for those who sat on the committee. He encouraged those who will sit on these committees in the future to work hard to establish a position before they come to the Wildlife Board.

Mr. Howard asked about the CWMU Association's stance on the corner-to-corner change in the recommendation.

Mr. Blackwell said they agreed with the Division on this, but they have some concerns about CWMUs that were in the program, that could provide good huntable units, in that their situation might change and they might fall below the minimum acreage without the corner-to-corner. They want to have a vehicle to approach the committee with their specific circumstances if this arises. He believes they were fine with new CWMUs and the corner-to-corner regulation in the future.

Mr. Howard clarified that the older CWMUs want a time period to get more land in, or be grandfathered in.

Mr. Blackwell said they might need more time to either acquire more land or to be able to go to the committee and the Board to prove that they can provide a huntable unit and a good opportunity and experience. They want the committee and the Division to be open to address their specific circumstances.

Director Karpowitz said there are no units presently that do not have the minimum core of acreage.

Mr. Blackwell said there is one and it is grandfathered in with the statement that, "if you had a COR the previous year, you can carry it on."

Chairman Niemeyer said one operator brought up the fact that if a CWMU changes ownership, they would no longer be included in the grandfathering.

Mr. Blackwell said that is correct. Change of ownership makes it a new CWMU. Mr. Blackwell went on to discuss the moose permit split. He said that Mike Christensen described the situation well and it would be acceptable if the CWMUs would guarantee that they would not drop below the 40% of permits to go to public. That would be acceptable. The concern is when we drop below that right up front. Over the three-year period, if the public permit was issued first, it could be a true 60:40 split. Another issue is for the opportunity for a CWMU to come to the committee if they need to address change or situations. If a CWMU did make a change, for instance lost a certain portion of the property, and has been a good CWMU in the past and already proved that they can provide huntable opportunity and land, they could possibly bring a request to the CWMU Advisory Committee. The committee could consider their request, perhaps get the Division involved, have a one-year period and then make a decision on it. This would be workable.

Chairman Niemeyer said at one time there were two RAC members on this committee. They heard complaints from individuals, usually. It was amazing in the meeting how you would hear both sides of the situation. The CWMUs have come a long ways since those days. The process that Mr. Blackwell described is something we ought to look at.

Mr. Blackwell said we have a good process in place. This provides an excellent opportunity for an operator or owner who has a particular concern about a client, to take it to the committee, and then if necessary to the Wildlife Board.

Mr. Woodard referred to the entire CWMU being open to all. Certain situations are unique and if a CWMU wants to set aside some acreage for just a control group of hunters to go onto the land, could this come back to the committee and Board as a variance?

Mr. Blackwell said they want to get away from this. The goal is to provide equal opportunity to all hunters and not show partiality. Good scheduling can accommodate all.

Mr. Hatch said we need to stay flexible. Statements such as no corner to corner might prevent the Division and the Board from looking at individual circumstances. If we adopt the Division's position, does that give the flexibility to address individual

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CWMUs? He would like to see it left more flexible and we could look at it on a case by case basis.

Mr. Blackwell said they can have corner to corner once their core area is five or ten thousand acres. It could be added on after.

Mr. Hatch said he understands that, but we need to look at them case by case in the future, if it could be a good CWMU.

Mr. Woodard said that was the case with the person with the antelope CWMU.

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

MOTION: I move that we adopt the boundary concept as presented, but add a variance process with submission to the CWMU Committee, reviewed by the Division, returned to the committee and submission of a recommendation to the Wildlife Board for approval or rejection. If it is an existing CWMU and they need a waiver, they have one-year grace period. If it is a new CWMU there is an automatic one-year delay.

Mr. Bushman asked if the CWMU Committee would essentially be making a recommendation to the Board and then the Board would actually grant the variance. This committee is a creation of rule, not statute and should not make substantive decisions. They need to come to the Board as recommendations.

Mr. Perkins said that going to the 50:50 on the moose split took care of the antlerless side of the equation. When we jump back to a 60:40 split, it keeps the problem. Presently, moose are overly abundant in the Northern Region. They spend a lot of time in the winter moving and monitoring moose in that area. We are not only wasting manpower, but we are not getting the opportunity for public hunting that we need. We have 31 CWMUs that hunt moose, but only 19 that hunt antlerless. Of the 19, 14 take a 50:50 split. He likes the concept of 60:40 as long as the public share never falls below 40% of the permits. We need to apply this same concept to the antlerless side of the equation.

