

# Utah Wildlife Board Meeting

August 15-16, 2012, DNR Auditorium  
1594 West North Temple, Salt Lake City, Utah

Revised Aug. 13, 2012

Wednesday, August 15, 2012 – 1:00 pm - **Canceled**

1. Approval of Agenda **Canceled** **ACTION**
2. Board Appeal – George Simon - **Canceled** **ACTION**

Thursday, August 16, 2012 – 9:00 am

1. Approval of Agenda **ACTION**  
– Del Brady, Chairman
2. Approval of Minutes **ACTION**  
– Del Brady, Chairman
3. Old Business/Action Log **CONTINGENT**  
– Ernie Perkins, Vice-Chair
4. DWR Update **INFORMATION**  
– Jim Karpowitz, DWR Director
5. Board Variances – Time Certain 9:30 am **ACTION**
6. Bobcat Harvest Recommendations **ACTION**  
– John Shivik, Mammals Coordinator
7. Waterfowl Guidebook and Rule R657-09 **ACTION**  
– Blair Stringham, Waterfowl/Upland Game Coordinator
8. Pineview Reservoir Hunting Closure Proposal **ACTION**  
– Becky Wood, Landowner
9. Conservation Permit Allocations for 2013-2015 **ACTION**  
– Kevin Bunnell, Wildlife Section Chief
10. Convention Permit Audit **ACTION**  
– Jim Karpowitz, Director - Alan Clark, Assistant Director
11. Convention Permit Allocation **ACTION**  
– Alan Clark, Assistant Director
12. United Wildlife Cooperative Proposal **ACTION**  
– Tye Boulter, UWC - Martin Bushman, Assistant General Attorney – Jim Karpowitz

- 13. CWMU Advisory Committee Membership **ACTION**
  - Scott McFarlane, Private Lands, Public Wildlife Coordinator
  
- 14. Broadmouth CWMU request for Additional Bull Moose Permit **ACTION**
  - Garet Jones, CWMU Operator
  
- 15. CRC – Recommendation – Scales and Tails **ACTION**
  - Staci Coons, CRC Chair
  
- 16. Request for Additional Antlerless Elk Permits **ACTION**
  - Anis Aoude, Big Game Coordinator
  
- 17. Other Business **CONTINGENT**
  - Del Brady, Chairman

*In compliance with the Americans with Disabilities Act - Persons needing special accommodations (including auxiliary communicative aids and services) for this meeting, should contact Staci Coons at 801-538-4718, giving her at least five working days notice.*

Approved

**Summary of Motions**  
**Utah Wildlife Board Meeting**  
August 15-16, 2012, DNR Auditorium  
1594 West North Temple, Salt Lake City, Utah

1) Approval of Agenda (Action)

The following motion was made by Calvin Crandall, seconded Ernie Perkins and passed 4-2 with John Bair and Jake Albrecht opposed.

**MOTION: I move that the Division do an expeditious review of the data and to provide the board members their analysis, conclusions and recommendations concerning the possible over harvest of female cougars.**

The following motion was made by Ernie Perkins, seconded by Jake Albrecht and passed unanimously.

**MOTION: I move that we approve the agenda as presented, including the Stipulations and Orders, and the September emergency meeting to be discussed under “other business.”**

2) Approval of Minutes (Action)

The following motion was made by Jake Albrecht, seconded by Calvin Crandall and passed unanimously.

**MOTION: I move that we approve the minutes from the June 6, 2012 Wildlife Board Meeting as corrected.**

3) Board Variances – Time Certain 9:30 am (Action)

The following motion was made by John Bair, seconded by Mike King and passed with Chairman Brady voting in favor of the motion to break the tie. Ernie Perkins, Bill Fenimore and Jake Albrecht were opposed.

**MOTION: I move that we reinstate Brad Miller’s bear bonus points and waive the waiting period.**

4) Bobcat Harvest Recommendations (Action)

The following motion was made by Ernie Perkins, seconded by Mike King and passed unanimously.

**MOTION: I move we accept the Bobcat Harvest Recommendations as presented by the Division.**

5) Waterfowl Guidebook and rule R657-09 (Action)

The following motion was made by Jake Albrecht, seconded by Calvin Crandall and passed unanimously.

**MOTION: I move that we put the issue of swans and sandhill cranes on the action log to see if there could be additional take in other parts of the state.**

The following motion was made by Bill Fenimore, seconded by John Bair and passed unanimously.

**MOTION: I move that we accept the Division's recommendation on the Waterfowl guidebook and Rule R657-09 as presented.**

6) Pineview Reservoir Hunting Closure Proposal (Action)

The following motion was made by Jake Albrecht, seconded by John Bair and passed unanimously.

**MOTION: I move that we direct the Division to work with the landowners and Forest Service in this area to address the hunting problems and deny the request for the hunting closure on Pineview Reservoir.**

7) Conservation Permit Allocations for 2013-2015

The following motion was made by Jake Albrecht, seconded by Calvin Crandall and passed unanimously. John Bair recused himself from the vote.

**MOTION: I move that we approve the Conservation Permit Allocations for 2013-2015 with the addition of 20 antlerless elk permits to be distributed at the discretion of the Division.**

8) Convention Permit Audit (Action)

The following motion was made by Ernie Perkins, seconded by Jake Albrecht and passed unanimously. John Bair recused himself from the vote.

**MOTION: I move that we accept the Division recommendation adding the contract stipulation for the annual report to the Wildlife Board to include the total amount of funds raised by the application fee, cost of administering the drawing and expenditures on wildlife conservation activities**

The following motion was made by Ernie Perkins, seconded by Mike King and passed unanimously. John Bair recused himself from the vote.

**MOTION: I move that we accept the Convention Permit Audit for 2012 as presented by the Division.**

9) Convention Permit Allocation (Action)

The following motion was made by Jake Albrecht, seconded by Mike King and passed unanimously. John Bair recused himself from the vote.

**MOTION: I move that we approve the Convention Permit Allocation as presented.**

10) United Wildlife Cooperative Proposal (Action)

The following motion was made by Ernie Perkins, seconded by Bill Fenimore and passed 4 to 1 with Jake Albrecht opposed. John Bair recused himself from the vote.

**MOTION: I move that we add to the action log a request that the Division meet with the Mule Deer Foundation, Sportsman for Fish and Wildlife, and United Wildlife Cooperative to discuss issues and topics that have been raised including transparency. This will be accomplished by meeting with the three groups collectively to identify issues of concern and by meeting with MDF to discuss possible voluntary changes to the current convention contract. The Division will report back to the Board within one year**

11) CWMU Advisory Committee Membership (Action)

The following motion was made by John Bair, seconded by Jake Albrecht and passed unanimously.

**MOTION: I move that we accept the recommendations as provided by the Division.**

12) Broadmouth CWMU request for additional bull moose permit (Action)

The following motion was made by Ernie Perkins, seconded by Jake Albrecht and passed unanimously.

**MOTION: I move that we grant the additional bull moose permit to the Broadmouth CWMU.**

13) CRC – Recommendation – Scales and Tails (Action)

The following motion was made by Ernie Perkins, seconded by John Bair and passed unanimously.

**MOTION: I move that we approve the variance request for Scales and Tails as presented by the Certification Review Committee.**

14) Request for Additional Antlerless Elk Permits (Action)

The following motion was made by Calvin Crandall, seconded by John Bair and passed unanimously.

**MOTION: I move we accept the Division's recommendations on the additional antlerless elk permits.**

15) Other Business (Contingent)

The following motion was made by Ernie Perkins, seconded by John Bair and passed unanimously.

**MOTION: I move that we accept the stipulations as presented by the Assistant Attorney General.**

The following motion was made by Ernie Perkins, seconded by Mike King and passed unanimously.

**MOTION: I move that we accept the dismissals as presented by the Assistant Attorney General.**

The following motion was made by Jake Albrecht, seconded by Calvin Crandall and passed unanimously.

**MOTION: I move that we schedule September 12, 2012 at 9:00 am as an Emergency Wildlife Board Meeting to address additional antlerless elk and bison concerns as deemed necessary by the Division.**

**Utah Wildlife Board Meeting**  
August 15-16, 2012, DNR Auditorium  
1594 West North Temple, Salt Lake City, Utah

**Wildlife Board Members Present**

Del Brady – Chair  
Ernie Perkins – Vice Chair  
Jim Karpowitz – Exec Sec  
Jake Albrecht  
Bill Fenimore  
Calvin Crandall  
John Bair  
Mike King

**RAC Chairs Present**

Southern – Steve Flinders  
Southeastern – Bill Bates  
Central – Fred Oswald  
Northern – Robert Byrnes  
Northeastern – Floyd Briggs

**Public Present**

Byron Bateman  
Paul Niemeyer  
Lee Tracy  
Bill Christensen  
Tony Abbott  
Jason Hawkins  
Jim Bowcutt  
Olivia Buttars  
Jeremy Hanson  
Kris Marble  
Tye Boulter  
Jerry Hill  
Landon Robison  
Jason Lowe  
Jason Adamson  
Tammara Mohr  
Kurt Wood  
Jeff Hunt  
Lonne Rasmussen  
Rusty Haw  
Jared Provost

**Division Personnel Present**

Judi Tutorow  
Staci Coons  
Cindee Jensen  
LuAnn Petrovich  
John Fairchild  
Anis Aoude  
Justin Dolling  
Boyde Blackwell  
Kevin Bunnell  
Lindy Varney  
Craig Clyde  
Blair Stringham  
John Shivik  
Anita Candelaria  
Greg Evans  
Robin Cahoon  
Darren Debloois  
Randy Wood  
Greg Hansen  
Martin Bushman  
Tony Wood  
Scott White  
Justin Shannon

**Public Present (continued)**

Rachel Thayne  
Travis Ryan  
Shane Richins  
Carl Ingwell  
Bryce Pillins  
DeLoss Christensen  
Troy Justensen  
Ken Strong  
Justin Oliver  
Matthew Peterson  
Ben Armstrong  
Perry Hanks

Chairman Brady welcomed the audience and introduced the Wildlife Board and RAC Chairs.

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

Chairman Brady reviewed the agenda. Under “other business,” Stipulations and Orders will be presented by Martin Bushman. Also a WAFWA report from Mr. King and Awards Selection will be addressed.

Director Karpowitz said the WAFWA report could be at lunch and there is another item to be discussed under “other business.” They may need to schedule an emergency meeting in September due to drought related issues.

Mr. Perkins suggested doing the awards selection during lunch also.

Chairman Brady asked if there were houndsmen present and three hands were raised. The Board and the RACs have received significant input regarding houndsmen and the cougar item. In the RAC meetings 5 of the 7 Board members heard those presentations and discussions. All of the Board members have read the emails that they’ve received relative to that issue. The Division has heard the concerns and recommendations of the houndsmen and has already agreed to consider them in the upcoming three year review. One concern raised by the houndsmen warrants priority review and that is regarding the alleged female overharvest of cougars. As Chairman he is asking the Division to do an expeditious review of the data and provide the Board members their analysis and conclusions. At that point Board members can contact him if they think further actions are warranted. He then asked if the Board was satisfied with that. This is not an agenda item.

Director Karpowitz said this sounds like an action log item.

Mr. Bair said this was a mistake to not have this on the agenda. The houndsmen went to the RAC meetings and presented their case. This is a biological issue and needs our attention, even though we are busy today. When a group shows up and attends all the RAC meetings they deserve to be heard.

Chairman Brady said he appreciates Mr. Bair’s comments but because we are in the middle of that three year plan, we will put this on as an action log item.

Director Karpowitz said it will be addressed quickly but it is not likely to effect changes this year without going back through the process.

The following motion was made by Calvin Crandall, seconded Ernie Perkins and passed 4 to 2 with John Bair and Jake Albrecht opposed.



**MOTION: I move that the Division do an expeditious review of the data and to provide the board members their analysis, conclusions and recommendations concerning the possible over harvest of female cougars.**

The following motion was made by Ernie Perkins, seconded by Jake Albrecht and passed unanimously.

**MOTION: I move that we approve the agenda as presented, including the Stipulations and Orders, and the September emergency meeting to be discussed under “other business.”**

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

The following motion was made by Jake Albrecht, seconded by Calvin Crandall and passed unanimously.

**MOTION: I move that we approve the minutes from the June 6, 2012 Wildlife Board Meeting as corrected.**

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

Mr. Perkins, Vice Chair said there are no items that are due to come out today. He has a request for the Board in that the first action log item has a target date of fall 2012. That is asking the Division to give a presentation on the current preference points system for general season deer units and how far down you can be on your choices and still get a preference point. If we don't hear the proposal until this November, it will be another year before any change desired by the Board could take effect. He proposed that instead of asking the Division for a presentation to the Board, that the Board just ask the Division to take this information out to the November RAC meetings as a presentation of the current system as well as an action item with one or two options. That takes care of the action log.

Director Karpowitz said that is what they planned on doing.

4) DWR Update (**Information**)

Director Karpowitz said in the interest of time he would only discuss one topic and then answer any questions the Board might have. We are in the middle of one of the worst droughts in the history of Utah. It is wide spread and intense in certain parts of the state. It is also one of the worst fire years on record. We have now burned about one half million acres, some of it very important big game winter range and some summer range. A lot of the fires occurred early in the year. Mike Styler gave a report to the legislature this week on the financial impact of what that means. The financial impact is huge, not only fighting the fires, but in rehabilitating those ranges. There have also been a number of emergency orders for fishing actions, either eliminating the limit or raising the limit on waters that are rapidly being dewatered.

