

Utah Wildlife Board Executive Work Meeting  
March 30, 2010, DNR, Soldier Hollow Conference Rm.  
1594 W. North Temple, Salt Lake City, Utah  
Revised March 29, 2010

**AGENDA**

Tuesday, March 30, 2010, 1:00 pm – 6:00 pm

1. Approval of Agenda

**ACTION**

-Rick Woodard, Chairman

Items of Discussion – NOTE: The Wildlife Board will not be taking action on any of the following items. This meeting is discussion only. The meeting is open to the public however no public comment will be accepted.

Summer WAFWA – Jim Karpowitz – 15 minutes

Legislative Review and Update – Jim Karpowitz – 30 minutes

Review of Wednesday Agenda Items – Alan Clark - 60 minutes

Mandatory Tooth Reporting – Alan Clark – 15 min. added March 29, 2010

Role of Board Members on Committees – Rick Woodard – 30 min.

Disabled Hunter Accommodations Discussion – Greg Sheehan – 30 min.

Agenda items for future RAC/Board meetings – Jim Karpowitz – 30 min.

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

Rick Woodard, Chairman welcomed those in attendance. This is a recorded public meeting. There will be no votes taken by the Board and there will be no public comment. He went on to introduce those in attendance.

## **Summer WAFWA**

Jim Karpowitz said we have submitted a request to DNR and we will see what we get. We have nothing definite at this point. They have asked for four Board members to split the meeting in half and also have requested that several Division employees attend, especially our Fisheries and Aquatics Chief.

## **Legislative Review and Update**

Director Karpowitz passed out a summary of the general legislative session and what the Governor has signed so far. He said he will go through this in detail, because a lot of things happened at the legislature this year that effect the Wildlife Board in one way or another.

He discussed HB31, Wildlife Licenses, Certificates or Permits Amendment. That was a Division bill that we asked Representative Dixon to run. It will allow the Wildlife Board to establish grounds for the refund of a license. It did not meet without debate. The Division will be developing a rule to decide how this will work. Presently, when a person surrenders a limited entry or a OIAL permit, they lose their money, keep their bonus points and they do not have to incur a waiting period. Then we resell the permit and we have felt kind of guilty about this in the past, but that is all the law allowed us to do. We would like to give the Wildlife Board the authority to issue a refund for permits for limited entry and OIAL permits that are reusable. That is one instance we want to deal with presently and over time we can develop rules for other instances. We do not want to throw the door too wide open, otherwise our funding becomes too uncertain. There are some instances where a refund is appropriate. That has passed and the governor has signed it.

HB32 – Livestock damage compensation amendment. This made a minor change in the bill. When wolves were delisted in Utah they would become eligible for compensation under our cougar/bear compensation law for killing livestock. We needed to add wolves to that list. It only applies to the area where they are delisted. It will require a rule change. We will treat this like we did eagles, after cougar and bear damage has been paid, you can pay for eagle damage, then wolf damage. We will need to specify order.

HB36 – This bill was run by Senator Christensen and was a substitute for another bill that he started with. This clarifies a question in our wolf management plan ever since they were delisted in that small part of northern Utah. It says the Division cannot allow the establishment of wolves in the delisted area until the entire state is delisted, then the plan

goes into full effect statewide. Where that leaves us in the delisted area, is all of the management actions in the plan are in effect and the population objective in the delisted area for now is zero packs. This is clear in that we shall not allow the establishment of a pack in that part of the state. If we see a pair of wolves show up, we will ask Wildlife Services to remove them. We reiterated to the USFWS that we want the entire state delisted, at which time our plan will go into full effect. We are waiting to hear from the Secretary of the Interior as to this decision.

While we are on the subject, the decision on relisting in the Northern Rockies, which includes that little piece of northern Utah, is in the hands of Judge Maloy in Montana. He has not ruled and there is no indication of when he will rule. He needs to make a decision on a lawsuit of whether to relist wolves and everyone is waiting to get this decision. If they are relisted, there will be some very unhappy states.

Mr. Fenimore asked if the USFWS has to approve the plan we have submitted.

Director Karpowitz said theoretically they should have done that before they delisted part of Utah. That is what puzzled us all along, because we are not integral to the Northern Rockies population and they had no intention to recover wolves in Utah. Our plan was written on the assumption that the state will be treated as a block and be completely delisted.

Mr. Fenimore said earlier I-70 was a dividing line for the Mexican gray wolf, is that going to change?

Director Karpowitz said that went away in a Judge Maloy decision and the entire state was treated as “wolves” regardless of what type. There is no distinction there. We will wait for the USFWS, who seem to be waiting for what Judge Maloy does. In the meantime, Idaho and Montana will continue to pursue their plans with hunts and Wyoming will follow through with their court case. That is where we are on wolves and this amendment clarifies the status of the plan. This probably does not need any Board action. We are informing the public that the objective for that area is zero packs, until the state is delisted.

Mr. Fenimore asked what the definition of a pack is.

Director Karpowitz said in the plan, it defines a pack as a breeding pair that has successfully reproduced. There is no indicator that there are any pairs at this point, just lone wolves from time to time.

#### HB80, HB141, SB281 – Steambed Bills

A year ago Representative Ferry had a bill HB187 that tried to deal with the supreme court decision and it was defeated in the legislature. At the end of the session Representative Folkes said she wanted to put together a group and see if we can't come to some consensus and put a bill together. Over the course of a year, she held a series of meetings, listened to anglers, landowners, Farm Bureau and put together a bill. She

allowed the Division to have quite a bit of input. Her bill was based on the premise that the supreme court decision would stand and this would clarify that decision. It was debated extensively in the legislature and in the end, it failed.

Then HB141, Representative McKiff's bill took a different approach that essentially the supreme court's decision was based on statutory law, the legislature had the ability to make the change and reverse that decision. It was debated extensively and passed. It is now sitting on the Governor's desk and we expect to hear in the next couple of days.

Accompanying HB141 was SB281 opened by Senator Stowell which is the Public Access to Streambeds, Utah Waterways Task Force. What that bill did was establish a task force of 12 legislators who will study this issue and he wants to do a series of public meetings around the state to discuss this issue. Accompanying this was an appropriation of \$300,000 restricted dollars for our Walk In Access Program to secure angler access. SB281, in the waning moments of the legislature, it was amended to include a statement by Representative Folkes, seek to balance private property rights and the interest of recreationists as they do the task force. That was amended into the bill. HB141 is not signed yet, but it will go into effect if not vetoed. Also SB281 is in the same spot.

We have been getting a lot of requests from public if HB141 becomes law, what will happen? There is a lot of misinformation out there. Some anglers are under the misconception that they could not fish any streams anymore. We have prepared a news release in the event that the Governor signs the bill, it would immediately get that information to the anglers. Unfortunately, it was posted this morning for a few hours. We quickly retracted it and notified the Governor of the mistake. We have also been discussing what we ought to be doing in the event that the bill is vetoed. We are just trying to be proactive.