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

MOTION: I move that the bull moose split be kept at 60% private and 40% public with the requirement that the public allocation not fall below 40%, at any point cumulatively, during the three year plan. Also that the antlerless allocation be kept at 40% private and 60% public with the requirement that the public allocation not fall below 60%, at any point cumulatively, during the three year plan.

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Mr. Perkins said with the motion he made on the variance process, it would be useful when other situations come up. He does not intend that this variance process be just for corner to corner. Other things will come up. They must go through the strict variance process if there are other issues.

Director Karpowitz said this has now been expanded to a variance process for anything, not just corner to corner. The Board needs to decide if we want that variance process open or limited.

Chairman Niemeyer said they wanted this process to include problems from hunter to CWMUs, CWMUs to hunter, or whatever situation might arise. Any problem needs to come through the committee.

Mr. Blackwell said both parties are hoping that we are not throwing a door wide open to a variance request for just anything. Most of our concern lies in CWMUs that have proven themselves and fallen below the acreage, or have not been able to provide a good hunting unit. We have added the wording that "the CWMU must provide a good hunting unit," for that reason. The CWMU Association is not interested in opening a door that would provide variance opportunity for just any and everything.

Director Karpowitz said there has been concern about the Board being overwhelmed with so many variances. This might add to that. He cautioned the Board in throwing this too far open.

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

MOTION: I move that we accept the Division's recommendation on the CWMU Rule R657-37 with the accompanying motions.

8) Waterfowl Proclamation and Rule R657-09 (Action)

Tom Aldrich, Wildlife Program Coordinator presented this agenda item. He said that for the benefit of the new Board members, we are dealing with migratory games birds here and because of the Migratory Bird Treaty Act, the federal government ultimately has control of regulations. Unlike upland game or resident big game, we cannot do anything we choose to in terms of regulations. We can be more conservative than the federal frameworks that are established, but not any more liberal. Mr. Aldrich then went on to discuss the goose/swan status, including what populations have done relative to last year and what the population currently is, relative to the long term average. The number of young geese increased over last year.

On the North American duck breeding populations, it shows increase in all species of waterfowl except the Pintail and Scaup. The May Pond counts were then presented and their number improved over last year. They are well ahead of the long term average. Breeding conditions are good and the likelihood for production is good as well.

Regulations are set by looking at the number of May ponds and the mallard population. For our flyway regulation packages, it is determined that we use a liberal model. This is for all the flyways in North America. For our flyway, that means a 107-day season and a seven bird bag (all seven can be mallards, but only two females).

At this point Mr. Aldrich went over the 2007 recommendations. They show no change from last year, with one exception on canvasback, which increased by one. He then went over the seasons, bag limits, shooting hours, youth day and falconry regulations. The recommendations to change motorless areas on public shooting grounds WMA, allowing motors on Pintail Unit and disallowance of motors on units north of Highway 83 were withdrawn. This was based on input at the Northern RAC where many people showed up and asked that we maintain the motorless unit on the Pintail Unit and because of the lack of any support for this recommendation. This concluded the presentation and he asked if there were any questions.

James Gaskill, representing himself, asked for a justification on a more liberal snow goose limit than Canada goose limit, notwithstanding the fact that no one knows how many more Canada geese there are than snow geese. A serious reduction on snow geese is what he would like to see.

Mr. Aldrich said Utah has a very small percentage of the snow geese that exist in the Pacific Flyway. Snow geese populations are going up in our flyway. It is predicted by 2010, we will have about one million snow geese coming through our flyway, which ten years ago was only about half of that.

RAC Recommendations

Northern – Mr. Hodson said there was a lot of public comment on the early opener for the youth hunt, in favor of opening ½ hour before sunrise and comment in favor of leaving Pintail closed to motorized vehicles. The RAC accepted the Division's recommendations unanimously with exception to these two things. See Northern RAC motions.

Central – Mr. Kent said there were several comments on both sides on opening the youth hunt one half hour before sunrise. The concern was on safety issues. MOTION: To accept as presented with exception of the youth hunt, to allow it to open ½ hour before sun up. This passed 6 to 2.

Northeastern – Mr. Christensen said they wanted the ½ hour before sunrise opener on the youth hunt because it was safe to do. They accepted the Division's proposal with the exception to start youth hunt ½ hour before sunrise.

Southern – Mr. Albrecht said they had several people and letters express the desire to have the youth hunt open ½ hour before sunrise. MOTION: To accept the DWR's recommendations with the exception to start the youth hunt ½ hour before sunrise. It passed unanimously.