Utah is in a better position to address fire rehabilitation than any other state in the west. Because of our watershed initiative and our habitat improvement programs that are in place, we are ready and anxious to get about the work of fire rehab. We have five million dollars worth of seed that has been delivered to our warehouse this week. We have the people, the equipment and the expertise to know how to get this done. Over the past several years we have put into place a process and a program where we can go about this very rapidly. This program does not exist in other wildlife agencies. Some of the fires have proved beneficial for wildlife. He saw pictures of the Sealy fire on the north end of the Manti. There are already aspen sprouts three to four feet high.

Later today we are going to talk about the need for additional antlerless permits. We have a lot of winter ranges that are in bad condition and a lot of animals poised to move early to those ranges that will probably be in poor condition. We will ask for more antlerless harvest and watch the winter conditions very carefully to see if we need to initiate some winter feeding. Fortunately we have received quite a bit of rain in southern and southeastern Utah with improvement in the winter ranges in the last few weeks. Still we are running out of time and after September 1<sup>st</sup> the rain will not do much good toward things growing this year. We have been working on all of these issues.

We are going to take a risk and put the seed in the ground without an appropriation. We will have to go to the legislature, make sure that money is returned to us and we don't exceed the appropriation. Director Karpowitz is confident the legislature will come through and appropriate that money, so we can get it done. He then asked if there were any questions.

Mr. King asked which reservoirs have been affected by fire.

Director Karpowitz said he couldn't list them all. He has done about a dozen, where they've either raised the limit or done away with it. Recently they did Echo and he asked if there is anybody that knows what all of the waters are that we have signed emergency orders on. Mr. Bates said Kent's Lake. He will get the list to them at lunch. A bunch of them are being dewatered, waters where we either don't have conservation pools or streams that are being completely dewatered. We have also lost some fisheries. We lost one of our best Blue Ribbon Fisheries this year, Huntington Creek. After the fire we got some intense thunder showers and it sent all that silt down the stream killed all the fish. Also it killed fish over in the Mud Creek drainage, so there are lots of impacts with these fires for both fish and wildlife. It is pretty scary. We are almost in a no win situation. If we get a hard winter, we're in trouble and if we don't we're in trouble. There are going to be losses to wildlife and fish. You can't have this intense of a drought situation and not have significant impacts. This concluded the update.

- 5) Board Variances – Time Certain 9:30 am (Action)

Ms. Tutorow presented this variance request for Brad Miller. (See Board Packet) The committee's recommendation is to deny the request. She then turned the time over to Mr. Miller.

Brad Miller said he'd set up his camera and the bait for his bear permit, but no bears came in until he was in the hospital with his illness. He sent his son and son-in-law down to check the cameras and the bear had come. At that point there were two days left in the hunt, but he was never able to hunt because of the illness. He knows he was in the field, but he never took his bow because there were no tracks in the snow or sign of visiting bears. When he was in the field it was basically scouting and managing the bait.

Mr. Bair clarified that he never sat in the tree stand and waited for them to come. He asked Mr. Miller if he feels like he hunted at all.

Mr. Miller said no.

Mr. Bair asked what a bear permit qualifies for.

Ms. Tutorow said it can be an extension of the season, or restoring the bonus points and waiving the waiting period.

Mr. Bair asked what Mr. Miller is requesting.

Mr. Miller said he would like to waive the waiting period and restore the points.

Mr. Perkins asked how far away he lives from the unit.

Mr. Miller said he lives in Lehi and was driving down 1-2 times a week to check the bait and the bear situation.

Mr. Bair said if he'd carried his bow with him, he would have hunted, but where he didn't have his weapon with him, he wasn't hunting.

The following motion was made by John Bair, seconded by Mike King and passed with Chairman Brady voting in favor of the motion to break the tie. Ernie Perkins, Bill Fenimore and Jake Albrecht were opposed.

**MOTION: I move that we reinstate Brad Miller's bonus points and waive the waiting period.**

Mr. King said the Board had this discussion in the last Board meeting. This is one of those gray areas and what constitutes hunting and what doesn't.

Ms. Tutorow said the new rule will go into effect August 21. She quoted from the new rule, "the hunt day means spending any time in the field hunting the permitted animal species in a single day during lawful hunting hours." That's what the new rule says.

Mr. Bair said this is a gray area, but where he draws his conclusion is the fact that he didn't have his bow with him.

Mr. Crandall asked how long the season is.

Mr. Miller said mid-April to June, roughly 45 days. He checked and baited for six weeks.

Mr. Perkins said the fallout we are going to get from this is when somebody decides to go hunt day 14 or 15.

Chairman Brady said he can see Mr. Bair's logic, but it is a difficult decision for the Board to make. We have no agenda other than trying to keep things fair. We have all types of these situations come before the Board, but we need to make a decision. The vote was taken at this point.

Mr. King said he thinks we need to evaluate the definition of hunting a little bit more. Is it carrying a weapon or is it spending time out during the season trying to figure out where the animal is. It is hard to vote against something when the definition is unclear.

Mr. Bair said he agrees with Mr. King.

Ms. Tutorow said we have taken this rule out and we have defined some better areas. We think these variances will go smoother in the future. We should have Mr. Bushman speak to this.

Marty Bushman, Utah Attorney General's Office said hunting is defined in Utah Code, "to take or pursue an animal." Take means "to hunt, pursue, capture, kill, injure."

Mr. King asked if pursue is defined.

Mr. Bushman said no.

Mr. King asked if baiting is pursuing.

Mr. Bushman said it could be, because at that point you are engaged in trying to take a bear. It is up to the Board to decide what "pursue" denotes.

#### 6) Bobcat Harvest Recommendations (**Action**)

John Shivik, Mammals Coordinator presented this agenda item. (See Powerpoint Presentation) He went over the 2007-2016 Bobcat Plan starting with performance targets, then 2012 Data - Performance Targets. Adjustments were made according to the plan. He then presented the 2012-2013 recommendations which are to be consistent with the previous year including permits and seasons.

Mr. Crandall asked if all 4,600 permits are taken.

Mr. Shivik said yes, all are sold.

### **RAC Recommendations**

Southern, Central, Northeastern and Northern unanimously approves the Division's recommendation.

Southeast – Mr. Bates said they had two motions, one to reduce the number of bobcat tags by 1 and it failed 5 to 1. The other motion was to accept the recommendations and it passed 5 to 1.

Mr. Albrecht asked if they had a quorum at the Southeast RAC.

Mr. Bates said they had 7 of 14, which is not a quorum, so it was just advisory.

Chairman Brady called for any questions from the public.

Jason Adamson said when the days in the field are 400 and your target is 197, almost double, and you're off on two of the points, also your kittens coming into it, how do you not reduce it? You're double on one of those stats.

Mr. Shivik said the range on set days per bobcat is 171-220. The other good point about that question is any one of those variables, especially set days for bobcat variable is impacted by the number of people in the field, and pelt price. If you have a high pelt price you have a lot of new people come into the field that aren't as familiar with what they're doing and that changes that number quite a bit. That's why we don't rely on any one metric, but all four. Not any one has all the weight. That's how we come up with recommendations.

Mr. Perkins said when the plan was adopted with those performance standards, it was supported by the houndsmen and trappers.

Mr. Shivik said they were all on the committee to formulate the plan.

The following motion was made by Ernie Perkins, seconded by Mike King and passed unanimously.

**MOTION: I move we accept the Bobcat harvest recommendations as presented by the Division.**

- 7) Waterfowl Guidebook and Rule R657-09 (**Action**)

Blair Stringham, Waterfowl/Upland Game Coordinator presented this agenda item covering the Utah Waterfowl Hunting Plan for the Great Salt Lake Waterfowl

Management Areas for 2012-2017. (See Powerpoint Presentation) He gave an update on two important surveys they follow each year. One is a habitat survey which is a measure of the May pond count in the U.S. and Canada. He went over waterfowl regulations, May ponds, and goose and swan status with swan populations up. On the duck breeding populations he went over the various species and their current population status. Mallards are up and the pintail population is down, as they have been over the past decade. They use the mallard counts as an index to overall waterfowl populations. The regulation is for a liberal package from Fish and Wildlife Service, which is a 107 day season with a maximum bag of seven birds. He then went over the restrictions on several species in our flyway. Season dates and specifics were presented.

Some WMAs may have temporary closures to accommodate phragmites burns during the season. The Northern region RAC had some specific recommendations last year concerning the Antelope Island Causeway and some bird species that were using the causeway. Safety hazards were brought to their attention with people hunting along that causeway as well as people who were viewing birds there. Randy Berger from Northern region addressed this issue, brought together a group of interested parties and decided that a 600 ft buffer from the road, beginning at the fee booth and ending at the island would be the best way to address this issue. This concluded the presentation.

Mr. Albrecht asked why the swan area is the Great Salt Lake area only. Why isn't it statewide?

Mr. Stringham said they work closely with the Fish and Wildlife Service on that issue. They require us to do several things in order to have the swan season, one is several different annual surveys, and one is to monitor hunter success. In order to do that, they have to take measurements off each swan to determine whether it is a tundra or trumpeter swan. The best way to do it is have people come into our regional offices in the northern part of the state. It is the highest concentration of swans in the state. That's why the hunt season is only around the Great Salt Lake marshes.

Mr. Albrecht asked if it wouldn't be allowable to have additional permits in the Garfield County area with the region office in Cedar City, as well as other parts of the state.

Mr. Stringham said it would possibly be allowable, but there is really little opportunity to harvest swans around different parts of the state. A lot of those swans show up after the second Saturday in December and that's another part of the FWS regulations that the season not go past that Saturday.

Director Karpowitz said he is the Pacific Flyway representative on the North American Wetlands Council and he had the opportunity to fly the Prairie Pothole region in Minnesota, North Dakota and South Dakota, and see the good conditions there. Long term, there are some big issues that are going to effect waterfowl populations. Lots of that area is going back into crop production. The long term future of waterfowl in North America is dependant on what happens in the Prairie Pothole region. The Farm Bill will be debated in Congress and what happens there will have a dramatic effect on what

happens with waterfowl. Congress needs to act on that. It has good conservation measures in it that provide incentives for landowners to leave their land in conservation for waterfowl and other wildlife. The Senate version of that bill has better conservation measures than the House Bill.

Chairman Brady asked if trumpeters are being harvested.

Mr. Stringham said there are. We are allowed up to 10 per year, but after that we'd have to close the season. We have not ever reached that limit.

### **RAC Recommendations**

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

Southern – Mr. Flinders said they voted unanimously to accept and part of the motion was to look at tundra swan and sandhill crane hunting in Southern region.

Southeastern – Mr. Bates said they were in favor of the recommendation, but didn't have a quorum.

### **Public Comment**

Paul Niemeyer said traditionally we had swan hunting in Southern Utah then several years ago it was moved to this small area up north. There are a lot of people who would like the opportunity. The Sevier River Ducks Unlimited Chapter asks the Division to look at swan hunting in other parts of the State, especially down south. The other item is concerning sandhill cranes which are considered upland game, so this might not be the right place to discuss them, but they are getting a lot of natural reproduction down there from Wayne County through Sevier and Sanpete. He counted 400 sandhill cranes when he was hunting geese. They have birds wintering in Piute County. They ask that this issue be put on action log to look at opportunity to take some of them. The population is increasing. The season would be better a bit later, perhaps in October.

Mr. Perkins said on sandhill cranes, is it based on flyway population as well as local counts.

Mr. Stringham said every year they do a survey from Sept.10 through Sept. 15 across the flyway to get an overall estimate for swans.

Mr. Perkins asked if we are counting down in the area that was referred to by Mr. Niemeyer.

Mr. Stringham said we did last year, but only counted about six. We will look to extend the count further south in the future.

Mr. Perkins asked if the FWS prohibits hunting after that date or are there steps that can be taken to continue to hunt.

Mr. Stringham said currently within the guidelines they publish, it has to end on the second Sunday in December. It is something where we could submit a recommendation to the FWS and it may be adopted.

Mr. Fenimore said the USFWS is the one that would make a decision on expanding or contracting swan hunting areas. Even if we made a recommendation to them, it is their call.

The following motion was made by Jake Albrecht, seconded by Calvin Crandall and passed unanimously.

**MOTION: I move that we put the issue of swans and sandhill cranes on the action log to see if there could be additional take in other parts of the state.**

Chairman Brady said in the Northeast region farmers have already contacted him early this spring about the damage the sandhill cranes have caused. There are a lot of them in their area.

Mr. King asked if there are depredation claims from southern Utah on cranes.

Mr. Stringham said they do occasionally. It is a big issue for people growing corn and it is widespread.

Mr. King asked what the process is for working with the FWS.

Mr. Stringham said it is a committee that meets for the entire flyway with the states in the flyway. They meet several times a year and discuss various issues. They can put forth various recommendations to them which they can adopt, then it would go onto the Service for consideration.

Mr. King asked if they've had recent discussions relative to sandhill cranes or increased swan opportunities.