Mr. Hatch said he read in the Tribune last week that Western Fly Fishers sold three million in nonresident Utah licenses last year. Did they turn that revenue into the Division?

Director Karpowitz said that is not accurate of the total of nonresidents. There is a lot of misinformation out there on HB 141 on what it does and does not do. There was an article in the Deseret News last week that said it is the end of angling on the Provo, Weber, Blacksmith's Fork and several other rivers. It is not the end of angling on those rivers by any means. There are big sections of the Weber, Upper Provo and Blacksmith's Fork where there is a lot of access and HB141 will not affect that.

Mr. Hatch said he thinks it actually enhances people's access by recognizing prescriptive rights where historical access has existed in the past, the bill says access will continue.

Director Karpowitz said there is one part in the bill that will not go into effect for a year. When things go into effect, we have a news release ready when the Governor makes a decision on this.

We have a great aquatics resource in this state and it is better than it has been in years. It would be a crime for people to give up fishing in Utah with our resources. He has challenged the Aquatics Section and Outreach to get the word out about our great angling. Fishing has never been better than right now. We have three million dollars worth of nonresidents license sales and \$400,000 resident dollars. They are coming here to fish. We have to get the right information out there. Idaho lost ¼ of their elk license sales based on rumor and this demonstrates how misinformation can hurt financially.

Mr. Hatch said he met with the Governor and Ted Wilson on this issue Friday. One of the things Mr. Wilson asked about was the possibility of a tiered license system where they could charge a higher fee and disperse money out to buy access. If you bought this \$100 fishing license, you might have access to streams that the Division was willing to negotiate with landowners to allow access.

Director Karpowitz said that is a possibility and that is one of the things the task force is going to look at. In the bill, it is called cooperative fish management units, but is basically that concept. There are landowners out there who are willing to provide a lease or provide an easement to those areas. We are going to work closely with this Task Force, perhaps a fish stamp, tiered license sales or something along those lines.

Mr. Fenimore asked about Wyoming having a stamp fee toward walk in access.

Director Karpowitz said perhaps, or it could be SITLA.

Mr. Hatch asked about the Division's ability to inventory streams. Is there any kind of a list of streams that currently have access?

Director Karpowitz said he also asked the Aquatics Section to get information for this Task Force on stretches of stream where we could get a little bit of access and open up a fairly large section of stream. Also to start to get maps ready showing private/public ownership in those stretches so we can provide this information to the Task Force.

Mr. Hatch asked if we have information where prescriptive easements exist.

Director Karpowitz said we have that information, but it is not readily accessible by the public. We need to get it out there. The entire middle Provo is under easement. We have also purchased a large number of easements and properties that provide access to large stretches of private and public streams. Easement purchased on the Sevier opened large access to stream and rangeland.

Mr. Clark said when we worked with Representative Ferry, we identified the streams and fisheries that are private ownership where we could seek some kind of access.

Director Karpowitz said the way his bill was worded, it was dealing with a stream at a time, prioritizing them by the best fisheries. That was the start of that. This whole thing

has brought to light how important it is to get information as to where the public can and cannot fish.

Mr. Johnson said the easiest way to do this is put it online and put the site on the license. It could also be updated easily.

Director Karpowitz said walk in access is online, but lands under easement are not.

Mr. Clark said the Division Lands publication included easements.

Director Karpowitz said it is online.

Mr. Mitchell said some easements are included, but not all.

Director Karpowitz went on to say HB240 was a DNR clean up bill. We had one little thing on falconry that we fixed to make it consistent with federal rule.

HB271 is the Hunting Guides and Outfitters Act which was sponsored by Representative Vickers last year. He found a problem in the bill that dealt with public lands within CWMUs, so he proposed an amendment to fix it. It met with widespread support and it passed.

HB417 is the deer hunt amendment that said the hunt must last at least nine days. It was discussed extensively in committee and it was held in committee and did not go for a vote.

On HB450 we had a lot of discussion with Representative Cosgrove. It is an amendment that allows the Wildlife Board to create rules that would allow for discounted or free fishing licenses for disabled veterans. We had some concern about this bill initially, because it was pushing us into a situation that would result in some revenue issues. We looked at this and realized it does not change the current process. If the Board decides that disabled veterans should have a discount, we would take it through the RACs and the Board, then back to the legislature next year to make that adjustment. If this went into effect and it resulted in a significant loss of revenue, we could adjust accordingly next year, without immediate loss of revenue. We made it clear that we wanted to do something for our disabled veterans. There are many great examples of fishing organizations stepping up and taking disabled veterans out, helping them have great angling opportunities. We will come to the Board with a proposal of some sort and work closely with Mr. Perkins and utilize his knowledge on this. There are so many examples of how it has changed quality of life. We are going to work on discounts and with fishing organizations to do mentoring to get these opportunities for disabled veterans.

SB51 – Bio prospecting. Initially this had the Division involved, but we got out of it. It requires a person who removes certain micro-organisms, plants or fungi needs to register with the Division of Forestry, Fire and State Lands and they need to keep a list of who these people are and what they are doing. The bill was proposed by people from various

universities concerned about people trying to copyright certain organisms. There are some unintended consequences in this bill. Where it put plants in there, there are a large number of people that harvest seed in the state. People would need to register if they do this.

Mr. Johnson said it says certain micro-organisms. There was some type of court case settled this last week on copyrighting genetic organisms.

Director Karpowitz said he can get the Board a copy of this bill if they are interested.

Two bills on retirement, SB42 and SB63 will have a dramatic effect on the DWR down the road a few years. When the economy came down, the state retirement system lost six billion dollars. In response to that SB63 dealt with a new retirement system for new employees and it is very different from the existing system. Any employees hired after July 1, 2011 will have a greatly reduced retirement benefit. SB42 dealt with people that retire and then attempt to rehire into state government. It has made that very difficult. SB63 has the new retirement system. This will make it very tough for all of state government and the school system to recruit people in the future. One of our big attractants has always been our benefit package, in spite of our lower salaries. Because that benefit package is now reduced, recruitment will be difficult. There was a 40% reduction in benefit for law enforcement officers.

We are going to have to get creative to get competitive in the job market. We invest \$100,000 in training of a new officer. It is hard to have them go to other states or the federal government after just a few years. We cannot afford to just be the training ground. Hopefully there will be an adjustment in this in the future.

Mr. Johnson said he thinks this will work until the economy recovers.

Director Karpowitz said the one that has really become difficult is the discrepancy between state and federal salaries, but now it is a wider discrepancy.

Mr. Hatch said it is only a matter of time before it catches up with the federal government.

Mr. Johnson said one of the problems is they can borrow money. One of the things that really bothered me was when they gave federal employees a 5% salary increase this last year. There are so many people just trying to hold things together and this was very inappropriate.