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Southeastern – Mr. Gilson said they accepted the Division's recommendations unanimously

Public Comment

John Leonard, President of the Utah Chapter of the National Wild Turkey Federation said they are in favor of youth hunting opportunities. They are always looking to the future recruitment of hunters and providing quality experiences for the youth. The more restrictive we are with them, the lower the recruitment. They are in favor of opening the youth hunt ½ hour before sunrise. They have a mentor right there to supervisor and this increases the safety of the situation. They agree with the RACs on this recommendation.

Gerald Olson, representing waterfowl hunters, said there is concern about mentors not setting the best example and adhering to shooting times. There are a lot of kids out there waiting in goose spreads watching geese come in and leave. They propose to accept the recommendation of the DWR with exception of the ½ hour before sunrise opener on the youth hunt.

Board Discussion

Chairman Niemeyer summarized RAC and public comment.

Director Karpowitz said that during the brown bag lunch when DWR presentations were reviewed, he expressed concern about the youth opener for two reasons. One, we only have one year under our belt where we allow any age youth to hunt waterfowl and the other is the message we would be sending that we cannot let adults start until 8 a.m. on the Northern zone, but youth can start ½ hour before sunrise. There is a big difference in crowding on the youth hunt verses the general opening one week later.

Mr. Aldrich said around the Great Salt Lake, we have a general season opener of 8 am, and our rationale is the crowding issue. We have about 6600 people showing up on opening weekend on our state WMAs. The youth opener has about 600. Because of the difference of density, we do not see the same levels of risk as on the general season.

Mr. Aldrich pointed out that every RAC, except Northern, supported changing the Pintail Unit back to allow motors. Northern recommended against it and subsequently, we withdrew it.

Chairman Niemeyer asked the RACs if they would support the motion as presented.

Mr. Kent said he does not think it would have made a difference to his Central RAC as far as the voting goes, but legitimately that unit is visited and hunted more by residents in the Northern region than other regions. We have other opportunities in other areas to hunt.

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

MOTION: I move that we approve the Waterfowl Proclamation and rule R657-09 with the exception that on youth day, it open ½ hour before sunrise.

9) Turkey Proclamation and Rule R657-43 (Action)

Dennis Southerland, Wildlife Program Coordinator presented this item. He has been involved with the turkey program since 1995 and shares Mr. Mitchell's passion for the program. We have enough turkeys in our state that we can provide more of an opportunity to our hunters. They recently formed a committee to look at ways to do this. Among the members were people from each of the five regions within the Division, and members from the NWTF as well as SFW. Mr. Southerland covered the 2007 harvest results, transplants, statewide and regional recommendations, including two options with a synopsis of each and recommendations by regions (See Powerpoint Presentations).

The two-option proposal is as follows:

Option one is to remain at the status quo with the same management strategy as last year. Option two, which is preferred by the DWR is more liberal permit numbers with an aim for gradual progress to over the counter sales. The thinking behind option two is that in 2007, there were over 15,000 applications for turkey. We have an estimated turkey population of over 18,000. When we compare that with OTC sales in other western states: Colorado sold 10,200 permits with 24% hunter success (20,000 estimated turkey population). Wyoming sold 4,925 permits, 57% hunter success. Idaho sold 14,825 permits with 26% hunter success (30,000 estimated turkey population). Oregon sold 14,809 permits with 33% hunter success (45,000 estimated turkey population).

Mr. Southerland went on to discuss upland game strategies in Utah. Turkeys have a high mortality rate and also a high reproductive rate. We are using turkey models to drive our permit numbers. Winter flock count surveys are used as a primary index of annual turkey population changes. It is assumed that approximately 46% of the birds in a population are males. Harvest should be at no more than 30% males from a population. This is a conservative approach. The model has a guideline for a 40% success rate. Surveys are used to fine tune recommendations.

Details on Option One are:

Limited entry hunt units – draw for a permit with the same season framework as 2007, the same hunt unit boundaries and 20% go to 18 and under.

Details on Option Two, which is aimed to eventual over the counter sales, are:

Three hunt framework – Hunt A/ April 12-20, 2008, Hunt B/ April 21-May 4, 2008 and Hunt C/ May 5-31, 2008. Hunts A,B & C would be limited entry hunt units, use bonus points, eliminate a two year waiting period, 20% permits available for landowners and 15% permits available for those age 18 and under. The Hunt C would be a late hunt. Northern, Central and Southern regions will be a region wide hunt. Northeastern and Southeastern will use existing unit boundaries.