Mr. Stringham said not to his recollection. The season would have to be within the framework allowed. Based on our populations there we get an allotment of the number of cranes we can harvest each year. This year it was 126 so we recommend a certain number of tags that will closely hit that target range to harvest that many. If we were to do a season down there in the future we'd have to adjust permit numbers accordingly and remove permits from other areas we are hunting now so we wouldn't go over our allowed harvest.

Mr. King said some of the current harvest is probably based on depredation concerns. He knows there are concerns in northern Utah.



Mr. Stringham said that is why they have all those hunts now is to address depredation issues.

The action log motion was then voted on.

The following motion was made by Bill Fenimore, seconded by John Bair and passed unanimously.

**MOTION: I move that we accept the Division's recommendation on the Waterfowl Guidebook and Rule R657-09.**

8) Pineview Reservoir Hunting Closure Proposal (**Action**)

Lieutenant Scott Davis of the Northern region is here to represent the Division's recommendation. It came into them in June this year from a landowner, Becky Wood who resides in Huntsville and lives adjacent to the shoreline at Pineview Reservoir. He then turned the time over to Ms. Wood.

Becky Wood is a full time resident of Huntsville, Utah, which is a small town encompassed by the Pineview recreation area, part of the Cache National Forest. She thanked the Board for allowing her to be here. She went to the RAC meeting and asked for a ban on hunting. She was not aware of the total effect this proposal would have on other areas that have had hunting closed. At the RAC it was made clear to her that there was a concern that if they granted this ban on hunting, there is a fear that it would start a snowball effect. She then said there are two things about that argument. She did not come to the RAC meeting as part of a domino effect, she had no idea what areas in Utah had been closed to hunting or why, she came only to talk about the Pineview Reservoir area. She feels it should be considered a unique area and on its own merits. Ms. Wood then showed a map of the area and described it. Today she proposed that the Huntsville River Bottom, about a five block square area be closed to hunting, rather than the entire area as she proposed at the RAC meeting. She went on to make her case for the proposal and the rationale surrounding this issue. This area is considered a nature trail. She showed several pictures of signs that the Forest Service posts supporting her proposal.

Mr. Davis thanked Ms. Wood for her presentation. The Division does not support this proposal. He gave the reasons for this denial. (See Board Packet) The Division however will commit to help resolve the citizen issue by increased patrol efforts at Pineview during the hunting season and responding as quickly as possible when notified of a violation or of a situation where the safety of person or property has been compromised.

Mr. King asked who owns the property.

Mr. Davis said the Forest Service.

Mr. King asked what communication they have had with the Forest Service.

Mr. Davis said they tried to meet with them in July, but were unable to meet with them. There have been a lot of fires they have been dealing with.

Mr. King asked if there have been other members of the community worried about the hunting that would lead us to believe this is a big problem.

Ms. Wood said she has talked to people in town about this. She talked to the mayor, but he lives on the other side of the peninsula and said he was too busy to attend these meetings. It is hard to mobilize people. People like to talk about it and complain, but don't necessarily want to do anything about it.

Mr. King asked if she has talked to the Forest Service.

Ms. Wood said several Forest Service representatives, Mitch Lane and Kevin, came to her home to discuss this. Mr. Calley asked them to come and speak to her about this. Mitch said he had done a study that indicates there is no need for a closure. She disagrees with this. It is dangerous to shoot guns down in that area where so many people just like to go for a stroll. It wouldn't take a large area of land away for people who do like to hunt. It's very pretty there and very immediate to where we live. It is mostly used for a nature trail.

Mr. Bair said Ms. Wood has alluded several times to hunting noises, gun shots? How often?

Ms. Wood said it starts in September through January. She has seen deer hunters down there and thought it was illegal. The area is mainly used for people to take a stroll and escape for a while. You can't have a good experience when there is hunting going on. She also heard that there are places around reservoirs that are closed to hunting.

Mr. Perkins pointed out there are probably two sources for this problem, recreational shooting and hunting. The Wildlife Board has no authority over recreational shooting. He is not sure the Board can really discuss this problem. He asked Mr. Davis if he could discuss other aspects of recreational verses hunting and also the hunting area, estimate the distance from the houses.

Mr. Davis said they have had reports where some guys were shooting clay pigeons near this campground on the South Fork of the Ogden River. It is not unlawful to discharge a firearm in that area, but it is a littering problem. Weber County Sheriff's Office has jurisdiction over this area. He called to see if they'd responded and nobody knew.

Mr. Perkins said Ms. Wood showed a picture of some damage. It did not appear to be a shotgun hunter.

Mr. Davis said it could have been a deer hunter. Sergeant Lane measured the distance from Ms. Woods's house to this area where they hunt on the South Fork and it is about 1,600 feet. That is not a problem with the 600 ft law. Most activity relative to hunting is in December and January. As the reservoir freezes the river stays moving and they put their decoys in the river and hunt ducks.

### **RAC Recommendations**

Northern – Mr. Byrnes said they had discussion on safety issues and who controls the land. The Regional Advisory Council was sympathetic to Ms. Woods being able to come and make her proposal, but our motion was to recommend the Wildlife Board not adopt the hunting closure proposal. It carried unanimously.

Chairman Brady said there are no comment cards from the audience.

Mr. King asked what the DWR is committed to do as far as alleviating some of the concerns of Ms. Wood.

Mr. Davis said as he mentioned earlier, if they have people who are hunting in violation of the 600 ft. rule they will respond. There are two deputies that live in the upper valley near Huntsville who are available.

The following motion was made by Jake Albrecht, seconded by John Bair and passed unanimously.

**MOTION: I move that we direct the Division to work with the landowners and Forest Service in this area to address the hunting problems and deny the request for the hunting closure on Pineview Reservoir.**

Mr. Bair said he appreciates Ms. Woods coming to the Board meeting, but the rule is in place to regulate hunting in that area, but closing hunting is not the thing to do.

Mr. Crandall said even if we closed the area to hunting, someone could still be target shooting in that area. The Forest Service would have to address that issue.

#### 9) Conservation Permit Allocations for 2013-2015 (**Action**)

Kevin Bunnell, Wildlife Section Chief gave some background on the conservation permit program. They are trying to make the best use of the funds that come from this program. (See Powerpoint Presentation) He presented charts and went over the permit allocations for the various species. In summary, the number of permits recommended for the next 3-year allocation is a reduction of 56 big game permits and overall reduction of 45 permits, totaling 297 for the next three year cycle. These recommendations follow the new rule. This concluded the presentation.

Director Karpowitz said at the last Board meeting, there was discussion about the new rule bringing a big increase in the number of conservation permits. That is not how it worked out. There are fewer big game permits available for the next three year cycle. Is that correct?

Mr. Bunnell said yes and they followed the table with the exception of pulling out Oakcreek deer and elk tags, they followed the rule exactly. Now the table is part of the rule the process is a lot more straight forward.

Chairman Brady said they have 16 less bucks/bulls/OIAL tags which are big dollar items, so we could anticipate that the dollar value will be lower due to this.

Mr. Bunnell said he cannot anticipate that, but there are many other factors that go into that. Sometimes fewer means more because of supply and demand, plus the economy situation.

### **Public Comment**

Eric Tycksen, Chief Operating Officer for Mule Deer Foundation (MDF) said they are in support of the conservation permit program, mostly in support of the conservation permit allocation with one exception. They would like to petition the Board to put the antlerless elk permits back into the program. One reason was because of the confusion on the regional antlerless elk permits. They can include the antlerless elk permits, but include them unit by unit, instead of regional. If they do this we enjoy taking these permits to their fund raiser around the state of Utah. They give them to a youth with one of those hunts or opportunity for the average individual to purchase a conservation permit for antlerless elk.

Bill Christensen, Regional Director for Rocky Mountain Elk Foundation (RMEF) thanked the Division for one of the most successful conservation permit programs ever in the 30 years he has been involved in wildlife. He has been involved in the evolution of this program and compliments the Board and Division for their efforts. It is a great program with 90% of the funds going back on the ground. They are totally in favor of this program. He would also like to have antlerless elk tags put back in the program because it is an affordable way for the average hunter to bid and have fun at the banquets.

Byron Bateman, President of Sportsmen for Fish and Wildlife (SFW) said this is one of the greatest programs ever. We raised over 8 million dollars in the last three years. It's great to know we have the money to help mitigate some of the problems we have in wildlife with fires and drought. They accept the recommendations made by the Division on the conservation permits. It is sad that we lost some of the permits, because more does mean more in the long run.

Jerry Hill (Chairman Brady read from an email from Mr. Hill) Permits given out of a public resource should benefit the public and the wildlife resources. Funds raised from

these public tags should go back to the DWR to benefit wildlife. Accountability of these funds raised should be shown to the public.

Chairman Brady said the three primary conservation groups, MDF, RMEF and SFW are annually audited by the Division and we see those figures each year. Utah is light years ahead of the rest of the states because of this program. He appreciates these groups and what they do, and the accountability is there as he sees it. This concluded public comment.

Mr. Perkins asked Mr. Bunnell to respond to the antlerless elk issue.

Mr. Bunnell said they were not part of the program originally. The groups requested them along the way. We've kind of gone back to our original proposal, but we don't have any strong objections to antlerless elk being part of the program. If the Board puts them back in they would ask that they not be a regional tag, but on a unit basis, making it a less complicated process.

Mr. Bair said it is confusing when hunters get an antlerless tag at auction, because they are regional. Also, relative to having the tags, it is fun to see a young person able to obtain a tag at a banquet.

Mr. Bunnell said our units don't even follow a regional boundary. Also to help eliminate some of the confusion with the cougar tags, the recommendation now is to put those based on our cougar management areas, not on our administrative boundaries. This is another change that will simplify.

Mr. King said later today we're going to talk about some antlerless elk tags to be made available, how will that affect the ability to sell antlerless tags at an auction?

Mr. Bunnell said they're really not related. It is more a philosophical question as to whether antlerless tags should be part of this program. The argument for it allows some tags to be part of the program and fight against the perception that it's only for the guys with a lot of money. In terms of impact 20 tags spread across the state are not going to impact the resource. The tags have always sold in the past.

Mr. Albrecht asked if 20 is a set number.

Mr. Bunnell said that is what has been done in the past and he would like it to stay around that number.

Mr. Perkins said if the Board authorizes some tags, the unit selection process would be good public access, large units with large numbers of permits on them already and distributed around the state so banquets all over would have a few tags.

Mr. Bunnell said that is the criteria they would use with units over objective.

Chairman Brady said it is fun to see Mom and Dad or Grandma and Grandpa bid for the youth to get a tag and go on an elk hunt. This is a great way to recruit.

The following motion was made by Jake Albrecht, seconded by Calvin Crandall and passed unanimously. John Bair recused himself from the vote.

**MOTION: I move that we approve the Conservation Permit Allocations for 2013-2015 with the addition of 20 antlerless elk permits to be distributed at the discretion of the Division.**

Mr. Bair said he is an auctioneer and sells these tags for these sportsmen's groups, so he would like to recuse himself from the vote.

10) Convention Permit Audit (**Action**)

Jim Karpowitz and Assistant Director Alan Clark presented this agenda item. Director Karpowitz said to introduce this topic he'd like to take a few minutes and go back and review the history of the convention permit program. He thinks this information will be important as we go through the next three agenda items. One thing that became clear as he has done a lot of research on this topic is that there is a great deal of confusion among the public, the Board and the Division as to the difference between conservation permits and convention permits. Everyone of us has used the wrong term at different times so it is not unreasonable that the public is confused on this. There is also a lot of misinformation out there that has led to misunderstanding about both of these programs, so he'd like to mention a couple of things as a preface to this. He went over the history of the convention permit program. (See Powerpoint Presentation). First of all he wants to talk about the meeting, March 31, 2005. This is where the convention permit program was approved by the Wildlife Board. This was just before he became Director and before any of the current Board members were on the Board. So he has had to go back and reconstruct what happened. He has looked at the minutes of all of the RAC and Board meetings pertaining to convention permits over the past eight years and listened to the recordings of many of those meetings and he's talked to many of those who were at the meeting on March 31, 2005.

Out of that meeting came three main issues that were discussed by the public and the Board and concerns from the public and the Board. One was how the drawing would be conducted, then how the convention would raise funds for wildlife and whether there should be an audit. There were two motions that came out of that meeting that were approved by the Board. The first motion was to accept the rule as presented and then right at the end there was an additional motion made that said, "We ask the Division in the contract negotiations with the representing organizations that the annual audits be accomplished in a similar way that is done for conservation tags." He would like to talk for a minute about this last motion. Without going into a lot of detail he can tell you that it is not easy to understand exactly what was meant by this last motion because the rules for the two programs are so very different and it did not make much sense that the audit should be done exactly like it was being done for conservation permits. It added to the

confusion when the Division asked the maker of the motion earlier in the meeting to clarify what he thought should be in the audit. He stated that he did not think the \$5 application fee was the issue at all.

So after researching this meeting and what went on there and talking to a lot of people that were there, he has concluded that at least the Division people who were at that meeting left there unclear of exactly what the intent of the Board was beyond the requirements that were in the rule they had just approved. However, he thinks that nearly everyone at that meeting had understood that the \$5 application fee would be used to cover both the costs associated with the drawing and to fund wildlife conservation activities. It's also reasonable to assume that the Board knew that most of the \$5 application fee would be used to pay for costs associated with the drawing since the Division application fee was \$5 at the time. It currently costs the Division more than \$5 to administer the regular drawing. It should be remembered that this is an application fee, it is not a license or permit fee and it is not state funds as such. The groups are not allowed to keep any of the associated license and permit fees which are state funds, nor are they allowed to auction the permits like they do conservation permits.

