

**Northern Region Wildlife Board Advisory Council**

**June 4, 2008,**

**6:00 P.M.**

**Place:** Brigham City Community Center

**RAC Present**

Brad Slater  
Lee Shirley  
Paul Cowley  
Mark Marsh  
Ann Neville  
Darwin Bingham  
James Gaskill  
Shawn Groll  
Ryan Foutz

**RAC Absent**

Bill Fenimore  
Jon Leonard  
Bret Selman  
Robert Byrnes

**DWR Present**

Jodie Anderson  
Justin Dolling  
Walt Donaldson  
Ron Hodson  
Larry Dalton  
John Pratt  
Drew Cushing  
Craig Schaugard  
Dave Olsen  
Jenny Polloczek  
Clint Brunson  
Randy Wood  
Craig McLaughlin  
Martin Bushman  
Tom Aldrich

**Wildlife Board**

Ernie Perkins

**Public Present:** See Attached Roll Sheet

**Meeting Begins:** 6:20 p.m.

**Number of Pages:**

**Introduction:** Brad Slater- Chair

**Agenda:**

Review of Agenda  
Review of April 29, 2008 Meeting Minutes  
Aquatic Informational  
AIS Management Plan  
AIS Rule R657-60  
Hunter Education Rule R657-23  
Private Pond Rule R657-59  
Board Variance Rule R657-57

Upland Game Hunting Guide & Rule R657-06  
Bear Policy  
Wildlife Convention Permits

**Item 1. Review and Acceptance of April 29, 2008, Meeting Minutes**

**Motion-** Marsh- Approve April 29, 2008 Meeting Minutes.

**Second-** Neville

**Motion Carries-** Unanimous

**Item 2. Review and Acceptance of Agenda**

Adopted by Consent

**Item 3. Aquatic Informational**

Drew Cushing, Wildlife Program Coordinator

Proposed Changes under consideration for 2009 Fishing Guide General and Statewide. Objectives to continue efforts to simplify, clarify and standardize regulations. Make guide more consistent to read throughout and standardize dates. Standardize black bass regulations. Formulate comprehensive plan to deal with the problem of “Illegal Species Introductions” to reward program to encourage tips from the public. Evaluate the feasibility of a 2-year proclamation/fishing guide cycle. Many states already have a 2-year fishing proclamation to possibly begin in 2010. Due to disease (VHS) concerns, DWR has not imported tiger musky for 3 years. Eliminate the need to import from the mid-west. Central region fisheries to fall under the standard, 4 fish limit which is common throughout Utah. Change bass limit to 6 with one over 12 inches. Close Pineview to tiger musky, all must be immediately released. Additional guidelines to be consistent with Wyoming. Different regulations at Schofield reservoir. Southeast and Southern region fishing information.

**Public Comment**

Craig Schaugaard DWR Northern Region- This Tuesday Ogden City opened the 21<sup>st</sup> street pond. They are saying the water is clean now, if we do get that clean we will want to do an emergency opening on the proclamation and change that in 2009 to community fishing regulations.

Slater- That is good news. That was a pond that used to be a community fishery, that will be nice to have that back.

Schaugaard- Was that just for Pineview or did you mention Newton also?

Cushing- Emergency closure would be for Pineview only but Newton would close as of January next year.

Hodson-You might just clarify that the 21<sup>st</sup> Street pond is still closed until we find out about it and that goes through the board. A news release went out otherwise.

Schaugaard- Hopefully we will have that information to go before the board and make that change. I hope to be able to gather that information.

Rick White- Regards to East Canyon- Nothing has been done to protect that bass fishery. That is a total waste if nothing is done to protect that fishery. A lot of people travel to fish that lake itself.

Schaugaard- That was an illegal introduction and we will not protect those fish in any way.

### **RAC Questions**

Cowley- With illegal introductions, how are we going to inform the public that has occurred and that they need to be killing that species of fish?

Cushing- We have to go through emergency with the director's office which takes a period of time. This would basically follow some other states and it would change our proclamation somewhat. If a fish showed up that was not inside of the management, it would be deemed catch and kill.

Cowley- Would that make the regulations more difficult to wade through?

Cushing- It may be. It is a reference document as well and be simpler. This is a reference document as well.

Cowley- In regards to Schofield, one option was to look at the Bear Lake Cut Throat and I guess I find myself being a little concerned because we are in the Colorado River drainage where Colorado River cut throat are the native species for cut throat trout down in that area. Is there any consideration for that as you look at cross breeding?

Cushing- Yes, discussions have been in depth. There has been discussion of putting in a barrier and tagging. They could put a barrier below. That has been talked about and is a concern.

### **Public Comment**

Mike Risen- Utah Bass Federation- Concerned with the recent price rise in the certificate of registration. We have a lot invested with fishing equipment for tournaments. I would like to ask to maybe have a reduced fee for kids or clubs. We would like to be able to bundle our permits like we use to and pay one fee. We have the largest youth program in the state. Supports the removal of Walleye. Utah Bass Federation rewards illegal stocking of fishing.

Cushing- This does not have to be voted upon. We need to bring to attention of the Aquaculture and Fish Stocking Rule 657-16-14. Authorizes DWR to take fish from the wild for placement in a display.

**Item 4. Private Pond Rule R657-59**

Drew Cushing, Wildlife Program Coordinator

See Handout

**RAC Questions**

Cowley- There is a number of waters that we are not going to allow any stocking to occur. Big Cottonwood Canyon have some ponds close to the National Forest. There is one at Solitude that is stocked, Little Cottonwood Canyon, Snowbird and Red Butte Creek at Red Butte Gardens. Are we trying to say we are not going to allow any stocking?