The permit calculations were then covered. Hunt A is one third of the total permits derived from the current formula. Hunt B is two thirds of the total permits derived from the current formula. Hunt C is 1. 2008 hunt $C = (A+B) \times 1$, 2. 2009 Hunt $C = (A+B) \times 2$, 3. year 2010 Hunt $C = (A+B) \times 3$ and 4. year 2011 etc . . . until: When the number of permits come to within 10% of the number applicants for all hunts, over the counter sales begin.

There are management triggers built into the plan that will address unforeseen circumstances and subsequent potential responses to those triggers. (See Powerpoint Presentation)

The final 2008 spring overall turkey hunting recommendations are Option One - 4043 permits , up 30% from 2007 and for Option Two - 7706 permits up 148% from 2007. Principals of turkey management, thriving populations and trigger responses justify and support the raise in permits in Option 2.

Mr. Southerland then went over boundary changes for both options, the application period, landowner permits and CWMU permits. He then went over the region-by-region recommendations, including CWMUs. This concluded the presentation and he asked if there were any questions.

Mr. Gilson asked about the season dates for the CWMUs on turkey.

Mr. Mitchell said the second Saturday in April through the end of May. They make arrangements with the CWMU operator as to when they can hunt.

RAC Recommendations

Southern, Northeastern, and Northern voted unanimously to accept the recommendation, supporting Option Two.

Southeastern voted to accept the recommendation as presented, supporting Option Two. They also want to stay unit by unit, rather than go region wide.

Central voted to accept the Division's recommendation unanimously. They had an additional motion of keeping the two-year waiting period in effect for an additional two-year period. These people have accumulated the bonus points and they should continue to get permits on a two-year basis. This passed 6 to 2.

Public Comment

John Leonard – NWTF President said they prefer statewide/region wide hunting, instead of unit by unit. This phase approach is going to give hunters more opportunity to learn how to hunt turkeys and hunter inference is a part of that. They are happy with the proposal and will support the Division. They are looking toward region wide hunting.

Mr. Perkins asked about the two-year delay period.

Mr. Southerland said hunters who have bonus points can still use them, even with the two year waiting period eliminated. Hunters with the most bonus points will still have the advantage.

Board Discussion

Chairman Niemeyer reviewed the RAC and public comment.

Mr. Perkins said he does not see any advantage in keeping the two-year waiting period.

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

MOTION: I move that we accept the Division's recommendation on the Turkey Proclamation and Rule R657-54 with the Option 2 proposal.

10) Convention Permits Rule R657-55 (Action)

Kenny Johnson, Information Analyst presented this agenda item. This item covers a few technical corrections and minor modifications. The rule was put into effect in 2005 and the first convention was in January of 2007. No notable problems were identified and these rule revisions make minor changes. What we did notice right away, was we wanted to eliminate the word voucher in lieu of the word permit. Successful applicants will receive a letter from the DWR identifying that they were successful.

We also increased the number of alternates from 10 to 25. The list will be provided to the DWR for historical reference. Other minor wording clarifications including additional clarification from several of the RAC's were made. There were no core competency changes.

RAC Recommendations

Southeastern – Mr. Gilson said they accepted the recommendation as presented and it passed with 2 opposed.

Southern – Mr. Albrecht said they had some discussion on the rule and it passed 6 to 1.

Northeastern, Central and Northern RACs passed the recommendation unanimously.

Board Discussion

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

MOTION: I move that we accept the Convention Permits Rule R657-55 as presented by the Division.

11) Convention Report and Permits (Action)

Craig McLaughlin, Wildlife Section Chief presented this item. They are proposing the addition of three bison permits and removing three buck pronghorn permits on the Plateau Unit, to maintain the 200 permits allowed for the convention. The three bison permits are in result of the increase of permits on the Henry Mountain Unit for 2008. The only other change is on Hunt C for turkey in the Central and Southern regions and they would be region wide to go along with Hunt C. This affects 19 permits on 8 hunts.

Board Discussion

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

MOTION: I move that we accept the Division's proposal on the Convention Report and Permits.