So, moving on, in January 2006 the first convention contract was signed with the organizations. There was a provision in that contract for annual audits. In January of 2007 the first convention was held in Salt Lake City. Then from 2007-2009 the first three conventions, the Division conducted informal audits of the convention especially focused on what happened with the drawing.

We carefully monitored the application and drawing procedures to make sure that the drawing occurred fairly and accurately. We also tracked the funds raised by the application fee. We knew how much funds the convention was making and were working with the convention groups to identify wildlife and habitat projects for funding with convention dollars. If you look at the lists that the groups have supplied in the past and the ones they are going to give to the Board today, many of those projects were identified and proposed by the Division. We were grateful to have those convention groups fund those projects.

It should also be pointed out that there was a Board meeting each of these years to discuss the convention permit program and to approve the annual allocation of permits. The Board had ample opportunity to make a course correction and provide the Division with additional direction concerning the convention permit program if they felt like we were not following their intent. So we believed at that time that we were following the intent of the Board.

In May of 2010 the Division decided that we should be providing the Board a written audit of the convention program and that we should clarify in rule what exactly the audit should encompass in the future. So in May and June of 2010 we took the audit and the rule amendment out for to the public for review. There were questions and concerns expressed by some RAC members at three of the RAC meetings; however all five RACs voted to approve the rule amendment as presented and the Board also approved the rule

amendment. So in September 2010 a new contract was approved with the convention, MDF being the lead on that contract for the years 2012-2016. At that meeting the groups passed out a list of project expenditures for 2007-2010. It was presented to the Board and available to the public at that meeting. Then again, in August of 2011 a written audit of the convention program was presented to the Board. Then he wants to make this one final point. It is important to note that no one from the public voiced any concern at any of these public meetings with either the audits or the rule amendment. Thus they were passed by both the RACs and the Board.

So onto the current situation, in the past several months some members of the public have expressed concern over the convention permit program and the need for more oversight of the \$5 application fee. The Division recently met with the convention groups and they have volunteered to provide a more detailed report for 2011 and 2012 which will include 3 things, the total amount of funds raised by the application fee, the costs of administering the drawing, and expenditures on wildlife conservation activities. He understands that they are prepared to submit that report to the Board today.

He has seen that report and he went back and added up all of the project expenditures that will now have been reported to the Board from 2007 to the present and it adds up to 1.62 million dollars. So, he is pleased to see that the groups are voluntarily providing this information, but he also believes that it is appropriate for the Board to make this report a requirement in the convention contract. He believes the contract allows for the Board to make a stipulation to make this a requirement. So the Division is recommending to the Board today, as part of your approval of the 2012 audit, that you add a stipulation to the convention contract making this annual report a requirement beginning in 2013. The Board can then review that annual audit and judge whether the groups are using these funds appropriately. Ultimately it will be the Wildlife Board that will determine whether there will continue to be a drawing at the convention. That's what we are recommending to the Board in regards to this audit.

Are the conservation groups doing what they were set up to do by rule? He thinks it is worth discussing just for a minute whether the convention has achieved its purposes stated in the rule. The rule states that the convention was authorized for two purposes, one is to generate revenue to fund wildlife conservation activities and to attract a regional or national convention to Utah. Now just a few comments about the convention, he wants to take the second part of that first. It has certainly attracted a very large convention to Utah that has great value to the state of Utah. It is attended by 20,000-30,000 visitors each year and it is safe to say that convention permits have provided an incentive to attract visitors to this convention and they have been a big part of making the convention successful. Just a comment about the economic value of this convention, a 2009 report by the Beber Institute at the University of Utah showed that there was 8.5 million dollars spent by visitors at this convention, over 19,000 hotel nights which generated 774,000 tax dollars and provided 155 jobs for Salt Lake County. And then an important note that the convention has grown by 40-50% since 2009. It is fair to increase all those numbers by 40-50%. So the convention permit program has helped attract a big convention to Utah and that convention has in turn generated a lot of revenue for the



state. The convention also showcases Utah's wildlife management programs and our outstanding big game opportunities in Utah and has generated a lot of interest in what is going on in Utah. He also thinks it is fair to say that the convention is a public/private partnership that is working towards a common objective of enhancing wildlife populations and habitat in Utah.

Now as to the first objective of the conservation permits program. Does it generate revenue for wildlife conservation? Well the part that is most discussed, of late, is the revenue from the \$5 application fee. He can tell you that many good projects have been funded by the conservation groups that were good for wildlife and sportsmen and after you see the list today, that adds up to 1.62 million dollars. There is also increased revenue from hunting licenses that were purchased in order to be able to put in for permits in the convention. That has only existed since 2008, but everybody that puts in for a convention permit has to buy a base \$26 hunting license in Utah or a \$30 combination, and nonresidents have to pay the nonresident fees which are much higher. There is also increased revenue, he believes from conservation permits that are auctioned at the convention. The convention generates so much interest and excitement that we've seen permits sell at that convention at high prices and as we just discussed previously, 90% of that money comes back to wildlife projects. The other thing we've seen is, he believes there has been increased participation in Utah's regular big game drawing because of the convention. It is interesting that applications in Utah's drawing have increased by 49% since the first convention, while other states have declined. Our interest has grown steadily over the years in our big game drawing. In summary, he believes the convention has been good for the state of Utah and good for wildlife in Utah. The Division has made sure the convention groups have followed the convention permit rule over the years and made an annual report to the Board every year since 2007. The Division is now proposing that we add a mandatory reporting requirement to the contract. He then turned the time over to Alan Clark for the 2012 audit and then they can answer any questions that the Board or the public may have.

Assistant Director Clark then presented the Wildlife Convention Audit for 2012. Greg Sheehan performed the audit and Mr. Clark reviewed this information with him. There are written copies of the audit available for the public. He then went over the background and overview of the audit. (See Powerpoint Presentation) R657-55 was adopted in 2005 to provide up to 200 limited entry permits for a variety of species, for issuance at a wildlife convention to be held within the state of Utah with anticipated attendance of at least 10,000 people. Details of the rule were reviewed. The rule was amended to continue doing the convention. The current status of the program was then reviewed. After the completion of the original five year contract, the rule was revised to allow for a second five year convention permit series. Although the Rule defined this contract and permit series as "convention permits" they are often referred to as the "hunt expo" permits as that is the name of the convention being administered by MDF and SFW.

The Division has conducted an audit of the 2012 convention. Mr. Clark went over the criteria for the audit. Drawing information was presented in terms of application data, success by resident/nonresident and other information. There were 925 hunting licenses

sold at the Hunt Expo totaling \$37,023. Others were sold in advance of the Expo as people pre-registered. All of these funds were returned to the Division. In conclusion, all sensitivity and confidentiality measures were complied with as identified by the audit review. No other findings or recommendations were made. This concluded the presentation. This item did not go to the RACs. This audit is provided to the Wildlife Board. Mr. Clark than ask if there were any questions.

Mr. Perkins said at some point he'd like to get the permit holder MDF's response to the Division's recommendation.

Director Karpowitz said they have a comment card from them.

### **Questions from Public**

Tony Abbott, representing himself asked if there has been an audit for each individual year from the inception of the program.

Director Karpowitz said in 2010 the convention groups provided the Division a list of expenditures for 2007 to 2010. Today the groups will provide 2011 and 2012.

Mr. Clark said to clarify, Mr. Sheehan went back and did a similar audit for those years as well.

Lee Tracy from Cedar City asked what the cost is to the contractor who does the Utah draws. How much of the \$10 do they get and how much do we keep?

Director Karpowitz said it is about 2.5 million dollars. He asked if someone would get the exact dollar amount for him.

Ms. Tutorow said she doesn't have the exact amount with her.

Director Karpowitz said in addition to that the Division has a great deal of expense associated with the drawing. Our total costs of administering the drawing are closer to \$10 dollars than \$5. Our drawing is much more complicated than the convention drawing.

Jason Lowe asked what the percentage is in comparison to the \$10 if you would break that down.

Director Karpowitz said we have about 330,000 applicants. It costs us about 2.5 million dollars to contract with Nevada to do the drawing. In addition to that, we have full time personnel who do nothing but work on drawing and licensing issues, a whole section of the agency works on nothing but the draw. Our total costs of administering the drawing are closer to \$10 per application. Director Karpowitz said he sees he didn't answer his question.

Mr. Lowe said he would like him to break it down so they have an idea of how much time is spent with that and what kind of percentage.

Director Karpowitz said they are much closer to \$10 than \$7. We have never added up our total costs of administering the regular drawing, but he asked Mr. Sheehan that question the other day and he said we are closer to \$10 than \$5. He does not know what the purpose would be in analyzing that, because we have to administer the drawing and make sure it is done right. We spend whatever it takes to get it done right. Right now the total costs are approaching \$10 per application.

Mr. Perkins said in terms of setting fees for the drawing, the same approach is used as setting all other fees like license fees. If every about 8 years there is a request for a license adjustment, you not only start with what it is costing today, but what is the rate of increase that can be anticipated over the next 8 years. You have to break even over that 8 year period.

DeLoss Christensen from Glenwood, Utah said he is still confused about the \$10 fee that is paid to the people who run the regular draw process. His understanding is that group received revenue for doing that service. Is that correct?

Director Karpowitz said yes.

Mr. Christensen asked if that is a portion of the \$10 fee or is that a different amount.

Director Karpowitz said of the \$10 fee generates on 330,000 applications about 3.3 million dollars. Our contract with Nevada is roughly 2.5 million. He would appreciate it if someone from the Division would go find that number.

Mr. Christensen said so that organization keeps somewhere in the neighborhood of 2 million plus dollars.

Director Karpowitz said the Division's contract with them is 2.5 million dollars. The rest of the \$10 application fee is used internally with the agency to work with the contractor and deal with licensing and permitting issues associated with the drawing. He thanked Mr. Christensen for clarifying that issue.

Mr. Clark said all \$10 comes back to the Division and then we pay Nevada the fee negotiated in the contract for the number of applications. That contract is issued every five years, but they go through an annual review process with them that is very arduous.

Mr. Christensen asked if anyone has asked what that organization does with the revenue received. Has anyone asked to see their check register of what they spend their money for.

Director Karpowitz said no. They are a contractor and we pay them to provide certain services. In essence, the convention groups, by keeping the \$5 application fee they also become a contractor to conduct that portion of the drawing at the convention.

Mr. Christensen said so we have a public resource that generates revenue for an independent organization and we don't ask what they do with their earnings.

Director Karpowitz asked if he is talking about Nevada.

Mr. Christensen said yes.

Director Karpowitz said that is correct.

Mr. Christensen said so we think that's ok and don't mind or care what that group does with public money that is paid to them?

Director Karpowitz said only that we make sure that they provide the services we've contracted with them to do.

Mr. Christensen asked if that group ever does anything with wildlife conservation with their earnings. Do they give us money back to increase habitat or improve hunting?

Director Karpowitz said no. They're a computer company.

Tye Boulter said he got a breakdown from Mr. Sheehan and he said it was just over \$3 of the \$10 goes to the Nevada company. Is that accurate?

Director Karpowitz said he doesn't know. Has anyone gone and found that number yet? He understands it is around 2.5 million dollars, but if he is wrong we need to correct the record right now.

Mr. Boulter asked if the administrators of the expo pay someone to run the draw or do they do it themselves.

Director Karpowitz said they administer the entire application and drawing procedure, and do have contracts for that. Other parts of it are done internally by the organizations.

Mr. Boulter asked if the company they contract puts any money into wildlife.

Director Karpowitz said not to his knowledge. They are also a computer company.

Jason Hawkins asked Director Karpowitz to talk about the audit and the money generated from the convention permits. What does the audit consist of and if the groups are segregating the money out, how do you audit it? Is the money sitting in a separate pool that is segregated out and you're tracking the money and where it is spent, or is it a function of what projects have been funded?

Director Karpowitz said it is the latter. We don't audit their actual expenditures on projects. They have reported those to the Board in the past and they are going to report it in more detail today for 2011 and 2012.

Mr. Hawkins said the audit is really a representation of projects funded during that year that did not come from conservation permit monies.

Director Karpowitz said that is his understanding of what the groups have provided us in the past.

Mr. Clark said most of the audit is a performance audit which is, are they following the rule? The other stuff is somewhat peripheral to what the purpose of the audit is.

Mr. Boulter said to be clear, we don't do a financial audit on the convention. Does Fallon receive any tags?

Director Karpowitz said no. Neither do the convention groups receive any tags. They are only allowed to conduct a portion of our big drawing at the convention. They are not given tags, nor are they allowed to keep any of the public funds associated with those tags, permit fees, license fees or any of that.

Chairman Brady asked if there are any other questions.