Cushing- They cannot be stocked without a pond inspection and a COR. In those areas, step one is to have a pond inspection to determine what can be done at that pond.

Cowley- These have waters that run directly into the streams themselves.

Cushing- It should be fairly simple once we get going.

Neville- Do you only inspect every 5 years?

Cushing- It depends on the state of the pond and where it is located.

Slater- When you say a backyard pond....I see some of these water features that are in people's backyards.

Cushing- That is what we are talking about. You reach a point when what you are doing is fairly pointless. With those types of situations, we want to be more efficient with our time.

Slater- So some of these backyard feature ponds...?

Cushing- Yes.

Gaskill- Do you want us to pass the motion or consider a motion on the first issue of changing that rule to allow the DWR to take wild fish and put up for display?

Cushing- No, that was simply informational.

## **Motion**

**Motion:** Gaskill- Accept the DWR proposal as presented.

**Second:** Foutz

**Motion Carries:** Unanimous

## **Item 5. AIS Management Plan**

Larry Dalton, AIS Coordinator

See Handout

## **RAC Questions**

Shirley- Is there any biological control internationally that might be able to be placed in the water.

Dalton- The State of Minnesota has had this problem for 20 years. We are launching a campaign like they have. They have held the mussels at bay for 20 years. Are there some biological control methods? A researcher has found psuetonomous? If we swept this floor and swept the dust, we would find psuetonomous. It kills the mussel pretty good but not 100%. They just received a grant to go commercial with it. We think it will be available in 2010 but have no idea what the cost will be.

Foutz- Are new boat owners who are purchasing boats getting this information at the time of sale?

Dalton- I think so. The coast guard has given us a hand in distributing them. The table topper of display has been placed all over the state of Utah. The next step is to deliver a maintenance message to boat shops about how to deal with this issue. Other states will pitch in and give us a hand on how to properly decontaminate your boat. It will be a big effort over the next 8-14 months.

## **RAC Comment**

Neville- I appreciate the Division's aggressiveness on this.

Ron Hodson conducts an informal poll with the audience on if they had heard about the Quagga Mussel prior to the RAC meeting presentation.

## **Item 6. AIS Rule R657-60**

John Pratt, Law Enforcement Captain

See Handout

## **Public Questions**

John Staley- The first question on your certification asks if in the last 30 days, has your boat been used in Lake Powell, outside of Utah or in any of the following waters? How do I answer that question?

Pratt- No. Have you been in one of these waters? Yes or no.

Staley- It says outside of Utah. I fish on the Wyoming side.

Pratt- OK, you are going to say yes. I have been to Flaming Gorge in Wyoming. We are going to look and say “no problem”. This is a definitive assessment of where you have been.

Myron Porter- If I understand you, you are targeting boats. What about the pontoons, kayaks, canoes and waders? If I use a float tube in Lake Powell, must I wait 18 days in May before I fish in Mantua, etc.? If we just inspect the boats, we are not going to catch it right? Does the law already apply to those other things?

Pratt- You have to go back to the definition of conveyance.

Porter- Cooler water, if you put lake water in it, is it.....?

Pratt- Yes. The biggest threat to the state of Utah comes from a mussel attached to a boat. Just good health habits will get you by.

### **RAC Questions**

Neville- I have a question on bringing a boat from Lake Mead or whatever and they go to the local car wash and spray it down. That is not decontaminating but will the mussels go down storm drains.

Pratt- Yes they will and they will live for 30 days.

Neville- So there is any plan to address those types of cleaning?

Pratt- The car washes are not 140 degrees so it is not decontamination.

Neville- That is what I mean. They are going to get into the storm drains.

Pratt- Yes. Larry can probably address that on his INE programs. It was against the law to prevent people from washing at car washes.

Neville- No chemicals will kill them?

Pratt- There are 2 chemicals on the market. Potassium Chloride and Chlorine. Both require an extended period of time of 7 days.

Neville- They won't desiccate for 7 days?

Pratt- Depending on the hot and dry are bad on mussels. Cold, cool or damp are good for them. The law defines it by a month.

Neville- I am just trying to help us and help people figure out how to clean their boats.

Gaskill- What is the penalty?

Pratt- Class B misdemeanor. Knowing you are intentional make it a class A.

Gaskill- Do you think it ought to be capital?

Pratt- No, I think that every water user ought to be able to take their licks on him.

Cowley- I find myself a little concerned over the closure order on water bodies. I am wondering if you can walk me through that. Let's say we detect them at Pineview.

Pratt- First of all, Larry Shaw will have to identify what is there. We have to be 100% certain.

Cowley- I was looking at the number of campground hosts and boat launch hosts.

Pratt- Once we make that decision and the director has the order, in consultation with the management agency. That would be the forest service and Pineview waters and bureau of reclamation. There would probably be 3 involved in that. We would go through the order and decide on the plan. We need to stop immediately any movement that would spread that mussel.

Cowley- That is why I am wondering if you are going to have 100 boats sitting on the reservoir that are not being allowed to pull out of the docks.

Pratt- Unless they decontaminate. So what we would do is start scrambling and if they guy wants to bring his boat out, he gets decontaminated on his way out and does not go back in.