#### Budget

We got through the legislature in pretty good shape. We took a cut of \$477,000 in general fund. License revenues are in good shape presently and we were able to get some increases in our appropriations, habitat council, walk in access, and credit card fees. We are not anticipating any riffs and have been through our furlough. We are going to have

to make some changes in budget and realign some job duties to make it work with the loss of general fund. Overall we are in pretty good shape. In Massachusetts, they lost 25% of their revenue and has eight furlough days between now and July 1. South Carolina lost 50% of their revenue. In perspective, we are in good shape because of fiscal responsibility at the legislature and we have worked hard to be careful with tax and sportsmen's dollars.

Robin Thomas did a good job this year. She spent a lot of time at the legislature. 7-8 legislators are not running again, many of those who had interest in the DWR. We hope good people will take their places and we will develop some new relationships.

With the budget hearing on the hill, Utah is really bucking the trend on fishing and hunting license sales. Our applications for big game permits continue to go up along with combination license sales. There was a little dip in fishing licenses. Overall our revenue is up. Most states are seeing declining interest, but we are not. We try hard to give the people of the state what they want. We appreciate those sportsmen who have stepped up every year to keep the resource going.

Mr. Hatch asked if there has been a decline in fishing licenses. The information he got last week showed from 2006 to 2009, there was almost a 22% increase.

Director Karpowitz said there is always a danger in taking a little snap shot, because it doesn't show the overall.

Ms. Thomas said the first few months of 2010 they appeared to be down, but some of the data were not entered yet.

Mr. Albrecht asked about future habitat work.

Director Karpowitz said today was the kick off for the sportsmen's organizations to come in and give money for projects. We have more projects than we do money. We need to look for innovative ways to get more funding for habitat work. We are talking about getting some discussion going on incentives to get more money for habitat work. In four years, 530,000 acres of habitat treated, 43 million dollars expended. It is a huge investment in the future for wildlife. It is very exciting to see the sportsmen's organizations come in and contribute to funding.

Chairman Woodard asked about the money the organizations hold in their bank account.

Director Karpowitz said by rule they cannot hold it more than two years and we are trying to get them to not hold onto it, but to fund projects. The legislature put about \$100,000 into the watershed initiative at the last minute.

Mr. Johnson said he thinks this success has a lot to do with the public and the Division working so well together. Our legislature also needs to be commended for addressing the

budget early on when this direction became apparent. It saved a tremendous amount of jobs.

Mr. Albrecht asked about SB60, Volunteer Search and Rescue Funding. Did the Division have some dollars in that?

Director Karpowitz said he thinks that 25 cents of every license goes toward this.

Ms. Thomas said this bill created a voluntary search and rescue certificate that a person can purchase if they would like to. Some people refer to it like insurance. It is a certificate separate that people can purchase. It is not tied to license money. They are purchased at retailers and they get to keep a dollar of it. If it is successful, it will continue.

This concluded the legislative review and update.

### **Review of Wednesday Agenda Items**

Chairman Woodard reminded everyone that no decisions will be made today. We will review some of tomorrow's agenda. There will be no public comment.

Alan Clark gave an overview of the agenda items. He went to one of the RAC meetings and Mr. Aoude will help with this discussion. The four main items are 6-9 on tomorrow's agenda.

Mr. Hersey will present the results of the **elk hunter survey** in preparation for the elk management plans. The results from that are key information used by the elk committee.

On **the Statewide elk management plan**, in summary, the elk committee made a series of recommendations to the Division. We accepted all but two of their recommendations. This is the same way we deal with all the committees. We reserve the right to change the recommendations that are given. The two adjustments that were made were the four age class objectives and one had a different explanation of one of the ranges. We felt they should look the same way and we made a slight adjustment in that. It is second from the bottom and age class and has the bulk of the elk in Utah in it. We did it more for consistency sake.

Mr. Aoude said 5.7 to 6.3 was the committee's recommendation and the Division recommended 5.5 to 6. It does make a difference in the number of permits we can give.

Mr. Clark said the other change was the committee proposed a split on the Wasatch Unit and we did not want to do any experimenting on it, especially with the number of rifle hunters that go there.

Mr. Johnson said we are still doing the archery thing like we are with deer, we are also doing with elk on the Wasatch.

Mr. Clark said yes, but this is the limited entry portion.

Mr. Perkins said the Division made a counter proposal back to the committee on another unit where we could do this. The committee rejected that.

Mr. Aoude said the counter proposal was to try it on the Nebo Unit. The committee wanted the Wasatch because it is a high profile unit, both for hunting opportunity and viewing. The proposal they wanted was 50% archery, 30% rifle, and 20% ml. The majority would go to the archery. They wanted to try it to see if we could increase opportunity, without decreasing quality. There are about eight units in the hunt that do not have a late hunt and on those units we did change the split to 30% archery, 20% ml and 50% rifle.

Mr. Johnson said a lot of these units are basically OIAL and that is a problem. We need to look at getting people through this process. One of the ways to do that is to pull the rifle hunt out of the rut and give more archery tags also.

Mr. Aoude said both of those things were discussed, but with people who have been putting in for so many years is not good. When you change it midstream and that makes it harder for those who look to draw.

Mr. Clark said the RACs endorse the proposal as presented by the Division across the board.

Mr. Johnson said he has some grandsons who look at the odds and do not want to waste the time and money to try to draw out. We have got to figure out a way to get more people through it. Spike only was a good thing to contribute to family hunting.

Mr. Aoude said as we continue to do the spike hunts, people will figure out how to harvest more of them. If we do put more of the hunting into more primitive hunting types, it will make it easier to get people through the system, but if you are willing to hunt archery now, you can hunt those units several times in a lifetime. By shifting it, it doesn't help the archery hunters that much, but it does penalize the rifle hunters.

Chairman Woodard said we keep eroding away from the rifle permits and the archery hunters are quite organized and taken care of. Has there been any thought in the area of a recurve and a cap and ball season for the youth hunters?

Mr. Clark said the problem with this is there is no time for another season.

Mr. Johnson said you could rotate units for cap and ball or recurve.

Mr. Clark said the complexity of it would be a problem.

Director Karpowitz said some states have special hunts for long bows and flint locks. Other states do not give anything to primitive weapon hunters. We are about in the middle, but it does not mean we couldn't change the definition for primitive weapons.

Mr. Aoude said there is a push from the muzzleloader groups to go the other way. They want to be able to put high powered scopes on the muzzleloaders in Utah. They have been successful doing that in other states. We are probably one of the few hold outs on this.

Mr. Albrecht said there was a lot of support to get some of the bigger bulls onto the face of the Wasatch for people to view. Have we looked at a unit like the Mt. Dutton that has somewhere close to 185 permits on it this year. If we cut it in half and issued approximately 90 permits to archery, then started one hunt August 15 and it run for three weeks with 45 archery permits. Then the second half would start September and run into early October. Then October during what used to be the rut hunt for the rifle hunters, we could have the muzzleloader with 45 permits, and then 45 permits would be rifle late. The whole thing with this group is trying to get at is what would come out of a unit if you have more primitive weapons over a five year period.