### **Public Comment**

Eric Tycksen, Chief Operating Officer of MDF said he is authorized to speak for their Board of Directors. MDF is honored to play a role in Utah wildlife conservation. They consider it a privilege to work with the DWR, other conservation groups and the general public in an effort to preserve our hunting heritage. In the spirit of transparency and accountability, MDF and SFW voluntarily submit this report to the Wildlife Board, showing all revenue, direct expenses and funding of conservation related activities related to the 200 convention permits that are available by application through the Western Hunting Conservation Exposition. (See Attachment #1) In addition, the numbers that are reflected in this report for 2011 and 2012, part of that report contains information that should and could be considered proprietary since this process is an open application process for any conservation group to come and apply for these tags. MDF and SFW would like to ask the Wildlife Board to direct the DWR to add a stipulation to the contract requiring that this annual report be supplied to the Wildlife Board annually. On the 2012 report, all of the revenue is stated first and the expenses only related to the 200 tags are listed below, not entire expenses related to the expo. The remaining funds are what are considered available for conservation related activities. On the conservation related activities, there is a true definition of what those activities might be. The majority of the time he spends on his job is on conservation related activities as defined. Some of the expenses do include administration.

This may or may not satisfy some of the groups that are petitioning the Board today, but we also have a section that talks about the benefits of the convention on the handout. The reason for stating these benefits is some of us who have participated in the expo have felt personally attacked through some of the communication that has gone on as well as the organization. He feels the intent of the proposed change in the rule is not just for transparency and accountability, but also with good information on email and the cloak of a log in through public forums is to get rid of the convention and expo tags all together. It wasn't until last night and this morning that he was told otherwise. With that in mind he would ask the Board to accept this recommendation and direct the Division to call this report mandatory.

Tony Abbott representing himself said he was one of the three people who created the conservation expo. If he runs out of time he would hope for some latitude because he is privy to some information that a lot of people aren't, quite frankly privy to. The audit is something that he and Mr. Peay discussed at great lengths. The Board at the time of the establishment of this rule had a great concern over these things. In the past he used words like substantial, significant, accountability, transparency and lion's share as he traveled to the RACs pushing this through. The intent of this program and auditing was to benefit wildlife and the expo is not in question. He does not want the expo to go away. He wants to see the accountability of the groups. Two years ago he tried to get accountability from both of the major groups. None of them responded to him. There has been great concern over this. The expo needs to be transparent and the money needs to be put on the ground for wildlife. He apologizes for the fact that he didn't stand up for his beliefs 6-7 years ago when he said we need to run this like the conservation permits. He backed down and didn't stand on the principles that he thought needed to be there. This discussion may have been avoided.

Jason Hawkins, representing himself said he has been following this issue of the convention permits for four years now. During that time he has had a chance to talk to many of the groups and individuals involved. He is here to comment on Item 12 which is the UWC's proposed rule amendment which is asking for transparency and accountability with regard to the convention permits. They've been asking for that for years with these groups and have been repeatedly told no, that it is not required by rule. Now that they have a proposed rule amendment before the Wildlife Board, we come to the meeting today and as part of Item 10 we have this proposal between the DWR and the two groups to have this annual audit/report voluntarily produced by the groups. The timing of this is probably not a coincidence. Obviously they are addressing this concern. He is concerned about agenda item 12 and its role in the present issue. He would ask the Board to hold off on voting for the present agenda item until #12 is heard. They are not here to do away with the expo or getting rid of those tags.

Tye Boulter, UWC expressed his gratitude to MDF for proposing that they have a yearly accounting and say that UWC supports that. In regards to our group and others associated with us, they do not want to do away with the expo or the tags. They just want accountability on the funds that are generated there. Regarding the project expenses listed on their handout, we have no way to ascertain that these projects are funded

directly from the proceeds of the expo. It is not in a separate account, but there is no way we can know if this is other expenses for other things smashed into this for accounting purposes. A 990 tax form can look a lot of ways depending on what your end goal is. Also on the expenditure sheet under expenses related to the expo, only the 200 tags, again there are no details to tie the expenses to the applications. We need details to ascertain the validity of these expenses as well. If we are to have a yearly accounting it needs to be detailed and verified to hold up to scrutiny.

Byron Bateman, President of SFW said what the Director gave in his presentation answered a lot of the questions that the public has had. We are a service provider just like Fallon, Nevada, for the 200 permits. We are 110% compliant to the contract that we have with the state of Utah. MDF is our contract partner. The audit information is 110% compliant to the contract. What everyone else is talking about is how we should spend the money that we earn at the expo by providing a service, which is another drawing for the state of Utah. The drawings run concurrently. We have more than exceeded the minimum expectations for the Expo. There are not many of the originators of the conservation groups who started all this back in 2005 and they put up a lot of money, at the same time taking a big risk to getting things going to help benefit wildlife in Utah. He went over many of the things they do that are not reflected in the audit. He discussed many of the extra services they do that benefit wildlife. They do a lot for families and military. People came from 35 states to the Expo. They bring people and money to Utah which is part of what the Expo was intended to do. There were five people from foreign countries who came and applied for tags. What these people are talking about is the money we raised by providing a service, they want 100% of it to go back to wildlife. We do too, but we have costs just like the state does, although ours are much lower. For the state, based on the revenue that is generated 3.3 million dollars, 75% goes back to Fallon, Nevada. They are under attack and there are people who would like to get rid of the Expo. If this happens all of us will lose. We need to stand by our investment and get a return on it to get things off the ground. At their banquets and on their website they have a list in the auction catalog of items they do every year. Transparency is only as transparent as you want it to be. It is transparent when it comes to SFW and MDF.

Bill Christensen of RMEF complimented the Division and Board for the way they've handled the convention permit process. No rules have been broken. A few months ago the RMEF issued a press release relative to transparency in the use of public hunting permits. This wasn't geared toward Utah, but toward multiple states in the west where there have been attempts to circumvent programs that have been in place with public permits. It has been erroneous that some groups after this press release came out individuals took exception with RMEF and for our call for transparency. That he does not understand. There is no reason for any group or individual to take offense at increasing their transparency. The Elk Foundation will continue to be so to our members, volunteers and the public at large. There have been no problems with the convention permit program and it is the right thing for the Division to ask for more transparency. RMEF supports the conservation permit program and supports the convention permit program with the addition of increased transparency and reporting auditing. RMEF is not out to shut down the Hunt Expo or attack any other group. They ask for transparency

from not only the public agencies, but also from our brother and sister conservation groups. It is imperative that people know where their money is going and we always be involved in that.

#### Lunch Break

Director Karpowitz clarified the costs of the regular drawing. Our direct costs associated with the drawing are about 2.8 million dollars. That doesn't include a lot of our other personnel that are involved in the drawing and licensing issues. We have 330,000 applications so that comes out \$8.50 per application. That is only our direct charges. Our actual contract with Nevada is 1.6 million. We have almost \$400,000 in credit card fees and \$70,000 in postage.

#### Board Discussion

Mr. Albrecht asked Director Karpowitz to bring up the slide with the Division's recommendation.

Director Karpowitz said they are recommending that the report that has been provided to the Board today voluntarily which includes the total amounts of funds raised by the application fee, the costs of administering the drawing and the expenditures on wildlife conservation activities become a stipulation in the convention contract making this annual report a requirement beginning in 2013.

Mr. Fenimore said it says annual report, is that really an audit?

Director Karpowitz said it's not really an audit. It is a report to the Board of what their expenditures were for both administering the drawing and on conservation activities. In the past they provided some of that information voluntarily. We're now asking that it be a requirement that they do that each year. It would occur at this meeting when the Board considers the annual allocation of convention permits.

Mr. Crandall said there is an annual audit which is in rule, on the draw itself. What the Division wants is a financial report.

Director Karpowitz said they are recommending that the Board can add stipulations to the contract. We think this is an appropriate stipulation. The groups we contract with have agreed with that.

Mr. Perkins said he heard Mr. Hawkins' request that we wait to hear item 12, but he doesn't think anything would be done here to supersede anything that could be done on item 12.

The following motion was made by Ernie Perkins, seconded by Jake Albrecht and passed unanimously. John Bair recused himself from the vote.



**MOTION: I move that we accept the Division recommendation adding the contract stipulation for the annual report to the Wildlife Board to include the total amount of funds raised by the application fee, cost of administering the drawing and expenditures on wildlife conservation activities**

The following motion was made by Ernie Perkins, seconded by Mike King and passed unanimously. John Bair recused himself from the vote.

**MOTION: I move that we accept the Convention Permit Audit for 2012 as presented by the Division.**

11) Convention Permit Allocation (**Action**)

Alan Clark presented this agenda item. He gave some background on rules for allocation. Since that first year, 2007, we have adjusted permits as necessary. This year, because so much time has gone by and we had some major changes, we decided to take a fresh start, using a set of criteria. They are recommending 200 permits. Hunts and permits are based on 2012 permits. He did consult with Mr. Aoude asking him to indicate any hunts that he thought a significant change was going to occur between 2012 and 2013, and we did incorporate that into it.

They came up with some rules of thumb for permits to be given. For example, for a bison hunt to have a permit go to the convention there had to be at least 10 permits total in the hunt. If it was going to be a nonresident permit there had to be at least two resident permits. Permit recommendation guidelines and results were presented on the various species. (See Attachment #2) Big game permits in 2012 was 142 and in 2013 they're recommending 123. In 2012 OIAL species there were 17 and in 2013 there are 13. They still preserved the five nonresident permits that are eligible to nonresidents only for the special draw. There were no permits for the convention on the Fillmore/Oakcreek because of the fire. This concluded the presentation. He asked if there were any questions.

Director Karpowitz said the total number of big game permits is down and turkey, cougar and bear are up. Is that correct?

Mr. Clark said yes.

Mr. Albrecht asked what made the elk permits go down.

Mr. Clark said they capped the number of permits in any one hunt. There are certain things that are down such as pronghorn. They came up with a criteria and this is how it came out. This will ensure that it is done consistently. We do maintain a good split with resident and nonresident permits.

**Questions from Public**

Tony Abbott asked if 200 is a not to exceed number. Have there been 200 at every expo?

Mr. Clark said yes to both.

Mr. Abbott asked the groups if they took a few permits back out and gave them to those who don't come to the expo and give them that chance, would that affect the money generated?

Nobody answered.

### **Public Comment**

Director Karpowitz said Jerry Hill's comments were already read under item #10.

Mr. Abbott said the 200 permit number was pulled out of the air when this all started. He wanted it to be less permits, but we did agree on that number. The first 200 permits generated about \$980,000 and the cost of the expo was just under \$90,000. The groups had an agreement amongst themselves to split the revenue 40% SFW/30% FNAWS/30%MDF. The reason was FNAWS and MDF had a national convention the year before in Reno. We brought a big base of people and experience of doing a convention with a bunch of booth applicants as well. SFW at that time wasn't in that ring and he tried to level the playing field. The concern he has is that the 200 convention permits is going to stay that way. We had a decrease in big game permits, but made up for it in other permits. It is not a required number. Just because we lose 5-10 or so permits, it doesn't mean the Expo will fail.

Byron Bateman President of SFW thanked the Division for doing the audit and also the recommendation for 200 permits. Mr. Abbott is right and those splits he stated were correct, but the reasoning behind that is not as Tony stated. Now we're an equal partnership with the split at 50/50.

The potential to increase opportunities for wildlife jobs in the state of Utah is exponential. We can continue to grow. He encouraged the Board to stay with the numbers we have because it gives more opportunity with the more species that are available. Let's keep with the contract we have.

The following motion was made by Jake Albrecht, seconded by Mike King and passed unanimously. John Bair recused himself from the vote.

**MOTION: I move that we approve the Convention Permit Allocation as presented.**

- 12) United Wildlife Cooperative Proposal (**Action**)

Tye Boulter, UWC presented this agenda item. UWC supports the Expo and the permits. This is about the fiduciary responsibility associated with the income from these tags. He then referred to the proposal. (See Handout in Board Packet) They are asking that the Expo tags be allocated and rule read, "to mirror the conservation tag program," with 90% going back to wildlife and 10% being kept for administrative purposes. This is a starting place and we appreciate the information given to us by MDF. Still, we don't have a way to prove and track where the monies come from and where it goes. We have no way to tell. They ask for a separate account for the money so they can track it. This is a gray area. We looked at the 2010 Audit for the Expo tags and in looking at that there was \$800,000 in expenditures for projects out of 3.2 million dollars. Of those expenditures a lot of them were not wildlife related. To summarize, there were some to cancer research, scholarship funds, endowments and things like that. While all noble causes, they don't have to do with wildlife. He has talked to a lot of people that feel the money should be going to wildlife. In our proposal we've asked that you allocate these funds under the same stipulations as the conservation tags.

Martin Bushman, Utah Attorney General's Office presented the next part of this agenda item. First of all, on the proposal that is before you from the UWC it is a completely appropriate policy concern for the Board to look at, how should money be spent and should an organization be able to keep it. These are matters within the Board's purview, but the problem lies in the timing of this. At this point, the Division has a contract with MDF until 2016. No where in the contract or the rules that are incorporated into the contract is there a requirement that the MDF use the money or any specific percentages derived from the application fees that it generates for particular causes. There's a purpose statement in the rule, one is to attract a convention to Utah and the other is to generate revenue for conservation activities. That is about as specific as you get. The problem is if the Board was to entertain some kind of requirement that MDF take a percentage of the application fee and put it toward particular projects, is it would run contrary to the contract. When the organization entered into it, it was with the understanding that money would not have restrictions on how it was spent and they made business decisions and executed contracts relying upon that. If we now impose a rule to put restrictions on it, it would be equivalent to coming into the middle of a contract and telling MDF that we are now taking \$900,000 you thought you had for any purposes and overhead. That could have severe effects on the convention itself and whether it could continue to sustain itself.