Cowley- As we try to keep these out of the state of Utah, I wonder why you wouldn't just have your limited decontamination units at your port of entry and then at Lake Powell and do a decontamination as boats leave those facilities instead of trying to find them while coming in.

Pratt- That is why port of entries were in the rule. We need to be moving in that direction.

Cowley- That would be all of your drinking water facilities or irrigation facilities would be shut down at that point.

Pratt- We are asking for a plan to control that stuff. I could not shut Pineview water treatment plant off.

Cowley- That would not be a physical feature conveyance.

Pratt- But it is not a conveyance. The plan needs to address all of those.

Dalton- You asked a question as to why we are not using ports? We will work ports of entries when times are best. We will be working launch sites. We do not have enough resources to work them 24/7. We can be there 5 days a week, one shift a day. We will do the best we can. We are setting up a scheme of a double shield. There are several things in play here to shield the state of Utah from these mussels.

Cowley- On the Forest Service side we are picking up funds to help increase that shield. Especially at the high use lakes.

Dalton- We appreciate that help. We understand there are 3 decontamination units.

Neville- In the rule it does not say under the closure part of it, it says that the controlling entity would be bringing in or taking out. It does not say that anything can be removed, so that is implicit what you said as far as if they are decontaminated, they can leave?

Pratt- Where are you at?

Neville- I am on 60-8, closure order for water body facility or water supply.

Pratt- It includes decontamination.

Neville- Ok, does that.....do we assume that is implicit or do we need to modify that so that it is very clear to a boat owner who is in Pineview that they can move it if it is decontaminated.

Pratt- I am almost certain that it is here, I am just going to find it for you.

Neville- I want to make sure that the boat owners understand what they can and can't do.

Cowley- The rule is very clear to that.

Walt Donaldson- DWR Chief of Fisheries- What we will do is take that information as we move forward and present that to the board. If you give us some time to look at that. What we ask the RAC tonight is to generally approve the concept with the condition that we look to make sure that is not implicit or that it is clear before it goes before the board for their action. Would that be helpful?

Neville- Yes, I just feel it would be better for the public to know what they are getting in to.



Donaldson- That would be appropriate.

Cowley- As I look at this, if we look back under the definitions it may be semi-covered there where we are saying a conveyance refers to a vehicle or vehicle parts that may carry or contain. If it is decontaminated, it no longer carries or may contain the mussel. It would be better if it was spelled out in the closure.

### **Motion**

**Motion:** Cowley- pass rule in concept as directed with cleanup items necessary to make it very clear.

**Second:** Gaskill

**Motion Carries:** Unanimous

### **Item 7. Hunter Education Rule R657-23**

John Pratt, Law Enforcement Captain

See Handout

### **Motion**

Motion: Cowley-accept changes as presented.

Second- Marsh

Motion Carries: Unanimous

### **Item 8. Board Variance Rule R657-57**

Martin Bushman, Assistant Attorney General

See Handout

### **Public Questions**

Steve Gaskill- Are variances ever mandatory? Does the board or the division have to grant variances or are they all discretionary?

Bushman- They are all discretionary.

Mike Birth- If someone gets hurt and you get the extension variance, what if a wildfire actually changed your hunting habits or was not allowing you to hunt that area.

Bushman-That is a good question because we have had a number of variance requests a lot from wildfires. Under the rule, a wildfire or natural condition typically will not be things that the board or division will have authority to grant a variance to.

### **Public Comment**

Myron Porter- Has Unit 9A been extended? I heard the unit next to it was extended.

Bushman- You will have to ask a Biologist about that.

Porter- I know it is an act of god.

Hodson- I have not heard of an extension on that.

Dolling- I have not heard of a proposed extension.

### **Motion**

**Motion:** Foutz- Accept as presented.

**Second:** Gaskill

**Motion Carries:** Unanimous

### **Item 9. Upland Game Hunting Guide & Rule R657-06**

Dave Olsen, Wildlife Program Coordinator

See Handout

### **Public Questions**

Justin Williams- Why the 8 a.m. hunt is being dropped?

Olsen- It was done as a courtesy to the landowner.

Les Smith- Question concerning the dove season. Is that September first set by the feds or can it be set to open earlier.

Olsen- That is the framework that we deal with. Your experience in Northern Utah is all across to the east. You get a good hunt every 3-5 years or so.

Caleb Stroh- I noticed the bag limit was 2 and the possession of it was 4. Wouldn't it be the other way around?

Olsen- Two daily with a maximum of 4 in possession.

Stroh- I was under the impression that last year the possession was 4 per day and 2 bag limits in possession.

Olsen- 2 with 4 in possession. I can check here when we get a break and make sure that is correct.

Steve Gaskill- Why did you choose to have a separate frame work for the Hungarian and the Chukars?

Olsen- There were 2 concerns, one was harvest levels and we felt they were more vulnerable. The second factor was the concern of landowner acceptance of a longer season.

Steve Gaskill- I saw you are pretty much in line on season dates with almost all species except forest grouse. Why did you not choose the September 1<sup>st</sup> start date.

Olsen- It deals more with tradition. There are some conflicts between groups.

Mike Birth- Sandhill crane. What determines the number compared to other states?

Tom Aldrich- It is not low compared to our population. It is all based on our population size. It is spread evenly throughout the states. Idaho gets a lot more permits because they have a lot more cranes.

### **RAC Questions**

Bingham- It seems the pheasant population isn't what it used to be.

Olsen- Is that a comment then?

Bingham- To me, it seems there needs to be a shorter season.