Mr. Aoude said we discussed a lot of options. When you put more permits in the primitive weapon types, you are only increasing the chance of those folks drawing, you are not increasing opportunity very much. Even though it seems like they harvest fewer, it doesn't increase opportunity as much as you think.

Director Karpowitz said the other thing we try to do is balance complexity of the issue with opportunity. You could micro manage every unit in the state and come up with more opportunity, but at that point it gets so complex and difficult to understand, we would really lose something. We try to find some middle road and balance, working to be consistent around the state.

Mr. Albrecht said we are trying to get quality as well as quantity. What would happen on a unit like Mt. Dutton if we did this over a five-year period?

Mr. Clark said we went to age objective ten years ago to arrive at balance. When you throw in weapon type on age structure, it is another type of management.

Mr. Aoude said if you are managing for a certain age, it does not matter what weapon type you use, you are going to have that type of bull.

Mr. Johnson said the spike only system goes in that direction too, the quality and quantity. We are sitting here discussing how to take the pie and split it up where one of the big answers is to make the pie bigger. We have a cap of 68,000 on elk and I was very involved on the San Juan and the La Sals. When we did the transplant on the San Juan, the discussion was that we were going to have 4,000 elk there, but got locked into 1,000. As we do habitat work, we need to up the numbers. We also need to educate the public

on how elk compete with livestock. It is not a one to one. Mostly we need to look at building the pie bigger.

Mr. Hatch said he agrees with Mr. Johnson, but the problem from a practical standpoint, is federal land agencies have reduced livestock numbers across the board statewide. It is hard for permittees to go out there and say it is ok, I've got 200 AUMs in suspended non use, but allow you to put 1,000 more elk out there. There needs to be a balance somewhere.

Mr. Johnson said you get into different operations, going back to when we did the transplants, where grazing had taken advantage of habitat, grazing it into the ground. It is very political.

Mr. Clark says the plan sticks with the target of 80,000 elk. It still has the same provisions that it is done on a case by case, looking at individual units and the interest involved. There is one issue with one of the strategies in the plan and how it is worded. The Division has received a letter from the Forest Service and they will most likely have someone at the board meeting to address their viewpoint.

Director Karpowitz said the Forest Service is concerned with the increasing elk numbers and the incentive for livestock operators on public lands. Those are the two things they object to in the plan.

Mr. Perkins said he has a motion that might be more acceptable to them and not do any damage to what the Division was trying to do. Subsequent to receiving the letter, he called them and read them the motion. They indicated that it addresses their major concerns. This is a possible way to resolve the disagreement to the plan.

Mr. Clark said there are lots of ways to manage elk. The Division wants the Board to look for ways to consistently make decisions and stick with them over time.

Mr. Fenimore said relative to elk and livestock competition for browse. Another concern is impacts of elk on mule deer, especially winter range. As we increase elk in some of the proposed areas, what impacts will it have on mule deer and those who hunt them.

Mr. Aoude said the committee struggled with that issue also. There is not a lot of good information out there on this issue. There are people in both camps. The reality is somewhere in the middle and they do effect mule deer on certain ranges. It may not be on winter range. There needs to be more research on that before we move forward.

Mr. Fenimore said a few years ago we approved a cow hunt on the Hennifer/Echo Unit, because of their marginalizing mule deer on their winter range.

Mr. Aoude said there are areas where mule deer range is limited and when we get a certain type of weather conditions, we'll have elk winter on top of them. That is why it varies.

Mr. Johnson asked how much cross over there is in their diet.

Mr. Aoude said if all that is available is shrubs, that is the competition.

Mr. Clark went on to say the third issue and the bulk of the agenda tomorrow will be the **Bucks, Bulls & OIAL Permit Numbers for 2010**. There were four items that were identified through the RACs. First, the permit recommendations on the Henry Mountains bison. It is a minor issue, but what to do with management plan. We will wait until Director Karpowitz gets back to talk about this.

The second issue is with all permit recommendations we have, we always seem to find a mistake. We found a mistake in the permit numbers recommended on Anthro unit for pronghorn. We found out we had not subtracted permits that go to the CWMU. This did not go to the RACs, but there will be a recommendation to modify this proposal tomorrow.

Mr. Aoude said basically they issued too many permits and they want 13 fewer, because they went to the CWMU

Mr. Clark said Mr. Aoude will present that tomorrow.

Mr. Aoude said it is a total of seven archery and 16 rifle.

The third issue is the spike elk hunting with two parts to that. One RAC, after passing the elk management plan, then voted a different number later in the meeting. We had one RAC that voted to reduce the statewide cap.

Mr. Albrecht said even though it is statewide, we can still address problems on specific units.

Mr. Aoude said we do collect harvest data on a unit by unit basis so we could tell what needed to happen.

The fourth issue came from the same RAC suggesting that spike hunting be closed on a specific unit. Mr. Aoude and the region will address this tomorrow

Mr. Fenimore asked if there are going to be any changes to recommendations with the bighorn sheep die off.

Mr. Clark said that was acted on by the Director as an emergency closer.

Director Karpowitz said we did that early enough in the drawing that we contacted everybody that applied for that unit and gave them the option to apply for another.

Mr. Clark said we will now discuss the Henry Mountain bison.

Director Karpowitz said the recommendation is not a big difference, but the big difference is following the plan. We agreed to the plan and have done everything in the plan that we said we would do. We put a million dollars on the ground into habitat, funded a bunch of new habitat projects up there today. There is certainly room for those additional bison. There are some issues that need to be addressed. The bison are spending more time on the winter range than they used to. By doing some hunts, or herding, we need to discourage them from going down to the winter range. They will respond and the region has committed to do those things in addition to what is in the plan to make it work. The real value of a management plan is to give something to reach for and require you to do certain things to get you to those objectives. If this does not happen, the plan is not of any real value. What he tells our people is figure out a way to reach those objectives and make it work. We are not that different from what some of the bison committee members would like to see. It is just a matter of following the plan and make sure we have healthy range plans.

Mr. Johnson said so you are talking about maybe having a late bull hunt.

Director Karpowitz said we are not looking to do that this year, but doing some herding. He gave an example of bison on the Sandy Ranch, where they did intensive herding to get them out of the alfalfa fields and they never came back.

Mr. Aoude said even with the new objective and increasing it by 25 will not eliminate the problem.

Director Karpowitz said these bison have been going to this winter range for years. We have tried different things to alter their use habits on the mountain. We need to alter them again. They will respond, but it will take some effort.

Mr. Albrecht asked what months they are going there.

Director Karpowitz said they will sometimes go down to the winter range for the rut the end of July.