Mr. Bushman's legal opinion on this is if the Board wants to make some kind of change, they can't do it until the contract expires. That would be fair to all involved because they'd understand the rules upfront. To do it mid stream is an entirely different matter.

Mr. Fenimore asked if the Division and the involved parties were all in favor of making changes and renegotiating the contract, could they do it.

Mr. Bushman said yes. There are two clauses in the contract that relate to amendments. One clause says that the parties to the agreement are subject to the rule and any future stipulations of the Wildlife Board. That could be looked at in isolation and think that the

Board can make any stipulation it wants and change the contract, but later in the contract is a provision that is entitled, "Amendment" and it states that an amendment can't be made to the agreement unless both parties agree to it and in writing. You have to try to reconcile those two clauses. Both clauses have meaning. Any kind of an amendment that has significant effect on the viability of the group, that is significant. That has to be accomplished through an agreement of the parties. That's how he sees those two provisions working together.

Mr. Crandall asked if they wanted to make some change, would it be appropriate to sit down with the groups, figure it out, and then bring it to the Board.

Mr. Bushman asked to make change in 2017 or before that.

Mr. Crandall said to make change now.

Mr. Bushman said yes. To do it any other way would be a breach of contract.

Chairman Brady asked if Mr. Tycksen wanted to make any comment at this point.

Eric Tycksen of MDF referred to Attachment #1 relative to this agenda item. He went over more benefits of the successful Hunt Expo, reading from that list. He then went over a list of risks involved in offering convention permits through the Expo and the financial risks associated with selling convention permits. Any changes to the Convention Permit Rule have a direct impact on the success, quality, and size of the Expo. There is a distinct difference between the risks associated with the convention permits versus the conservation permits. The reason he brings this up is because they have entered into an agreement and are contracted through 2016 with the groups that help us pull off the Expo and the tag drawing. It is their recommendation that the Board deny this proposal to split the money and require that 90% go directly on projects and 10% for administration.

Chairman Brady said he has about 25 comment cards and at three minutes a piece, it will be 1 ½ hours. He asks that the participants keep their comments brief and to the point.

### **Public Comment**

Jerry Hill is the comment that was read in previously.

Lee Tracy of UWC Southern region said he has three items. They appreciate the presentation from the Director on the convention permits. They support the audit of the application fee. They believe the funds that are attached to the convention permits are not attached to the convention itself and should not be used to pay convention expenses. They can be used to administer the draw. The entry fee and ticket and booth sales should be used to cover the convention, but not the permit fees. For your information, per Bryan Christensen of the Salt Lake Office, the cost to the Nevada company to administer the DWR draws is only \$2-\$3 per application that includes the process itself, the overhead

expenses and the profit. The organizations putting on the convention are nonprofit, so we question the amount of the \$5 that is used for the draw itself. We believe the percentage of permits pulled from the public draw should be calculated from the specific pools they belong to. There has been a lot of talk about 200 tags being a small amount of tags, but if you have 13-14 moose points, it's not a small amount.

Perry Hanks, representing himself said it seems an important facet of this has been ignored, that being the hunters of Utah. We are forgetting about who makes these conservation groups come into being. Hunters are concerned about where the money goes from the tags that are generated from the conservation groups. It is awesome that the MDF has voluntarily come forward with these reports. We want to be able to look at an audit and see that the tags have generated a certain amount of dollars. We want an accounting of that. We don't care about pats on the back and what these organizations do for wildlife conservation at 9 or 10 pm, we want representation from the conservation groups as members. If this can't go through this year, he asks MDF to step up and volunteer to do an annual audit, meet with DWR and represent their membership.

Cody Burns, representing himself said he loves the convention. The issue is the financial transparency of the funds. The funds that are spent on the tags should be put forth for wildlife projects on the ground, the same as the conservation tags.

Ben Armstrong representing himself said with this process, it is something we've needed to fix for a long time. Taking of a public asset and giving money over to these associations needs to be closely monitored. Allowing any group to have free reign over the money that comes from these tags is not right. We need accountability for these funds. We need to have an independent agency come in and tell us where the money is going. In 2005 this was discussed and it never happened. To help the sportsmen feel comfortable he'd like to see a retroactive financial audit. There seems to be a lack of transparency and that is the feeling the Division and the groups are giving off to the public. He knows the contract can be amended so we can all get on the same page.

Ken Strong, representing himself said he has followed this on Monster Mulies. His problem with the proposal from UWC is the money that is raised on the \$5 cannot be used for predator control or feeding deer or elk. It must be used for big game conservation. The money can't be used for the archery in the schools, fishery projects, community fisheries, and hunts for youth or veterans if these stipulations are put in place. We should be able to continue using the \$5 fee for great projects like the ones that have been done in the past.

Dave Woodhouse said he does not support the proposal that is being discussed. There needs to be some freedom with how the \$5 fee is used. The projects that get done outside the conservation tag money the state has are substantial in our state. He has personally been involved with Salem Pond where handicapped people can be provided for. He personally donates a lot of time and labor through his business and the money that SFW allowed us to do that. 1,500 handicapped children were able to come in and fish for a day and the DWR supplied the fish. This money goes toward some of the handicapped

people we take hunting or the disadvantaged. It's not just that we take this person and they get to hunt for OIAL, but many of these kids are terminally ill. At the same time some of these families have in turn come back and volunteered with the DWR and SFW, putting in time on projects that they wouldn't have done. This money might not go directly onto the ground but in turn, the lives that have been affected look for ways to get involved with the DWR and help out. This is a great program. Would we have the predator control program today without this Expo? He doesn't think so because there were legislators that were swayed because of the value the Expo brought to Salt Lake. It brought in more money for the predator fund than we took out of the general fund for the mule deer initiative. Also changing the rule to allow for more transparency, to allow the competition to see exactly how I've spent my money in my business would not be right.

Joel Taylor representing himself said he has been a life long hunter in the state of Utah and by trade he is an attorney in the private sector. His reading of the contract with the MDF allows the Wildlife Board to impose a stipulation to ensure that the funds raised from the \$5 application fee go back to conservation projects in Utah. These are Utah tags and Utah public assets. There have been good projects done in the past, but it shouldn't be Utah's responsibility to put almost a quarter of a million dollars into wolf delisting for the west or the country. He knows people who won't buy tags at the Expo because they don't know where the money is going. If they knew, they would buy tags. He finds it hard to believe that SFW and MDF live and die over a \$5 fee. He would ask the Board to impose an additional stipulation in the contract with the MDF to ensure that the money raised goes back on the ground for habitat.

Christopher Hatch, representing himself said since he started hunting he has always taken pride in knowing that the time and money he puts in goes to wildlife. He is unhappy to know that the groups might be taking advantage of the money that should be going to wildlife. He is in favor of accountability for any organization. It is all about the wildlife and he's glad that his hard earned money is going to help.

Jason Hawkins, representing himself said he's been following this issue for a number of years. Until recently when we've asked for an audit, we've been told the rule does not call for it. Now at the late hour, MDF comes and volunteers the information that they want to give. It is not an audit, an accounting done by a third party, it is their own information they want to provide. It is not a true accounting. He has also researched the Wildlife Board minutes back to 2005 and found the motion that was to assure the right for everyone to know how the money has been spent with the same annual auditing requirements that applied to the conservation permits. We have heard today that the DWR wasn't really clear what was intended by that, but if that's the case they should have come back and asked for clarification. The Wildlife Board is the governing body for the DWR and when there's a directive it should be included. Those who have been telling us for 3-4 years that we didn't have a right to see how that money is spent were at that meeting and heard the motion. He referred to the contract and the cap being up to 200 permits, not necessarily a required number. Amending the rule is also allowed at any time. The Wildlife Board also has power to give any future stipulations. He helped draft

this amendment and feels it addresses these issues. He'd be happy to answer any questions on it.

Tony Abbott said he has been before the Wildlife Board many times and great things have happened through the years. He has been part of those great things and it comes down to the intent of those involved. He was part of those great things. There isn't anyone in this room who doesn't have good intent for wildlife. How we go about that is a different thing. Things should not get rubber stamped in life, not UWC proposal or the Division's proposal. When he gets the feeling things get rubber stamped it makes him wonder why he gets involved. The intent of himself and the MDF when the Expo was created was to put the lion's share of the money raised into the hands of the Division. He would like to see it done that way. He asks that the Division, MDF, SFW, UWC and RMEF to get together and come to an agreement because we have a conservation permit rule that works, that's a good model.

Jason Lowe said he shares his gratitude with the Wildlife Board for their time and expertise. People enjoy attending the Expo and to pay the \$5 for the chance to hunt their public resource. There have been great projects done with this money. If these organizations are willing to do more habitat work, let's take it to the 90%. We're talking about a \$5 fee. If they're doing so well, what is the problem with letting the general public know that we're willing to give your application towards true conservation in Utah. Message on the internet sent out yesterday that if people would come today and support the Expo they would get a hat from MDF. He would love to wear that hat if they would actually volunteer to take the \$5 and put it where it needs to be.

Wes Bennett, representing himself echoes the need for complete transparency. A few years ago he attended a meeting with SFW and the purpose of the meeting was to be open and transparent. It was anything but that. As you follow this debate on the forums there is a criticism of anybody who asks for this transparency. The opinion now is that it is the official position of the DWR to criticize those who ask for this transparency also. He would encourage the Board to support UWC's proposal. Your obligation is to manage the public resource for the public benefit, not subsidize private industry. He has been in the guiding industry for 16 years and exhibited at a number of expos in various states. None of them are dependant on the expo tags to the extent that Utah's expo is. If there is nothing to hide, open the books and show where the money is going.

Tye Boulter, of UWC said in these comments people continue to talk to the Expo and permits. This is about the money and where it is going. He has applied for these tags in the past and has quit applying for them on principle because of the lack of accountability. Through the years some of the issues that the two sportsmen's groups have lobbied the legislature to make changes that are philosophically different than his perspective. To say I had the same opportunity to apply for these tags, it's true, but it's going against my principles. This is a public asset and the tags and their proceeds should go to the public.

Chairman Brady said he has several comment cards that say they want to turn their time over to someone else. If you want to speak for yourself, you are welcome to speak. If

you're going to just go in favor of someone else, let us know. Please briefly get your point across.

Mike Christensen said he was present in 2005 when the convention tags came about. They talked about ear marking monies for wildlife, but at that point they didn't know how successful it was all going to be so how can we earmark something that is unknown. Now we have six years of data. The Division has set up many good councils that oversee funds generated by our wildlife, for example the Habitat Council. Whether or not you want to alter your contract right now, it would behoove all the parties involved for the Division to have all parties sit down and come to a consensus on how the money will be used to sustain the expo, show the public where the money is going and actually put money on the ground, whether it is a handicapped fishing pier in Salem, or if it is planting bitter brush on Millville Face. We have great direction in the DWR to direct the use of funding and show how it's been handled. He hopes the Board will direct the Division and parties involved to do this.

Landon Robison said he supports what UWC is doing. He is totally in favor of the Expo. Just show what is happening with this money. Imagine what could be done if we were using the entire 90% for wildlife. Please choose the right in this situation.

Wynn Zundell of UWC said we just want to know where the money is going. This proposal will bring transparency to the monies. People who can't get to the convention could use an electronic means to apply for these permits even though they can't get here. That would generate more revenue.

John and Tracy Zundell and Phillip Crandall support Tye Boulter and UWC.

Jeremy Hansen supports UWC.

DeLoss Christensen, representing himself said he would like to give some history relative to the decisions the Wildlife Board has made over the last 4-5 years that individual groups and individuals have opposed. Philosophically one of the members from UWC said he disagrees with some of these decisions. He listed some of the various proposals that have occurred including recommendations ending the statewide archery hunt. What have galvanized otherwise individual people are those issues. They blame SFW because they believe SFW influences the Board against those people. The hate for SFW has grown every year as this Board has made decisions influenced by them. This was an effort and they used social media to gather the common interest that dismantled the influence that SFW has on the Board. That's what this is about. That is an effort to move influence back to a group of people who have lost it. He is opposed to the proposal on that basis.

Rusty Hall said he has had opportunity to participate in the Expo for years, one 20 years ago in Salt Lake and three in Arizona with the Arizona Mule Deer guys. With his businesses he attends SCI both Dallas and Reno, and the elk show. This Expo is one of the top. The money he can generate for his business at the Expo is awesome. He



promotes it wherever he goes. The tags are great for the outfitters and the tags that are sold. Other states don't have that. He's not opposed to paying SFW and MDF for a job well done. We shouldn't dictate how they spend their money. It's all intertwined. He is in favor of having them keep their \$5. You're not going to be able to satisfy everyone. Why would we hamper them?