Olsen- Most of the season determination is social.

Cowley- As we look at extending the Forest Grouse season into December, where do you see most of the people hunting?

Olsen- Anything to deal with Forest Grouse would be on forest service land.

### **Public Comment**

Steve Gaskill- It is really hard to tell a chukar covey from a Hungarian Partridge covey. I would like to see the seasons consolidated. I would rather see the bag limits reduced rather than violations.

John Staley- Utah Chukar and Wildlife Foundation- We are delighted in the direction the division is going in with each of the recommendations that have been made. They are steps in the right direction. We are primarily concerned about the habitat around the guzzlers. We would really like to mirror Nevada with an October opening. We would really like to see an October opening for Sage-Grouse. Concern with Hungarian Partridge split season, it does not make sense to split it.

Caleb Stroh- Utah Chukar and Wildlife Foundation- I have issues regarding no use of shotguns during the off season. There are a lot of people that use the Willard Bay WMA for training dogs. Maybe that could be revised for dog trainers. Sage Grouse is more impaired than Chukar season. The further we put that into October would be best. With new trespass issues, it is a dead issue.

Mike Birth- I think a later season is better.

Les Smith- I would like to see another option for all applications. I endorse the sharptail hunt in Cache County. I would support a longer season for most species. If we move Sage Grouse hunt later, that overlaps with muzzleloader deer hunt. This limits opportunities.

Scott Mulvey- Sage grouse brood hens are susceptible. Hens are difficult to distinguish.

Caleb Stroh- Studies show that a shorter season can increase the harvest as opposed to a 30 day season.

### **RAC Questions**

Cowley- Can you address the Hungarian partridge and Chukar seasons being different. Would it be more reasonable to put them into an identical season.

Olsen- That is how it has been in the past. When we attempted to increase the Chukar season, it got a little messy. This is not the only RAC that has been brought up as a conflict and an area that we need to explore.

Cowley- Right now, the Chukar season based on your presentation, is longer than the Hungarian Partridge.

Shirley- If the biology shows that hunting Chukars and Sage Grouse a little bit later is biologically appropriate, I suggest that we open the season on October 1<sup>st</sup> or the first Saturday in October. This is just a point for discussion.

Groll- These season dates can vary 5-6 days in a 5 year period. Why don't we start on October 1? It distributes hunters and there is less crowding. It will distribute the crowds.

Foutz- I think 5 to 10 days variance seems like later biology showing it is better for the birds. I think we are setting guys up to have a tough hunt. 10% harvest is not going to have impact on the population.

### **Motion**

**Motion:** Gaskill-accept as presented with exception.

-Forest grouse, cottontail and snowshoe hare on 1 September

-Close chukar and huns in 15 Feb

-Maintain 3 year proclamation cycle

-Open hunt Chukar, hun, sage grouse, sharptails in October.

**Second:** Foutz

### **Discussion on the Motion**

Bushman- Is it going to start on a day like September 1<sup>st</sup> or October 1<sup>st</sup>? Under code, you cannot start a season on Sunday.

Gaskill- The same thing happens with morning doves.

Bushman- If you wrote the rule to say it would start on September 1<sup>st</sup>, we have to make sure there is clarification in that.

Olsen- The reason we avoided October was due to the man power needed in the division and conflicts that creates. It provided another opportunity for the youth in the fall season.

Cowley- I understand the man power issue, but I also think the biology should help direct some of that. If that means that we open the second week in October then that would also meet that same need.

### **Ammendment**

**Motion:** Cowley- Motion to Ammend Forest Grouse hunt to November 30th.

**Second:** Bingham

### **Discussion on the Motion**

Foutz- We are so limited on what we can do. The land is ours to enjoy.

Bingham- It is ours to manage, we don't own it. The damage happens when there are wet roads. We need to put our priorities first.

Gaskill- I think when we get into December with snow and frozen roads. We are less likely to damage roads in December than November. I don't see that is a major issue.

**Motion Fails:** 2 For and 5 Against.

Foutz- I did support and second Mr. Gaskill's motion. I am ok with everything he has proposed with the exception of opening up cottontail, snowshoe hare and forest grouse to September 1<sup>st</sup>. I would like to amend that.

## **Ammendment**

**Motion:** Foutz

**Second:** Marsh

### **Discussion on the Motion**

Gaskill- The reason why I made that exception to the DWR proposal is because that is basically the universal time for Forest Grouse. The second reason is because this is maybe one of the most enjoyable hunts you can do with your children. We just need to maximize our opportunities to hunt them. We should go along with the rest of the states.

Foutz- The reason I think it is important to move those back is because Utah is unique for quality and timing. I don't think 13 days will make a difference. Opportunities still exist.

Gaskill- The proposal could be amended to say that we do not have a grouse season when there is a once in a lifetime elk hunt.

Marsh- I think the only reason we have looked to move the grouse hunt up was to give archers a chance. There is really no reason to interrupt a once in a lifetime hunt.

**Motion Carries:** 5 For and 2 Against.

**Motion to accept as presented with the exception of forest grouse, cottontail and snowshoe hair to go to September 13<sup>th</sup> start date as presented. Close Chukar and Hungarian Partridge on February 15<sup>th</sup>. Maintain a 3 year proclamation cycle. Open Chukar, Hungarian Partridge, Sage Grouse and Sharptail in October.**

**Motion Carries:** Unanimous

### **Item 10. Bear Policy**

Justin Dolling, Regional Wildlife Manager

See Handout

### **RAC Questions**

Neville- What is this policy in comparison to Wyoming and Colorado?