Mr. Bates said the problem that they are referring to is we are seeing the bison in the late summer. The kind of thing David Brinkerhoff is concerned about is due to all the permits we have had and some illegal vehicle use down on Cape Flat. Hopefully we can fix the gate going down on Cape Flat and that will be closed from November 1<sup>st</sup> and it will be accessed by horse only and with the reduced permits, we hope this will solve a lot of this problem to keep those animals up higher.

Mr. Hatch said in the minutes of the Southeastern region, the BLM representative said they supported the plan, but they were working on habitat. The permittees are concerned about the condition of the winter habitat. What projects is the Division working on there?

Mr. Bates said the Indian Springs project is on the south side and that will allow David Brinkerhoff to move his animals up a bit higher on the mountain and create more habitat up in there. Doing habitat projects in the area we are specifically talking about is very difficult. The BLM doesn't even know what to do there. We are concentrating on the pinion/juniper belt, because it has helped in the past. This will draw our animals up into there and reduce the problems down below. There are also two pipelines going down onto Cat's Creek and one to the Bull Frog allotment. We have another we are going to put down onto Tarantula this year. We have almost doubled the amount of area in both places that livestock and bison can use.

Mr. Hatch said the permittees in Beaver were concerned that we maintain the process.

Director Karpowitz said we want to follow the plan. This was the first year the plan called for an increase. We said that before we got there, we would do certain things and we did all of those things.

Mr. Bates said they are still saying we have to address the winter range issues and with the herding and fixing the gate on Cape Flat, that will still get those animals out of there.

Director Karpowitz said Mr. Bates sent the committee a letter, but we recognize we still need to do a little more, so let's move forward with our objective and then we will do those things too. We are following the plan and the process, and we are not that different from the committee. It is a very minor difference and considering the investment and communication we have done, it is a watershed moment of whether we are going to follow the plan or not.

Chairman Woodard said last year at the meeting with the Department of Agriculture, they asked us to follow the plan, when we were trying to not take a large number of bison. We decided at that point to stick with the plan.

Director Karpowitz said this will be the first year we will ease up and let the herd grow very slowly. If we are wrong, we can always come back to the Board if we count extra bison.

Mr. Albrecht asked how many permits were not hunted on there this year.

Mr. Bates said seven permits which will be additional this year.

Director Karpowitz said there might be a little confusion on management. Is the plan managing the bison, or is the committee managing the herd? We need to move forward with the plan doing the management. The committee is there to make the plan work. Until the plan is adjusted, that is what we follow.

Mr. Hatch said the committee has come back with a recommendation for 300 post hunt adults for five consecutive years.

Director Karpowitz said the plan says 305 this year and then increasing. All those increases are contingent on range trend. We are ready to move forward with the plan and it is only five animals difference.

Mr. Clark said the committee made a lot of good recommendations on the habitat projects that we can do. Mr. Bates has had conversations with the BLM on some changes that need to be made.

Mr. Perkins asked if the committee is recommending that the plan be extended. The current plan only runs for two more years.

Mr. Bates said the committee recommended that it be held at 305 for three years.

Mr. Albrecht said one of our problems on the Henry Mountains is all the activity we have with deer hunters. We have a lot of people who are illegally doing things and that moves the bison.

Director Karpowitz said he is not sure it is a problem.

Mr. Bates said they went down and met with the BLM and came up with a plan. They decided to do a monitoring program where they have their personnel go down and monitor what is going on. The BLM has a new travel plan in place and as soon as things melt off this spring they are going to put up new signs to keep people on designated routes. We made some temporary signs to indicate this. We also did some news releases and have been contacting people out in the field. Everybody we checked have had their antler gathering permits and they have been staying on the roads as indicated. With our presence there and contacting people, it has been pretty good. The snow has restricted access a lot more and that has helped. We need to get agencies involved and continue to monitor this.

Mr. Albrecht asked what about the summer months?

Director Karpowitz said the BLM has a new travel plan that has been needed for a long time. We need to work with them to make sure that is enforced.

Mr. Perkins asked if the travel plan is a year round restriction.

Mr. Bates said with the travel plan back into Cape Flat, instead of being closed December 22, it will be closed November 1.

Chairman Woodard said something he picked up in the minutes is their concern with the elk. Are we doing the maximum we can to eliminate the elk?

Mr. Bates said yes, other than shooting them ourselves.

Mr. Brady said it sounded like there was a small group coming off the Boulders, is that right?

Director Karpowitz said yes, but they are not sure.

Mr. Aoude said they do bison surveys there every year and we see a hand full of elk each year. It is not a population that is growing by any means.

On the **2011-2013 Direction**, Mr. Clark said the Division has been spending a lot of time and meeting on three big things to implement on big game. (See Attachment #1) One item is the hunt structure change and it necessitates a RAC and Board time line change. The Board asked that the Division use May 31, 2011 for posting results, but make some timing changes. See timeline – (Attachment #1) They have spent time meeting with everybody who has a role to play and they feel they can make this timeline work in 2011. This process would do bucks and bulls in two RAC meetings instead of three.

The second item is Unit-by-Unit deer hunting and the third topic is looking at multi-year guidebooks. They looked at the number of effects this would have in the Division and they propose tiering these out, using this schedule. They propose to address the following:

2011 – Adopt a hunt structure, and approve the dates for seasons, permit numbers and other related dates and the Wildlife Board would endorse this.

2012 – Take unit-by-unit out to RACs and public

2013 – Assuming everything is adopted, at that point, propose the first multi year guidebook. Addressing all of these in one year in one year is too much. This order is the best way for the Division, but it could potentially be done differently.

Mr. Hatch asked why not do it all in one year.

Mr. Clark said it is too much to communicate to the public and too much for the Division to do all at once.

Mr. Aoude said if we do them all at once, we would not be able to distinguish how they work all together. It is better to figure out if the hunt structure works the first year, then phase in unit by unit. Once those are in place, go with the multi-year guidebook.

Chairman Woodard said if we make the decision for the new hunt structure and want unit by unit, we could give the Division to go ahead to move in that direction.

Director Karpowitz said based on his experience over the years, the public can only take so much change. We can get one established, start work on the next and work the kinks out, so by the time we do the guidebook, it will be quite solid. It makes sense to do it a piece at a time.

Mr. Perkins asked how many meetings would be eliminated.

Director Karpowitz said one less.

Mr. Clark said we might actually replace the informational meeting with an online survey/comment sort of thing. Rather than go to the RACs, we would collect the information online. We are going to try that for fishing this year in place of the informational that has gone to the RACs in the past.

Director Karpowitz said this first year is the last time we would have a December meeting.

Mr. Clark said we will probably always have to do CWMUs and Landowner Associations in December. If the Board agrees to this timeline, they might take the hunt structure out even sooner. At the latest, the hunt structure would have to be adopted at the December 2, 2010 Board meeting, but it might be possible to do it sooner.

Mr. Fenimore said on surveying anglers, the survey work that the Division did on elk was a tremendous tool. It is a great way to get a lot of information back to the Division. He is glad to see them doing more of this in other areas.