12) Other Business (Contingent)

A) Conservation Expo Report

Miles Moretti, CEO of the Mule Deer Foundation, addressed the Board. Ray Lee sent his regrets since he could not be here today. The Conservation Expo really put Utah on the map and also the four groups that were involved, SFW, SFH, MDF and FNAWS (See Attachment #2). There was a lot of enthusiasm. Over 12 million gross dollars were raised and much of this went back on the ground. There were millions of dollars put into the economy. The two hundred tags raised about one million dollars. There were people here from all over the United States and from foreign countries. Part of the money that was brought in, three groups went together and committed one million dollars to the Tabby Mountain purchase from SITLA. That project may or may not go. There has been a lot of buzz in the media about hunter declines. The media is almost gleeful about this issue. It is almost an attitude. Events like this convention where people can come together and raise funds for wildlife and raising the awareness of hunting and wildlife conservation are important. It is also important for people to know what sportsmen have done to perpetuate wildlife in our state and country. There will be a lot of national media here when we do the convention in February of 2008. The exhibitor part of the show will be sold out in the near future. We have some exciting events going with Alan Jackson coming in concert. We are looking forward to the next convention.

Director Karpowitz asked if 80% of permits went to residents.

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Mr. Moretti said the applications were 80% from residents and 20% nonresidents. It did turn out that 80% of the permits went to residents.

Mr. Brady said the fact that they must buy a license before applying in this next convention will be huge.

Mr. Moretti said they are looking to have a computer available at the convention where people can purchase a license.

Mr. Gilson said at their last RAC, one of the RAC members expressed displeasure. The question was asked, what did the convention do for the regular hunter in the out-lying places in the state? We need to educate the hunters as to the benefits that are available.

Mr. Moretti said two things to address here are the odds were probably overall better at drawing at this convention. The average sportsmen will benefit because of the large amount of money that was raised and much of it is money put back into Utah wildlife and habitat.

Mr. Perkins said he sees the million dollars for Tabby Mountain. Are there any other monies generated that will go back into habitat?

Mr. Moretti said that the higher bid permits return 90% of the money back to the Division and 60% of that goes back on the ground. A lot of the money generated does stay in Utah. The economic benefit, with the taxes, that occur during the convention, benefits all the people in the state of Utah. He thanked the Division for their help. The drawing went off flawlessly.

Mr. Kent asked if any research has been done to explain why hunter interest and participation is going down.

Mr. Moretti said the problems are time, no mentor, cost and opportunity. People no longer have a connection to the land. We are more of an urban society and no longer have family who hunt.

B) Mid-Winter Travel

Director Karpowitz said there are three association meetings where wildlife people get together to discuss issues of importance to them. Western Association of Fish and Wildlife Agencies (WAFWA) is one meeting and is held annually in mid-summer. There is a mid-winter WAFWA meeting, a scaled down version. OFWA is another meeting. He proposes that we send one Board member to Organization of Fish and Wildlife Agencies (OFWA), two to the mid-winter WAFWA meeting and 4-5 to WAFWA next year. A discussion took place relative to the various meetings and the format of the various meetings. Del Brady and Ernie Perkins will attend the mid-winter WAFWA in San Diego.

C) Scheduling of upcoming Board Appeals

They decided on December 13, 2007 for Board Appeals.

Ms. Coons said they might consider a Mid-Winter Training for RAC Chairs and Board Members. There is MAT Training included in the Governor's Revised Handbook. They will come out and do leadership training for Boards, covering such things as how to be an effective board member, getting the public involved, etc. The earliest availability for this is not until January. We need to get on this if the Board is interested. After discussion, it was suggested that we look to do one day on this training. The training might be scheduled around the January Board meeting.

D) Youth Hunter Recruitment Committee – Board Member Representative

Alan Clark needs a Board member representative to be on this committee. We will wait until the next meeting to select someone when we can get more information.

E) RAC Board meeting attendance

Mr. Howard said we need to keep attendance of Board members at RAC meetings. We need to track the attendance and be aware of who is missing.

Mr. Niemeyer said as far as the Board goes, if a Chair is not at a RAC meeting, whoever is in charge should attend the Wildlife Board meeting.

Mr. Howard said we want people who are willing to put in the time and effort to do this job.

Director Karpowitz said we should put this item on the next agenda and tell the RAC Chairs.

Mr. Moretti of MDF said they raised 2.5 million dollars in selling conservation permits and he has a check for the Division. All the groups are going to come back and present a check to the Division. They want to get some publicity going on this and show where this money is going. They want to show what a difference they are making for habitat in the state of Utah. He asked that the Division, in conjunction with this, create a chart or graph that reflects the opportunity for the public that has been provided by the conservation organizations and what they have raised over the years. We can all use this graph on our websites and at our banquets. \$821,898 is the 90% that the MDF is giving the Division from their conservation permit sales. They are also committing \$250,000 to fire rehabilitation.

The meeting was then adjourned.