Dolling- I don't know that I can answer that question. There are some similarities to Arizona but I don't know the answer to that.

### **Motion**

**Motion:** Cowley- accept policy as presented.

**Second:** Marsh

**Motion Carries:** Unanimous

**Item 11. Wildlife Convention Permits Proposal**

Sportsmen for Fish and Wildlife Representative Don Peay

See Handout

**Public Questions**

Steve Gaskill- Who keeps the five dollar entry fee?

Peay- The application money stays with the conservation groups for projects.

Neville- A certain percentage has to go back to the state?

Peay- On the option tags, 90% has to go into projects.

Gaskill- So you keep that money and put it towards non-profit which is reflected on your 990's that you file?

Peay- Yes.

**RAC Questions**

Gaskill- I am not certain what tags you are talking about?

Peay- The state was able to move 55 sheep off Antelope Island. There are probably going to be a significant increase in tags. As the herds do well, there will be more tags put in the draw.

Gaskill- Specifically your proposal would be that you would only take big horn sheep tag out of the big horn sheep pool. You would not take a mountain goat tag out and have that count.

Peay- It would be one per amount each of those species.

Foutz- I am going to recuse myself from the vote due to my involvement with the western conservation expo. I would appreciate the opportunity to engage in discussion.

Cowley- When they originally set up the 10% for non-resident. Was that set up by species or by hunt unit species.

Hodson- It has always been by hunt unit species.

Groll- Ron, I would like your comments on it.

Hodson- The division is neutral on it. Biologically it is not going to make a difference. It is a social issue.

Neville- The division encourages the non-residents to apply and they just don't? Are they not getting the permits or tags?

Hodson- The numbers you see here, the reason there is only one non-resident with 23 total big horn sheep tags is because they occur in small numbers in each unit.

Foutz- If you looked at the 23 and 1, if you did not combine any in the state, there would be zero. There would be no non-resident opportunity if that had not been done.

Marsh- What are the benefits of taking away a tag from a state person and giving it to a non-resident? Is it going to be worth the money?

Peay- We don't have an exact answer. We are investing to grow herds so everyone has more tags in the future.

Foutz- These tags are not being taken away from residents. They are being added to the non-residents.

Slater- Unless the additional tags could have gone to the residents. We are kind of dealing with a social issue.

Peay- If people think they are losing an opportunity, they don't like it. It is probably a multi-million dollar benefit.

### **Public Comment**

Steve Gaskill- I am not sure that this does not violate the Utah Constitution.

### **Motion**

**Motion:** Gaskill-accept proposal.

**Second:** Shirley

### **Discussion on the Motion**

Cowley- Do we know how the other RAC's responded to the proposal?

**Motion Carries: 4 For and 2 Against with 1 recusal**

**Meeting Ends:** 10:45 p.m.



Central Region Advisory Council  
Springville Jr. High  
165 S. 700 E. Springville  
June 3, 2008 ⌚ 6:30 p.m.

## **Motion Summary**

### **Approval of the Agenda**

MOTION: To accept the agenda as amended  
Passed unanimously

### **Approval of the April 29, 2008 summary**

MOTION: To accept the summary as transcribed  
Passed unanimously

### **AIS Rule R657-60**

MOTION: To accept the rule as presented  
Passed unanimously

### **Hunter Education Rule R657-23**

MOTION: To accept the rule as presented  
Passed unanimously

### **Private Pond Rule R657-59**

MOTION: To accept the rule as presented  
Passed unanimously

### **Board Variance Rule R657-57**

MOTION: To accept the rule as presented  
Passed unanimously

### **Upland Game Hunting Guide & Rule R657-06**

MOTION: To adopt the Utah Chukar Foundation's proposal in regards to season dates for chukar, sage grouse and Hungarian partridge  
Passed 5 to 3

MOTION: To continue to have a three year upland game hunting guide  
Passed unanimously

MOTION: To accept the balance of the recommendations with the exception of the sage grouse season date being extended one week from the proposed closing date  
Passed unanimously

### **Bear Policy**

MOTION: To accept the changes to the policy as presented  
Passed unanimously

### **Wildlife Convention Permits Proposal**

MOTION: To support the proposal as presented  
Passed 5 to 3

Central Region Advisory Council  
Springville Jr. High  
165 S. 700 E. Springville  
June 3, 2008 ⌚ 6:30 p.m.

**Members Present**

John Bair, Sportsmen  
Byron Gunderson, At Large  
Doug Jones, Forest Service  
Ed Kent, Chair  
Gary Nielson, Sportsmen  
Fred Oswald, Non-consumptive, Vice Chair  
Duane Smith, Non-consumptive  
Allan Stevens, At Large  
Micki Bailey, BLM

**Members Absent**

Calvin Crandall, Agriculture  
Richard Hansen, At Large  
George Holmes, Agriculture  
Jay Price, Elected

**Others Present**

Rick Woodard, Wildlife Board Member  
Ernie Perkins, Wildlife Board Member

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

Ed Kent – The AIS management plan is an information item not an action item. Alan Clark will present the Board variance rule and Craig Clyde will present the bear policy.