Mr. Brady said a few months ago, a recommendation was made asking for hunt structure information for this summer, is that what we are talking about here?

Mr. Aoude said yes. The timeline we are talking about for the informational is basically on the same timeline. We will revamp it with the input we receive through the RACs and come back with another informational with the new information. We will do that in September and if we get favorable response, we would recommend it in the November timeframe.

Mr. Clark said the 2010 seasons are set. We would wait until February to actually adopt the individual hunts under the restructure. The permit numbers would be done at a later date. The nice thing is it takes some pressure off our regional staff as well. To propose hunts before they have any information is very difficult. This will give more stability and better data.

Mr. Perkins asked what the feedback was from the regional biologists on this.

Mr. Aoude said it was very favorable. They will have more information, because it is later.

Director Karpowitz said it allows them more time for tooth data and winter flight information. This buys them almost an extra month. Generally speaking, when we lack information we are more conservative, so with more, it will most likely increase permit numbers. The public will know a month later on results and it is consistent with other states.

Mr. Clark said we will have an application period without having a printed guidebook. We will have online information available. The guidebook is going to become the hunter guide for those who people who draw permits.

Mr. Aoude said they should have enough information to apply for the hunts ahead of time.

Chairman Woodard said there is nothing that would keep the Board from voting on these and give the Division longer to work on them and more time for the public to get used to it.

Mr. Perkins said we can set this time schedule, but we would not vote on unit by unit. It would have to go through the RACs.

Mr. Hatch said the Division is asking us to approve the hunt structure with the associated implementation dates.

Mr. Albrecht asked if the Dedicated Hunter issue is being worked on relative to if we go unit by unit. When the sign up date comes around, there needs to be some information available.

Mr. Clark said we need to know by summer 2011 if they are looking to adopt unit by unit, then it will be in place for January 2012.

Mr. Perkins said what we are basically saying is in the September 2010 meeting, we should have a decision on the hunt structure. In the September 2011 meeting, we should have a decision on unit by unit for 2012. By September 2012, the decision should be in place for the 3 year guidebook.

Mr. Hatch asked what they mean by a decision.

Mr. Clark said the details would be in place a year in advance and go through the RACs.

Director Karpowitz said the Board could do this earlier if it is ready.

Chairman Woodard said the Division has the unit by unit information, because it has been taken out before.

Mr. Aoude said we have taken it out several times and it has always failed.

Mr. Albrecht said unit by unit is pretty hot topic because people want change on the deer.

Mr. Hatch said he is concerned that by 2014, how many of us will still be on the Board?

Mr. Perkins said in September 2012, we will tell the Division to publish a three year guidebook for the 2013 season.

Director Karpowitz said (relative to the Handout) right now the timeline you see is for the hunt structure change with all the permit numbers for 2011. Add a year to all those numbers and that will be the timeframe for implementing unit by unit deer. Add two years to this timeframe and it will be the three year guidebook.

Mr. Perkins said in March of 2013, we would see a three year guidebook.

Mr. Bunnell said he thinks the confusion is that when the Board votes tomorrow, these things will be in place, but it will be a proposal that will come through on this timeframe.

Mr. Aoude said at one of the Board meetings there was a recommendation to reconvene the Deer Committee for input on unit by unit. It has come clear that the intricacies that need to happen probably do not involve the deer committee as much as the Board thought it would. It is more internal in trying to work the details out. He will reconvene the committee and let them know what is coming, but would it really be that beneficial?

Director Karpowitz said we need to take them a proposal and bounce it off them.

Mr. Clark said the Division will put a proposal together and take it to the deer committee.

Mr. Albrecht said the motion was to take it to the deer committee for them to decide how to implement it.

Mr. Aoude said the deer committee knows the broad subjects, but they do not know the details of how to make it work, for instance with Dedicated Hunter unit by unit and the drawing.

Mr. Johnson said he does not see the change as a lifetime hunter as that big of a deal. He gets to pick a region, or a smaller unit and that is fine with him.

Director Karpowitz said so here's the problem. Do you let the lifetime hunters scoop up the top five units in the state every year? He went on to give examples of the difficult decisions on how to manage unit by unit. You almost have to cap each group of hunters by unit which takes away the fundamental reason of why people are in Dedicated Hunter.

Mr. Albrecht said yes and no, but we do need to revisit the Dedicated Hunter before those details are worked out.

Director Karpowitz said the deer committee does not know the details of these modifications well enough to do it, we need to take a proposal to them.

Mr. Aoude said he wants to be clear with the Board that they are on board with taking a proposal to the deer committee.

Mr. Clark said whatever the Board decides tomorrow will help the Division get moving.

Mr. Albrecht asked if there was already a motion on the guidebook to be done next year.

Director Karpowitz said yes there was a motion on that, but we are going to ask the Board to amend that tomorrow.

Mr. Perkins said they said that they could bring this out even earlier than September, could it potentially be July?

Mr. Clark said they will look at it and do the best they can.

Director Karpowitz said the hunt season structure change is already out there to the public. We might not need another informational. We can take it right out to the RACs and the Board with the modifications. The Board can tell the Division at that point how they want that done.

Chairman Woodard said he thinks it will be better to do the informational.

Director Karpowitz said so the September informational and a November action item to come to the board in December. The season structure could be set for three years at that point. The public likes that so they can plan around it.

Chairman Woodard said it is better when we make these changes to put them in for a period of time.

Mr. Hatch asked what information do they think might be picked up by having another scoping meeting, rather than an action item meeting. If we go back through the RAC process we will get public comment, what else might we gain?

Chairman Woodard said we have been under scrutiny by legislators on getting some of the changes to the public and getting feedback.

Mr. Fenimore said with the survey information, they can let the public know these issues are coming up and solicit their attendance at the RAC meetings in the regions where they live when the action item is being presented.

Mr. Hatch said the specific legislator that you are referring to, once he found out how much scrutiny that process had been through, he pulled back his horns and said he did not realize the public had so much input already.

Mr. Aoude said it was their intent to get this out as an online proposal in survey or informational form. It will be out in late spring or early summer.

Mr. Perkins said on what happened in the last round of informational meetings did not change things very much.

Mr. Aoude said there were things that changed pretty drastically. We moved the muzzleloader hunt from between the two rifle hunts.

Mr. Larsen said there were changes, but the public was not all over the place on opinions.

Director Karpowitz said we can do a media blitz and get it done in one meeting or we could do it in two. His experience with informational meetings has been it is nice to be able to say you had one, but you do not get much new input. There will be some changes that people need to be able to respond to, but if we have the information out to them by mid-summer, they will have time.

Mr. Clark said we could have this as an action item in September.