Don Peay, representing himself said he doesn't have much to do with the Expo anymore. He asked the Director how much they have been worth to the DWR and landowners. 100 million dollars increased in conservation because we have worked to solve problems, and been partners with the Division and the legislature. He has spent a lifetime trying to give sportsmen a voice. He has traveled lots of miles on planes and in cars trying to talk to people. It was time to give sportsmen a voice. The legislature gave two recognitions a few years ago. One was to Larry Miller and one to Mr. Peay because they built some things for the state. Senator Margaret Dayton and Brad Dee gave them an award letter. He read from this award letter, "where as Don Peay's leadership has developed a can do and market approach that is sustainable and extremely successful, public and private partnership. He envisioned and brought the Expo to Salt Lake City. He was listed in Outdoor Life as one of the top 25 conservationists in North America." He continued to read from the letter. We have turned a few million into 100 million. In summary the Nevada Wildlife Commission asked him to come down and speak to them last year. They have two national conventions and couldn't get the governor's or the legislature's attention or any money for anything. They asked Mr. Peay how he was getting money for wildlife. It is because we do an Expo and things beyond that. Their solution was double the tags on a declining deer herd. What we have here is very special. If the Board wants to make some changes, ask some people who know how it works before you do.

Paul Niemeyer, representing himself said there were a couple of slams directed at the past Wildlife Board when this program was put in place. The conservation groups came to them with the idea of having a big convention. Somebody came up with the permit idea in that group. At that time, the Board thought of two things, what can we do for wildlife and what will it do for the general economy of Utah which sooner or later comes back to wildlife in some way? We passed that and when we were looking at the \$5 fee, we thought they would go broke. We thought they were never going to be able to get it done. Those who made it successful treated it like a business and ran with it. When you get state or federal government trying to do the same thing they have to jump through so many hoops, it often never happens. They have turned it into something very special. He hates to tie their hands. He went on to talk about some of the great things the conservation groups have done. We have a good thing going and he doesn't support the proposal.

Byron Bateman, President of SFW handed out a poem by Theodore Roosevelt. It is still applicable today. There have been lots of critics in the social media of SFW, the Board and the Division. They are performing a service, just like Fallon, Nevada for a \$5 fee. They have expenses and costs just like any other business. It takes money to make things happen and involvement from all sides. For one group to accuse them of not being transparent is not right. They haven't taken anything from anybody and want to continue

to give to the people of Utah. Let's not amend this contract, keep what we have and build on it. The buzz in the hunting industry is that the Expo is #2 in the nation. We have had a lot of competition and a lot of critics. There is confusion on the conservation permit and the convention permit. A convention permit is a contract they have with the Division to process an application for \$5. They are not processing an asset. We cover our expenses, make some money and give a lot back.

Jim Orwin, representing himself said he's never been to an Expo and he's never going to because of this, the \$5. If he goes to the Expo he'd love to get a chance at a tag. When he gets to the door they hit him for \$7-8 dollars to give them the \$5. We are already giving them a public asset to draw people there. Am I wrong?

Chairman Brady yes you are. You buy your \$5 tag before you enter. There was then a ten minute break.

Chairman Brady said we've heard public comment and the next step is Board discussion and motion. Before that he will turn it over to Director Karpowitz.

Director Karpowitz said he is glad to see so many people here. He's glad we had this discussion today in an open public meeting. Way too much has gone back and forth on the internet and through email. Everybody hopefully understands better where everybody is coming from. He is convinced that there is still a bunch of misinformation out there. The Division of Wildlife will offer to facilitate a meeting between the two convention organizations and UWC to see if we can't come to some kind of agreement on something that could be done voluntarily in the contract between now and the time it expires. He has no false pretense that it will go anywhere special, but we'll give it our best shot and talk some of these things through.

### **Board Discussion**

Mr. Crandall said he appreciates the Director's willingness to have a dialog with these organizations. It requires more discussion at this point and now is not a good time to make a change.

Director Karpowitz said the Board cannot make a rule change today. The purpose of the meeting was for the Board to hear the proposal and then for the Board to decide when and how they would like the public to hear it. Rule change must go through the RACs first. What the Division is looking for is what process does the Board want them to follow at this point now you've heard the public comment.

Mr. Bair said he appreciates Mr. Tycksen bringing the list of expenditures and projects from MDF. Since we have reporting and the audit in place, when the contract comes due again we'll have a good idea of where the money is going and if the groups are living up to the contract. The discussion today has been very beneficial. After a few more years on this contract we'll have more information to look at. The confusion on the convention and conservation permits is still a problem. He recused himself on any vote at this time.

Mr. Perkins said he has four things that are really important. First, we shouldn't make any changes in the contract at this point. That is when the new set of permits will be offered for the convention, if it is renewed and if permits are authorized. It would be nice to see more partner organizations. He would like to personally say, "UWC, why don't you jump in on the band wagon too, and become a conservation organization?" That would be a chance to continue to partner with the Division and other organizations. The second thing is we owe the permit holder and partner organizations some lead time. They are already negotiating the 2016 contract with the Salt Palace. We should do a review earlier than 2015 so we don't adversely impact the plans of the groups or the success of the conventions. We also need to be responsive to the public, which is very diverse. Let's not wait until too late in the time period. We won't have a change until 2017, but need to start as early as 2014 or around that time period.

Mr. Fenimore thanked the Director for the offer to get the groups together. From today's meeting it is overwhelmingly apparent that more information is needed and shared. The work SFW and MDF has done is wonderful. People want a better understanding of how the money is being utilized and what projects are being done to benefit wildlife as we're all committed to.

Mr. King said he has enjoyed the discussion even though it has been long. He wishes his students could be here to see the process in action as we make policy and manage wildlife in North America. We have the benefit of hearing the input from the DWR which is our trust manager on the ground, getting things done and providing us with the data that we need to make decisions. We have a Wildlife Board that has been entrusted with the responsibility to make policy for the Division by the legislature. He complimented the audience for their participation in being here. We are listening and have been part of this very important process. We all want to find ways to benefit wildlife, but have different ideas on how to do it.

Mr. Albrecht said he's enjoyed the conversation today, but is worried that some of the public is misinformed as to what goes on at the convention and where some of those dollars are spent. We have a lot of doers in our major conservation groups and they should be awarded for the things they've done for the state. Some on the sidelines are always the talkers. He talked about some of the projects that have been done. It's hard to criticize what the groups have done for Utah. He is not going to vote to change the contract. When the new one comes up we'll decide on that. He applauds the conservation groups.

Director Karpowitz said it doesn't sound like the Board is going to make a motion. He doesn't want to leave this topic without some clear direction. He feels it would be appropriate that the Board make an action log item with a deadline on it. He would like to have between now and this time next year to see if we can't work something out voluntarily and come back to the Board.

The following motion was made by Ernie Perkins, seconded by Bill Fenimore and passed 4 to 1 with Jake Albrecht opposed. John Bair recused himself from the vote.

**MOTION: I move that we add to the action log a request that the Division meet with the Mule Deer Foundation, Sportsman for Fish and Wildlife, and United Wildlife Cooperative to discuss issues and topics that have been raised including transparency. This will be accomplished by meeting with the three groups collectively to identify issues of concern and by meeting with MDF to discuss possible voluntary changes to the current convention contract. The Division will report back to the Board within one year**

Director Karpowitz said he was suggesting that they get together and look at what can be done within the current contract voluntarily between the parties, and it not be limited to just transparency.

Mr. King said he has a question. What he heard is working with the contractors, SFW and MDF. Who does that involve?

Director Karpowitz said it would include inviting UWC also and see if we can't come to some sort of agreement.

Mr. Bair said it sounds like the Board wants no changes to the contract. Are we trying to work out the kinks so that when we renew it all these things are satisfied and it goes more smoothly? If there are things that are agreed upon by everybody then they would be implemented into this contract.

Director Karpowitz said based on what Mr. Bushman said we can only do some things voluntarily within the present contract. If it is a significant change it must be voluntary between both parties in the contract. The future contract is wide open. Also when this does get decided in 2015, six of the present Board members will be gone.

Mr. Perkins said what the Division is able to accomplish over the next year could include both of the categories that you described. One might be things that everybody agrees to right now and others might be things they are prepared to seriously discuss and implement in a new contract.

At this point Director Karpowitz asked Mr. Perkins to restate his motion, just to be clear.

Mr. Perkins said, the Wildlife Board would ask that the Division facilitate discussions between MDF, UWC and SFW, and on the issues and topics including transparency that have been raised, and report back to the Board within a year progress other significant information.

Eric Tycksen said he would recommend that the Division facilitate a discussion with the current contractor to take a Board action and include another conservation group in contract negotiations whether voluntary or not, is not right. He would request if there is

going to be negotiations to the contract that MDF currently holds, we can do that with the Division to see if there is something we can do voluntarily without having another conservation group outside of this process involved in the negotiations.

Mr. Bair said he brings out a good point, because in those discussions there could be proprietary information that could be used against them when the bid process comes open again in a couple of years.

Mr. Perkins asked if there might be areas and topics that could include all three where UWC could be included, and there's other that would not.

Mr. Tycksen said he has no problems with having discussions with UWC but as far as contract negotiations, they will do it on their own. They have had discussions with UWC to get a perspective of what it is they want. They want to represent the general public. We have several thousand members in the state of Utah as well that support what we're doing. So if they want to supply a list of topics to discuss we can sit down with UWC and discuss those items, but as far as contract negotiation with the state of Utah, we'll negotiate those changes if in fact we will voluntarily take those actions.

Director Karpowitz asked if he has any objective to a two part process to identify issues with UWC preliminarily, but the second part of the process would be for the Division to work with you the contractor to see what issues we can address.

Mr. Tycksen said yes, that's just fine.

Mr. Perkins asked Ms. Coons to take these three motions and word it accordingly. This motion will be reviewed by the Board members in very short order to make sure there is consensus that that was what was said. The following motion was agreed upon and approved by the Wildlife Board through electronic means following the conclusion of this meeting:

MOTION: I move that we add to the action log a request that the Division meet with the Mule Deer Foundation, Sportsman for Fish and Wildlife, and United Wildlife Cooperative to discuss issues and topics that have been raised including transparency. This will be accomplished by meeting with the three groups collectively to identify issues of concern and by meeting with MDF to discuss possible voluntary changes to the current convention contract. The Division will report back to the Board within one year

Chairman Brady said he was in Reno many years ago with FNAWS and Don Peay and Lee Howard. That was the first time he heard about this convention. After going to Reno for many years and seeing what they do, he thought they were biting off a big chunk, but you have done a fantastic job. He commended Mr. Peay and the conservation groups for their efforts. He hopes everybody here recognizes that we're all in the same boat working for wildlife, rather than getting antagonistic but try to work together for

wildlife. As he sees the money that is being asked to be pulled out of there, he's not sure you can do much with it, any better than it is being done. He asks for open mindedness as you meet and work together. He also appreciates those who have commented today.

The motion was then voted on.

13) CWMU Advisory Committee Membership (**Action**)

Scott McFarlane, Private Lands, Public Wildlife Coordinator presented this agenda item. Today they'd like to submit two names to replace two members on the CWMU Advisory Committee because their term limits have been completed. He explained the CWMU Advisory Committee and what they do. The two they need to replace are the CWMU representative and the RAC Committee member. Wade Heaton would replace Dan Jorgenson and Gary Nelson replacing Fred Oswald on the advisory committee. Gary Nelson is a Central region RAC committee member and comes highly recommended. These are the recommendations.

The following motion was made by John Bair, seconded by Jake Albrecht and passed unanimously.

**MOTION: I move that we accept the recommendations as provided by the Division.**

Mr. Oswald thanked the Board for the time he was able to spend on the CWMU Advisory Committee. It has been a valuable and rewarding experience.

14) Broadmouth CWMU request for Additional Bull Moose Permit (**Action**)

Garet Jones, CWMU Operator gave some history and information on this CWMU. He had a discussion with their biologist in July 2011 and talked about adjusting the number of moose tags they were taking. He mentioned that the state might drop a tag if they dropped a tag. He mentioned that they would prefer to drop tags later on in the three year cycle. He said he would check on that and get back to him. Not having heard from him, he assumed they would proceed as in the past and sold two moose permits like they had for many years and did not find out until a month or two ago that one of the tags had been taken away. Their CWMU works on a very low profit margin and damage could be done to their company's reputation if this permit is withdrawn. It is so close to the season the hunter has no doubt made preparations as well as time off work and looked forward to his hunt for many months. He would be very disappointed. With the tag allotment as it is now it is about 55% private to the 45% public. With the addition of the one tag to private, they are exactly at 60/40 split. This is the same amount of animals they have harvested for many years and is very sustainable for their CWMU. They have a high average age harvested, 6 years or older are usually harvested. They regret doing this so late in the season, but it seems to be the only solution for them.

Mr. Fenimore asked how you sell a permit that you do not have in your hand, as in possession of the voucher.

Mr. Jones said often in the hunting industry deposits are made a number of years in advance. They don't get the vouchers until about two months before the hunt and we sell the hunts well before that.

Mr. Bair said they took the deposit on the presumption that they had the same number of tags as in the past, two moose permits. He asked what the misunderstanding was between Mr. Jones and the biologist.

Director Karpowitz said the number of permits that would go to that unit was decided in a Board meeting one year ago.

Mr. Jones said he received no notification until he got the vouchers a few months ago. Typically they sit down with the biologist and adjust the numbers of animals the area is capable of sustaining. They cut back the deer and elk tags around July 2011. They talked about adjusting the number of moose tags, but no decision was made at that time. His understanding was that nothing had changed.