**VOTING**

**Motion was made by Fred Oswald to accept the agenda as amended**

**Seconded by Gary Nielson**

**Motion passed unanimously**

2) **Approval of the April 29, 2008 summary (Action)**

**VOTING**

**Motion was made by Duane Smith to accept the summary notes as transcribed**

**Seconded by Doug Jones**

**Motion passed unanimously**

3) **Regional Update (Information)**

- **John Fairchild, Central Regional Supervisor**

**Wildlife**

- Antlerless permit applications now being accepted online or by phone through June 30
- Biologists have completed their big game winter mortality assessments. We estimate as much as 15% fawn mortality in Wasatch County, more associated with areas near feeding stations. Normal winter elsewhere with normal losses.
- Starting to get reports of nuisance bears (City Creek Canyon, Lake Creek near Heber). We've been working on a bear safety outreach campaign with the Forest Service and private campgrounds this winter. Here a some of the materials that you'll see at campgrounds this summer (distributed materials to RAC members).

- We're losing bighorn sheep in Rock Canyon and Mt. Nebo to disease. The Timpanogos herd continues to do well. The occasional interaction with domestic sheep continues to threaten the survival of bighorn sheep along the Wasatch Front.

#### Aquatics

- Walleye, perch and northern pike fishing at Yuba picking up
- All seasonal positions filled to carry out aquatic invasive species program in the region. Expect to be checked at boat ramps by Division personnel trying to avoid the spread of invasive species (quagga and zebra mussels).

#### Habitat

- Completed several "lop and scatter" projects this spring on previously chained pinyon-juniper woodlands. These are areas that were chained and seeded over twenty years ago and we contract with sawyer crews to cut down the young trees that are coming back in these areas.
- Big game crossing structures will be included in the highway improvement projects planned for Hwy 6 in Spanish Fork Canyon this year. Habitat biologists worked diligently with UDOT engineers to make sure big game movements are factored into the reconstruction project.

#### Conservation Outreach

- Dedicated Hunter fencing projects are scheduled every Saturday. Contact Katie Copple, our volunteer coordinator to sign up.
- Free Fishing Day this Saturday
- Utah Lake Festival this Saturday (no park fee)
- Presentation on cutthroat trout at the Strawberry Fish Trap on June 14th

#### Law Enforcement

- Conservation officers are stepping up their patrols of sportsman access locations around Utah Lake. The accesses are important for anglers, hunters and wildlife watchers, but get abused by vandals. The LE effort is being coordinated with the Utah Co. Sheriff's Office.

#### 4) **Aquatic Informational (Information)**

- **Roger Wilson, Wildlife Program Coordinator**

#### Questions from the RAC

Ed Kent – Would legislative action be required to implement the illegal fish introduction proposal?

Roger Wilson – The second item in that proposal would. I forgot to mention that we have recently identified walleye in Red Fleet. This is something we are very concerned with. It is very close to the Green River and Flaming George. We are quite upset about this. Red Fleet does not have the forage base to support a walleye fishery. We will crash the fishery if we don't take action. This is an example of people moving fish and causing real problems for the Division of Wildlife.

Ed Kent – You are going to implement some kind of incentive program for those who report violations.

Roger Wilson – We are working on that. We are also looking at a catch and kill regulation at that reservoir. This is a serious problem and we need to use this as an opportunity to bring this to public attention.

Ed Kent – I would think that everyone in the state would be upset about stuff like this because it is our sportsmen's dollars that are being used to restore the fishery. I compliment you on moving forward with this.

If we moved to a two-year proclamation and changes need to be made how would you implement those changes?

Roger Wilson – Emergency changes are certainly appropriate in some circumstances. We have talked about issuing an addendum for the second year. Another advantage to this would be that we would have time to address recommendations and we might avoid the more rapid, less thought out proposals. There are certainly some disadvantages but I think we can address those.

### **Questions from the Public**

Ken Strong – Have you looked at the possibility of using Kamloops rainbows?

Roger Wilson – We use them at Flaming George. One problem with the different stains of rainbows is that the eggs don't come when we need them.

Ken Strong – You talked about a catch and kill regulation at Red Fleet have you thought about a mandatory keep regulation with no limit?

Roger Wilson – Perhaps I didn't make that clear. That is what we are talking about. We have that regulation on a number of waters in the state. When I brought that up I was talking about an automatic catch and kill regulation anywhere as species showed up and it wasn't part of our management plan. We want to stay away from managing fish that are illegally introduced. In some cases perhaps a fish could have filled a niche there but we are not going to manage illegal fish introduction, we are not going to reward people for moving fish around.

### **RAC Discussion**

Alan Stevens – I still would like to see the fishing guide simplified even more. There are more pages of exceptions than general regulations. A suggestion I have is to include a small map by region or sub-regions with waters with exceptions listed on the map so it would be easier to figure out which waters have exceptions without having to be a professional fisherman. That is why I don't take my kids fishing.

- 5) **AIS Management Plan (Information)**  
- **Larry Dalton, AIS Coordinator**

### **Questions from the RAC**

Byron Gunderson – If invasive species are discovered in a reservoir somewhere how do you intend to contain that species?

Larry Dalton – Mike Fowlks will talk about the law enforcement aspect of that. We will be controlling people being able to go to or leave such a reservoir. The operator of such a reservoir would have to develop a plan that is approved by the Division of Wildlife.

Mike will talk more about that.

### **Questions from the Public**

Todd Carter – If we know Lake Mead is a problem could we call a special legislative session and pass into law that boats have to stop at the port of entry to be cleaned? It would be easier to stop them there than at every reservoir in the state.

Larry Dalton – Again I don't want to steal Mikes thunder but in fact we will be dealing with ports of entry and the law will allow us the ability to work there.