Mr. Clark then went to the **Donation of 2009 CWMU Vouchers**. The Board made a motion to allow CWMUs to donate permits to charitable organizations. There is a charitable organization that has some permits that need to be rolled over into next year. We still need to work on this as to how it works. Either way, the Board needs to act by April 1 if they are going to be done for this coming fall. NWTf Wheeling Sportsmen is the CWMU involved and this will be presented tomorrow.

### **Mandatory Tooth Reporting**

Chairman Woodard said there is a consensus on the Board that we really need to push this. We know that statistically and biologically this is not that important, but every year, in every RAC there is something on it. We bounced a few ideas amongst us to suggest to the Division.

Mr. Aoude said we do not make this mandatory, because only those who harvest have to turn in teeth. You do not know who harvested before the fact. If they left the teeth on the mountain this could cause some inaccurate information. He would say he did not harvest rather than climb back up the mountain for the teeth. That will skew our harvest data which is more important than the age data. We would like to have more people turn the teeth in and in the statewide plan we have tried to find some incentives to get them to do this. The other obstacle to mandatory is you would have to have a certified mailing to know for certain if they were mailed. In concept, it seems great to make it mandatory, but in trying to get that accomplished is a whole other thing. Basically we will harvest around 2,500 elk and make every hunter come to a regional office to extract the teeth, or do certified mail. The cost does not outweigh the benefit. Would it force us to pay too much for the return we would get?

Chairman Woodard said there is a sensitivity to the age of the elk we are harvesting and the age of the elk we are managing for. The people that kill a smaller bull at the end of the hunt probably do not turn the teeth in and there is a feeling that this could really skew some of the data.

Mr. Aoude said they have done analysis on this, because we do have data from the mandatory reporting on measurements, and there is no way that those who do not turn them in are just those with younger bulls. You can tell by measurement that these are not just rag horns and three year olds that people are not turning in teeth for. They are bigger bulls. He is aware of that argument, but it is not a true argument because they have done this analysis. The data they have from the surveys is sound. We could probably do it with less than 40% of the returned teeth and have a confidence interval of higher than 95%. Still we like to have more, because the public is more comfortable with it.

Chairman Woodard said one suggestion to help with this would be they either turn in their tooth or send in their tag. The other is if we do not get a tooth, they used their tag, add a year to their waiting period.

Mr. Johnson said instead of adding a year for not getting a tooth, take away a year for those who do send them in.

Chairman Woodard said he thought about that, but worried that as valuable as these tags are, it would make a lot of unhappy sportsmen.

Mr. Aoude said that does not effect somebody who has already harvested. They already have their elk.

Director Karpowitz said the first year they went to mandatory harvest reporting, people were put out of the drawing. People got really mad. We then created a fee that they could pay and that took about four years. We also have a real problem with the post office, it would have to be certified or hand delivered.

Mr. Larsen said they offered some incentives on the antlerless this year by offering gift certificates. We had a pretty good response.

Mr. Hersey said through the incentive program we got a lot more response than with the telephone sample, especially with a limited number of permits.

Mr. Perkins said if we did something like what Arizona does for the gut piles where everybody who turns in a tooth gets their name entered in a drawing for \$1000.

Mr. Aoude said that is how the antlerless survey went with a drawing for gift certificates. We are not sure why this year was low, if the post office might have thrown some away, since they have had trouble with them leaking. In the past it has not been lower than 76%. They want to do some quality control to see if they are getting lost somewhere along the way. In past years we have gotten plenty of samples.

Mr. Fenimore said there needs to be an incentive for sending in a tooth.

Mr. Brady said he has read some opinions in the minutes, but statistically the return is sound enough to accomplish what we need to do. He agrees with Mr. Aoude. He is

against trying to force everybody to do this. We have what we need. If you look at some of the national polls, they are taking much less of a sample.

Mr. Johnson said 75-80% is pretty good statistically. Also, you are getting the research that it is pretty much across the board coming in on the age level.

Mr. Albrecht said he is okay with that too, but is not okay with the 49%. They need to offer a good enough incentive that they will want to return the tooth.

Mr. Aoude said relative to how people take surveys, if they agree with the survey, then it is absolutely right. If it doesn't, they say no it is not statistically sound. We do not take that approach, we just want to have enough samples. When you do surveys as the results come in, after the first 400, a pattern is established and the next 600 do not usually change anything. I feel very comfortable with the returns we get and making decisions accordingly.

Chairman Woodard said he knows that Mr. Aoude has made that statement before, but this year it was lower.

Director Karpowitz said when they did the elk survey, after about 48 hours it did not make any difference relative to the scientific information.

Mr. Hersey said 38% is sufficient and we are worried about 56%.

Mr. Clark said we will keep pursuing this, but give us a shot at doing something incentive based.

### **Role of Board Members on Committees**

Chairman Woodard asked if the Board is alright with voting on these appointments, or sending out an email and go with whoever responds. What are they comfortable doing? Often it is relative to where the Board members live. On the Bear Committee, Mr. Brady is our representative and Mr. Johnson the alternate. Is everyone ok with sending out an email?

No one objected to this.

Chairman Woodard sat on the Cougar Committee and being a Wildlife Board member he is apprehensive about controlling the committee or giving a lot of input that would sway the opinion. On the Cougar Committee, he did not give much input, only when Mr. Bunnell asked him for input.

Director Karpowitz said he is in agreement. This is also true for RAC members that sit in on committees. They need to be careful, because you do have a vote. They can give advice, but be careful with too much involvement, with Board and RAC members. The most important thing for them to do is bring information back to the Board.

Mr. Johnson said this same idea is important to follow when a Wildlife Board member goes to RAC meetings. We are there to listen and try not to say anything unless it is a clarification or to express appreciation.

Mr. Perkins said he thinks Board members can contribute to clarify past events if you have been around an issue, or to back up Division personnel.

Chairman Woodard said he will do the email blast if there are any more requests for a Board member to sit on a committee, then he will wait to hear from those interested.

### **Disabled Hunter Accommodations Discussion**

Mr. Clark said Kenny Johnson is going to share the concept on this with them. The rule revision will be taken out in May.

Kenny Johnson said the handout (See Attachment #2) is a synopsis of the survey results. The historic COR for hunters with disabilities has been unpublicized and was a small cohort of people. The applications were handwritten. Now it is just the opposite and the application pool has grown. Also, each year more apply and each year it seems that more are being told no, depending on their specific qualifications. He then went over the handout information, including COR issuance trend, harvest results, buck harvest comparison and harvest by region.

Mr. Keele Johnson asked where they came up with the 62%?

Mr. Johnson said they do not equal 100, because we lost people by attrition every season, so if you harvested in one area, you were not a participant in another. It is participant related by season.

Mr. Perkins said that 25% of the deer were harvested in the Northern region. If he remembers right, the rifle success rate is down to 20%. You are getting a huge harvest on the late seasons in Northern region.

Mr. Johnson said the late season was about half of total harvest. Early and general was the other half approximately.

Mr. Hatch said so they killed about 180 deer statewide.