Darren Debloois said he is the biologist in question and they did leave that meeting with two distinctly different impressions about what they decided. Having said that, adding an additional moose permit would not violate the CWMU rule, but bring it to the 60/40 split. This is not a biological concern. The problem is that by the time we were aware that Mr. Jones had a different understanding than he did, it was too late for them to simply change it. It had to come to the Board.

Chairman Brady asked if they are saying that the splits are 2 and 2 this year and 2 and 2 next.

Mr. Debloois said he wouldn't have had any problem doing it 2 and 2 if he'd understood it that way. He does not remember the conversation as well as Garet does.

Mr. Bair says this really does feel like a misunderstanding.

Mr. Debloois said if he'd been aware that Mr. Jones thought something different had happened, he would have contacted him and let him know that something had changed.

Mr. Albrecht asked if they CWMUs don't get notification until two months before the hunt.

Randy Wood said the number of permits is on the application. It was signed by the Division and the CWMU that indicated the splits would be a total of three permits per year, 1 private, 2 public the first year and the next two years it would switch and go 2 private and 1 public. We would ask the Board to change that application.

Mr. Albrecht asked his question again.

Mr. Wood said they leave with the application and the numbers are on it. The application is how the vouchers go out.

Mr. Bates said we notify the operators if things change.

Mr. Perkins asked Mr. Wood to restate the permits for the three years.

Mr. Wood said the way the application reads the first year in the split there's three permits and there are three permits for every year. The first year 2 public, 1 private, the next two year that switches. With keeping with the rule the first year you can never fall below the 60/40 split, so the first year they are asking to add one permit to the private which will make it a 50/50 split that first year.

Mr. Debloois said Mr. Jones left the meeting having signed for that split. Mr. Jones had an impression that something else might happen and he didn't have the same impression.

The following motion was made by Ernie Perkins, seconded by Jake Albrecht and passed unanimously.

**MOTION: I move that we grant the additional bull moose permit to the Broadmouth CWMU.**

15) CRC – Recommendation – Scales and Tails (**Action**)

Staci Coons, CRC Chair presented this agenda item. The request is from M. Shane Richins (Scales and Tails Utah) for the possession and exhibit of one Morelet's Crocodile for commercial and educational purposes. (See Board Packet for CRC Stipulations) Mr. Richins came to the Board a couple of years ago and requested the possessions of two alligators and that was granted then. The committee met with him on July 16, 2012. They did not have a lot of concerns about his knowledge of the animal or his handling of the animal. They were very confident in those areas. The committee did support the request for Mr. Richins with a few stipulations which he has been made aware of. We've asked him to present a plan to the Division with how he plans to deal with the animals as they get too large to take to birthday parties and that sort of thing. He has agreed to do that.

Mr. King asked how he knows when they get too large to take to a party.

Mr. Richins said it depends on which entertainer he sends. Each time they go and work with the animal, they deal with the confidence level they have on that particular animal. A couple of his entertainers that have been working with the larger alligator have already recessed them to only working with the smaller alligator because they weren't confident. They are not the ones who have been to the training down in Texas although all his employees have gone down to work with adult crocodilians. He works with each



individual with their confidence level verses the temperament, size and species of the animal.

The following motion was made by Ernie Perkins, seconded by John Bair and passed unanimously.

**MOTION: I move that we approve the variance request for Scales and Tails as presented by the Division.**

16) Request for Additional Antlerless Elk Permits (**Action**)

Anis Aoude, Big Game Coordinator presented this item. (See Powerpoint Presentation) The rationale for recommendations are to mitigate for drought conditions, avoid habitat damage, reduce potential depredation and reduce potential competition with deer. He then showed a map of the state and the drought conditions. He then presented the permit recommendations as received from the regions in various units across the state.

In summary, they are recommending a total of 1450 additional permits, NER 1160, NR 175 and SER 115. Permits will be available over the counter and online September 6 on a first come first serve basis. There will not be an additional drawing. This is an attempt to get the permit in the hunter's hand before the hunt starts. This concluded the presentation.

Mr. Albrecht asked about hunting dates.

Mr. Aoude said these are existing hunts. The regions were asked to make them all before November to get these animals harvested before they started going onto winter ranges.

Mr. Perkins said this is all drought related. Are any fire related?

Mr. Aoude said there is some potential on fire related stuff, but not a lot of winter ranges burned in Southeast or Northern region and presently these are drought areas. There is some transitional ranges that burned.

Mr. Perkins said we may be seeing some addition permits being issued.

Mr. Aoude said that is possible depending on how the summer progresses. We left the late hunts alone, but could add permits then if we needed to. We are seeing some improvement in the Southern part of the state because of increased precipitation. Also, with the exception of the Book Cliffs all of these units are over objective.

Mr. Perkins asked about deer.

Mr. Aoude said most of our deer are below objective and most of their winter range is already there, not being affected as much by the precipitation. Mother Nature will take

care of the deer if there are too many, they will succumb to the winter. Elk usually do not succumb to the winter and over damage the habitat.

Mr. Bates said relative to the fire in Southeast region, the Forest Service would like us to harvest more elk, but we have a problem in that we can't get people into those areas to hunt during the general season. We're holding off until some of these fires are resolved.

Director Karpowitz said the Division could do this with an emergency declaration, but it is important that the Board authorize this, so the public knows it's not just the Division acting independently.

Chairman Brady asked Mr. Briggs from Northeastern to weigh in on this issue.

Floyd Briggs said he definitely has some great concerns with this. He was on a committee once where they wanted to increase the resident herd, but they did a count in the winter and it was way over what they wanted to increase it to. But the problem we have in that area is we border Colorado and Wyoming, so are we going to be killing off our resident herd to accommodate the other states wintering elk herds? Is that going to have an adverse effect on our resident herd? He doesn't think we're at objective on the West Daggett yet, so we increase the numbers there. Right now we have a resident herd that is within a mile of Manilla. In the area where he lives, maybe depredation tags are the way to go than killing off the resident herd. Daggett County is not in extreme drought, because they had a good snow pack. He is hesitant to say how the hunters in Northeastern are going to feel about this.

Mr. Aoude said we're talking an additional 20 permits on the Daggett which may kill five elk. These are measures trying to increase permits slightly, so we make sure these elk aren't harming ranges. There are some units where we may not need as many killed, but again they're just trying to stay ahead of it and make sure the ranges are preserved. As far as resident and nonresident elk, if the habitat is there the elk will rebound quickly.

Charlie Greenwood, Wildlife Manager from Northeastern region said the North and South Slope elk herds are tied in together. We know we have elk that move between those units. He disagrees in that the Brown's Park area is in severe drought. We have elk off these units that winter there. That is critical deer winter range and the sage brush is in bad shape. In 2003 we had a sage brush die off and talking to the BLM range people, this die off might be even worse on some of our browse and habitat. We do have range damage and that's why we're recommending these permits.

Chairman Brady said on the South Slope Diamond, where is the boundary? Are the landowners aware of what is being proposed?

Mr. Greenwood said it's up on the Diamond. We went ahead and included that hunt because it is the early part of November. He hasn't made the landowners aware. Once again it affects critical range on both sides of the mountain, Red Fleet and Brown's Park. We have concerns on the mid-elevation range where the elk transition, the grass didn't

grow as it should have, permittees have been taking cuts on BLM and Forest Service ground, so we believe it's the responsible thing to do based on range conditions.

Chairman Brady asked if they need that help in the Pelican Lake area.

Mr. Greenwood said some of these will overlap that area.

Chairman Brady asked Mr. Byrnes to weigh in.

Mr. Byrnes said considering the conditions of the range on the three units in the Northern regions, even if they killed every one of those elk, we would still be over objective. In other parts of the state where he spends a lot of time, if we can help preserve some of that range and help our deer that are going to struggle a lot this year. He would support it and feels his council would also, given the conditions.

Mr. Bates said he did bring this up with some members of the Southeast RAC and he's sure they would support it especially the Forest Service and BLM. The one on the Book Cliffs, the BLM actually asked us to do that. We have spoken with the BLM and Forest Service representatives, asked them about what they intend to do with taking permittees off early or not letting them onto the BLM allotments. He feels they have support. He has also spoken to some of the livestock operators who felt this would be a good thing to do since they have to take animals off the range.

Mr. Crandall asked if this is enough in these areas or are there other areas that need attention to help livestock. Do you need to look at other areas and maybe look at a depredation later on in the year?

Mr. Aoude said they asked all the regions to look at it and all had initially had some areas they were concerned about, but we asked them if these are areas you could deal with it with depredation and other methods, don't add permits. We don't like to have emergency hunts. These are permits on public land where depredation cannot be used.

Mr. Perkins asked if there are plenty of hunters available to take care of depredation.

Mr. Aoude said he hasn't looked, but that has never been a problem.

The following motion was made by Calvin Crandall, seconded by John Bair and passed unanimously.

**MOTION: I move we accept the Division's recommendations on the antlerless elk permits.**

Mr. Tracy commented that the only thing he wanted to say was in addition to those benefits biologically this gives 1,400 hunters opportunity to hunt.

17) Other Business (**Contingent**)

a. Summer WAFWA

Mr. King reported to the Board about Summer WAFWA that was held on the Big Island in Hawaii. It was very worthwhile giving them opportunity to meet with the other commissioners and Board members from 23 states and provinces. Ecologically it is a very unique place for this meeting. If you go on the east side of the island they get 240 inches of rain a year. If you go up over the two volcanoes to the other side they get 10 inches of rain a year. Hawaii has tremendous challenges to deal with including nearly 400 endangered species, which governs everything they do. There are cultural and social things that factor into what they do also.

They had two sessions dealing with human dimensions in wildlife management and working across boundaries to development partnerships to deal with all these unique situations that they have. What we've been through today in our meeting is largely a discussion in those same areas. He placed a summary of the meetings and a host of supporting documents in the drop boxes of the Board members. As they met with the commissioners they had two big issues, one was the North American Model of Conservation and how it is being applied. The Wild Horse and Burro Act came up and also the reintroduction of Mexican gray wolves. There is opposition to controlling those problems coming from a nonconsumptive public.

Use of social media was also a topic. There were a lot of social issues that were discussed one was an attempt to form a Commissioners Political Action committee, contacting Senators, Commissioners and others when there was a need for action. It was a good discussion but ultimately it was rejected. They look for better communication between these participants. It was an interesting five days of meetings, including an interesting field trip also.

Director Karpowitz said in the business meeting there was a resolution on Mexican wolves. It said that WAFWA would only support recovery of Mexican wolves in their historic range and that does not include Utah and Colorado. All of WAFWA voted for that resolution and it was forwarded to the USFWS.

Mr. Perkins said Hawaii Fish and Game is funded totally with general fund dollars. Hunting licenses are \$10, fishing licenses are free and if you draw a permit on limited entry hunts, that's free too. Their whole concept is different.

Director Karpowitz said their game animals are domestic sheep, pigs, feral goats, 15 species of exotic upland game and a variety of exotic deer.

Mr. Perkins said he heard several agency and commissioner comments that were almost indignant that they were being questioned by the public. It's a bad trap to get into. The Nevada commissioner talked for ten minutes about a problem they have been trying to get out of because they did not listening to the public.

b. Stipulations and Orders

Martin Bushman presented this agenda item. We've had five individual matters, three stipulations and two dismissals that come out of two criminal episodes. Individuals who have asked that their appeal be dismissed are Shawn Mark Peterson and Barry Vern Atkinson.

The following motion was made by Ernie Perkins, seconded by John Bair and passed unanimously.

**MOTION: I move that we accept the stipulations as presented by the Assistant Attorney General.**

The following motion was made by Ernie Perkins, seconded by Mike King and passed unanimously.

**MOTION: I move that we accept the dismissals as presented by the Assistant Attorney General.**

c. Emergency Meeting in September

Director Karpowitz said we are going to need an emergency meeting in September. We can handle as an onsite meeting or possible do telephonic for those who live away from the Wasatch Front. We have one agenda item for sure. We recently completed our bison count and had more than the management plan allowed for and are going to recommend more permits. He could do that with an emergency declaration, but is not comfortable doing it without the Board review and endorsement. It came up yesterday which is not enough time to get it on today's agenda.

He also suspects that if the drought gets worse we're going to be talking about additional antlerless elk removal. With that in mind, we should schedule a day for that. He asked Mr. Bushman to go over the rules for the meeting.

Mr. Bushman said there has to be an anchor location where the public can come and attend which would probably be here. We would have to have at least a Board member to act as the officiating person. The others could call in by telephone.

Director Karpowitz said we should limit this and make sure it's an emergency meeting, dealing with emergency issues. If those who live on the Wasatch Front could come to the anchor location, the others that live further away can call in. It will probably be a very short meeting. Several dates were discussed and they decided on September 12, 2012 at 9 a.m.

The following motion was made by Jake Albrecht, seconded by Calvin Crandall and passed unanimously.

**MOTION: I move that we schedule September 12, 2012 at 9:00 am as an Emergency Wildlife Board Meeting to address additional antlerless elk and bison concerns as deemed necessary by the Division.**

Mr. Bates asked if they might want to do the meeting on a video conference call.

Director Karpowitz said yes and if they went to one of the regional offices we could see you. If not it can be done over the telephone.

The meeting was then adjourned.

Approved