- 6) **AIS Rule R657-60 (Action)**  
- **Michal Fowlks, Law Enforcement Chief**

**Questions from the RAC**

Ed Kent – Has the memorandum been adopted yet between you and UDOT [regarding ports of entry]?

Mike Fowlks – No, it has not. We have initiated contacts with UDOT but we want to get the rule in place so we address all the issues.

Ed Kent – Have you identified any times and locations you may be working with UDOT at ports? I assume the main location would be in St. George.

Mike Fowlks – That will be the most important one. The southern region has looked at when the most effective times will be.

Byron Gunderson – Draining seems fairly straight forward but if you just dump your bilge into the storm water system you are actually propagating the spread of these species. Would there be a Clorox or other chemical you could put in the water before you drain it?

Mike Fowlks – There are chemicals that will kill these critters. They are expensive in the concentrations you need. We are not going to approve those as official decontamination. What you need to remember is if you are in infested waters you need to clean and drain prior to leaving.

**VOTING**

**Motion was made by Doug Jones to approve the rule as presented**

**Seconded by Gary Nielson**

**In Favor: all**

**Motion passed unanimously**

- 7) **Hunter Education Rule R657-23 (Action)**  
- **Michal Fowlks, Law Enforcement Chief**

**Questions from the RAC**

Ed Kent – What is the fee for the certificate?

Mike Fowlks – The fee was previously set and was not changed. That fee is \$10.

**VOTING**

**Motion was made by Fred Oswald to approve the rule as presented**

**Seconded by Byron Gunderson**

**In Favor: All**

**Motion passed unanimously**

- 8) **Private Pond Rule R657-59 (Action)**  
- **Drew Cushing, Wildlife Program Coordinator**

**Questions from the RAC**

Ed Kent – How closely did you work with the aquaculture industry in drafting this rule?

Drew Cushing – Very closely. We had a number of meetings which they attended and were very interactive. It was pretty tenuous in the beginning but we came to a consensus between all the parties involved. What we found is this rule benefited them but at the same time it benefited the Division because it allows us to visually see where we have areas that we are concerned with and then pay attention to those areas more explicitly.

Ed Kent – So they are comfortable with it at this point?

Drew Cushing – Last week we attended three RACs and there was a representative there supporting this rule.

Fred Oswald – I understand that the rule now is that landowners cannot construct ponds on a flowing stream. What about the existing ponds that are located on streams?

Drew Cushing – We have a number of ponds that occur on streams. We will look at those individually and make those decisions on the ground.

Byron Gunderson – Do you have a mechanism where you can get feedback from biologists and aquaculture agents if they suspect violations? I have seen a few ponds that are stocked from local streams or from live wells.

Drew Cushing – The illegal fish moving proposal that we talked about earlier will be one method. There will be a stiffer penalty and there will be a reward for reporting such activities. In drafting a new rule we had the ability to put some language in there that gives us the authority to inspect ponds on private land if there is an issue.

Byron Gunderson – A lot of people don't realize that when they bring fish home to private pond they are actually violating the law. They think that is different than taking fish to somewhere like Scofield.

Drew Cushing – That has been a problem for a long time. We need to do outreach so people know its illegal and then law enforcement and work with private entities.

#### **Questions from the Public**

Todd Carter – Why relax the rule when we know private ponds are a problem and introduce diseases?

Drew Cushing – That is not necessarily true. What this did beyond those concerns was it gave us the ability to be more interactive with aquaculture and encourage them to go in a positive direction. That is what this rule does.

Ed Kent – This rule was brought about by new legislation. The Division in a sense was forced because of new legislation to come up with a new rule.

? – We have a private pond that water has not flowed into for years. We don't plan on stocking it but would like to divert the water into it. Do we need approval from the Division?

Drew Cushing – If it is a natural occurrence and you don't divert the water and don't stock it you don't need anything.

#### **RAC Discussion**

Fred Oswald – You have done a great job with the rule and I think it will benefit many users.

#### **VOTING**

**Motion was made by Fred Oswald to approve the rule as presented**

**Seconded by Byron Gunderson/Gary Nielson**

**In Favor: All**

**Motion passed unanimously**

**9) Board Variance Rule R657-57 (Action)**

**- Alan Clark, Assistant Director**

### **Questions from the RAC**

Ed Kent – This rule is more or less to expedite the variance process in some circumstances?

Alan Clark – Yes. Our error committee meets once a week and the variance committee would probably meet at the same time, which would allow us to resolve these things very quickly as opposed to getting on a board agenda.

Ed Kent – Who is on the committee?

Alan Clark – There was a list. It is the wildlife chief, the public services chief, the head of licensing and a few others. Anything that is questionable comes to the director's office.

Ed Kent – If you deny a variance can it be appealed to the wildlife board?

Alan Clark – Yes.

### **RAC Discussion**

John Bair – I think this makes the system more user friendly.

Alan Clark – When we implemented the same thing to cover application errors in our drawing we were able to resolve 90 percent of them without them having to go any further.

### **VOTING**

**Motion was made by John Bair to accept the rule as presented**

**Seconded by Duane Smith**

**In Favor: All**

**Motion passed unanimously**

### **10) Upland Game Hunting Guide & Rule R657-06 (Action)**

**- Dave Olsen, Wildlife Program Coordinator**

### **Questions from the Public**

Ken Strong – Why do we not have upland game biologists throughout the state?

Dave Olsen – We have several who are part time upland game biologists.