Chairman Woodard said there was a request about a year ago for their own limited entry draw. Is this still something they are interested in?

Mr. Johnson said they discussed that with them last summer. We walked through some scenarios and they have roughly 1100 unique individuals who have been in the COR program in the last 4-5 years. They did a few permits and if we precluded them from the

general limited entry drawing and only let them do the disabled draw, they realized their odds of drawing dropped further. For now, that is not being considered.

Mr. Keele Johnson said that might be something we would want to consider in the future, if their numbers continue to grow on these applications. We might want to cap the number of permits that we put into this program.

Mr. Albrecht asked if there is a rule attached to this.

Mr. Johnson said it does and they are presently working on it. The harvest information is helpful in working toward this. This will go through the RACs in May and what we hope the improved plan will address is as follows: Put plans in place to protect resource, ensure disabled hunters opportunity, ensure disabled hunters will have equal accommodation, ensure administrative efficiency and less of a hassle for qualifying hunters and there are consequences for fraudulently applying for a disabled hunter permit. People need to take this seriously and there will be a warning on the application. We will definitely have the details worked through by the time it hits the RACs.

Mr. Perkins said the purpose of the program, in part, is to support the Americans with Disabilities Act, to make a disabled person whole so they have comparable opportunity to someone without a disability.

Mr. Bushman said that is what ADA requires, but our rule has some of that in it, but is an effort to level the playing field. Not all disabilities are the same.

Mr. Perkins said our current level of accommodation is providing twice the harvest success of a regular hunt. If someone paid close attention, they could increase harvest by going to the late hunt. If the group continues to grow, I am not sure I am comfortable with the way this is going.

Mr. Clark said you are quite likely going to see the Division propose to eliminate that late hunt.

Mr. Johnson said we did the experimental, one time last year, November 7-8, two days.

Mr. Perkins said so that was a two-day hunt with a 59% success rate.

Mr. Clark said the survey has helped us and we are looking at some of these sorts of things. We will come back with recommendations concerning these things.

Mr. Fenimore asked if they have definitions as to who qualifies for a COR.

Mr. Johnson said that is spelled out in rule. We are looking to help the hunter who cannot get around.

Mr. Clark said what we hope to do is come up with something that will deal with 90-95% of the people and be fair. Under ADA, you still have to consider requests that these things you are offering do not meet my needs. In those cases we will have a process where they will be reviewed. You have to be able to address the individual where necessary. We hope we can deal with the bulk of people generally, then look at the exceptions. They got some good ideas from the Wheel Chair Bound Hunters that they met with.

Mr. Albrecht asked if a waiting period or cap time were suggested.

Mr. Fenimore asked if there are safety issues with people shooting from vehicles, or across the road. Is there some type of safety orientation?

Mr. Bushman said it allows them to shoot from a vehicle, but not across a highway.

Mr. Hatch said he has a good friend who is in a wheel chair and the whole town was out there scouting for him a deer last year.

Mr. Brady said and the whole town felt good about it.

Mr. Johnson said we were not motivated necessarily by ADA when this program began. It was just the right thing to do.

Mr. Bushman said we are trying to provide some benefits that are not necessarily required. Many times when you have a group of people who are gratis, it is hard to reel them back in from what they perceive to be their right. We must be cognizant of what you are giving verses what is required.

Mr. Johnson said this is a program that we have known has needed some attention and we are making good headway on it.

### **Agenda Items for future RAC/Board meetings**

Mr. Clark said the next work meeting is planned for September 29. He went over issues that will be coming between now and then. (See Attachment #3)

April – antlerless

May – Several rules to be addressed (see handout) on Antelope Island conservation permits, lifetime license holders, re-authorize convention rule, drop off aquatics informational, replaced by an online survey, upland game guide and rule 5 year review.

July – Cougar proclamation with three year recommendation, furbearer is up, proposed fee schedule (disabled anglers), compensation for mountain lion, bear and incorporate wolves.

September – Most likely action on bucks, bulls with new hunt structure, Dedicated Hunter 5 year review, fishing proclamation and rule, (standardizing bass regulations), wildlife action plan.

Originally we scheduled having the June Board meeting down at Ruby's Inn, but we now have some things geared around the Salt Lake area with disabled hunters and Antelope Island. They would like to keep the meeting here and look to do a meeting down there at some time in the future.

Mr. Clark said they would like some feedback from the Board and how they would like these work meetings structured. Did the Division take too much time today?

Chairman Woodard said it makes the Board meeting go smoother when we are informed.

Mr. Brady said on the big items like bucks and bulls and OIAL, it is very helpful.

Mr. Perkins said he really likes the idea of doing the hunt structure schedule in September, because we have the 29<sup>th</sup> and 30<sup>th</sup>.

Mr. Albrecht asked if there is any more information on sage grouse.

Mr. Clark said they will cover that tomorrow, along with some wolf information.

Mr. Bushman requested a stipulation for Lynn Heber, back in 2008, he purchased two mitigation permits for antlerless elk from the same landowner. He had been successful earlier in the season harvesting an elk. He went out on November 15, 2008 and they were successful in harvesting an elk, without the wife and her permit being there. It was a bull elk with an antlerless permit, but it was barely a bull with one antler seven inches and the other was five. The rule says if there are no antlers over five inches, it is considered antlerless. Mr. Bushman does not know all the mitigating circumstances. He pled guilty to a Class A misdemeanor, but the officer involved recommended a two year period of suspension as opposed to the regular five. This stipulation came by way of John Pratt who said additionally they had even discussing pushing it back a few months so the end of the suspension period would fall before the drawing period. What this stipulation does is shave off the suspension period by 169 days. It should end in July 22, 2011 and it moves it back to February 1, 2011. This was recommended by John Pratt and the officer involved in the case.

Mr. Perkins asked for the mitigating circumstances on this.

Mr. Bushman said the only thing he really saw was the confusion on whether this was really considered a bull elk. It never came clear in the report as to whether he knew it was a bull elk and intended to shoot it. He also tagged it with his wife's permit without her even being there. He took care of the animal and there was no wasting.

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

**MOTION: I move that we approve the stipulation for Lynn Heber.**

Mr. Fenimore asked if we get lots of these types of cases and if we approve it, might it set a precedence?

Mr. Bushman said everyone he talks with wants some concession. A lot depends on the circumstances of the case and it is always with the approval of the investigating officer. This is not unprecedented on the time period.

Mr. Perkins said he is uncomfortable with this, only because he has no information on the mitigating circumstances. John Pratt is a high integrity, solid citizen and has my utmost respect. Still, I am not comfortable in giving a free pass without some mitigating circumstances on an offense that is basically a five-year suspension.

Mr. Bushman reiterated the above reasons.

Ms. Coons passed out the management plans for the Henry Mountains and the Book Cliffs for the Board members.

Chairman Woodard said tomorrow on “other business” we were going to go into executive session to discuss a Board award. The session is now closed.

The meeting was adjourned.