Dan Potts – Is the proposal for the 16-day season pheasant hunt a biological or social recommendation?

Dave Olsen – Principally a social issue. When you just harvest roosters as other states do it would be hard to over harvest them because one rooster can service many hens.

Kay Burgess – I want to know why we are moving the chukar hunt and extending it to February?

Dave Olsen – Research done at Utah State has indicated that chukar harvest is below ten percent of the population. The upland game committee proposed adding a couple weeks to provide more opportunity.

Kay Burgess – Could you instead move the starting date back?

Dave Olsen – The reason that was not done is because the studies show that the vegetation is being damaged around man-made water developments and other water developments. As the vegetation is destroyed and retracts away from the water development the water becomes less and less valuable to chukars. Because of the change in weather in the fall chukars lose their dependency for water on a daily basis.

Kay Burgess – But by extending the hunt into February doesn't that interfere with birds as they are pairing up?

Dave Olsen – When I checked with other states and with the biologists that did the study at Utah State they did not see pairing that early.

Kay Burgess – I have seen other information.

Mike Pritchett – Is the decision to extend the forest grouse season biological or to create more opportunity?

Dave Olsen – Both biological and social. Grouse move up in elevation and become less accessible as the season progresses and we did not feel adding the extra 30 days would have an impact on the population.

Mike Pritchett – What biological data do we have to justify extending the season?

Dave Olsen – Research shows that hunting is not a factor in grouse populations in most instances.

### **Comments from the Public**

Todd Pearson – comment read by Chair – Propose lengthening the quail season in Utah County beyond the two weeks. He would like to hunt quail and rabbits at same time.

Ken Strong – I am concern with the proposed pheasant hunt in Utah County. I have 400 acres of prime pheasant ground and I haven't killed a bird there in four years and it's not because I am a bad shot. The birds are gone in Utah County and yet you are proposing a 16-day hunt. Our season is more conservative than other states but they have the birds and we don't. I think a three-day season is plenty. We just don't have what you think we have.

Mike Pritchett – I am real concerned about extending the grouse hunt into December. I like the opportunity and it is one of my favorite hunts but I don't think we need to hunt them into December. If we are going to run it into December I would recommend reducing the daily bag limit to two birds per day.

Mike Robbins – I enjoy upland game hunting and I want to voice my support for the changes on the season dates that have been recommended for chukar. I would also like to see the hun and chukar seasons concurrent. I also support longer season dates for pheasants especially on state, federal and walk in access areas. The biology shows hunters don't impact the population by harvesting roosters.

Travis Proctor – Utah Chukar Foundation – We are pleased with the improvements the Division has made in the proclamation. Many of the changes give hunters more opportunity without affecting upland populations. We have four suggestions we would like to present

- We like the change in the chukar season dates but we would also like to see the start date moved to October. Studies show that there is habitat damage being done around guzzlers and springs. We also believe in drought years there is the possibility for added mortality. We understand the Divisions problems with enforcement the first Saturday in October. We don't feel that it has to be on the first Saturday but anytime in October.

- We would also like to see the sage grouse season moved to the beginning of October because of research done by other states that shows that a brood hen needs to be three to five years old to be successful and by moving the season back it would give the broods a chance to disperse and the hens aren't as vulnerable.

- We recommend that the proclamation remain on a three year cycle to allow changes to be implemented sooner than on a five year cycle.

- The Hungarian partridge and chukar season should end at the same time. Currently the seasons end at different times, which presents a problem for chukar hunters who are



hunting where there are also hunts to try to distinguish between the birds. Many other states seasons are aligned and we would ask the RAC to recommend to the wildlife board that the hun season match the chukar season.

### **RAC Discussion**

Ed Kent – Dave, you indicated that openers in October stretch your manpower because there are different hunts going on.

Dave Olsen – Correct, the waterfowl and elk and deer seasons all open in October.

### **Comments from the Public**

Mike Mckell – I appreciate the recommendations. I was really encouraged by the sage grouse. I know we have limited resources but I hunt the parker mountain for sage grouse every year and every year I find birds tucked away in the bushes. We have problems with people shooting too many. I would encourage enforcement on the opener of the sage grouse hunt.

Jeff Hoffburger – I would also like to echo my appreciation for you efforts in adjusting the chukar season. I think the research is pretty conclusive that due to the dry conditions we face here in Utah that moving the season back until the first of October would be beneficial to the population. Also the extension of the season provides a great opportunity for hunters with very limited impact on the resource itself. The same goes for the forest grouse season. Finally I would like to mention that the sage grouse has the possibility of being listed under the federal endangered species act and I think it is important that Utah take proactive steps to protect the population. I think by protecting the brood hens we are doing that.

Jason Burgess – If guzzlers are being damaged why not limit access to them?

Dan Potts – I understand the concerns about the extended pheasant hunts. As we found a number of years ago the low pheasant populations are due to lack of habitat and red fox. I think extending the season statewide to 30 days would be preferable to me. Any landowner can restrict the season any way they like purely through access. I also agree with comments about aligning the Hungarian and chukar seasons. I also like the three-year cycle for reviewing the rule. I think five years is too long.

### **RAC Discussion**

Ed Kent – We have heard a number of comments. We have Suggestions by the Utah Chukar Foundation. There has been concerned expressed about extending the pheasant hunt in Utah County.

Alan Stevens – Are we voting on a three-year or five-year guide?

Ed Kent – That is something we could vote on. Dave, can you tell us what kind of sage grouse viability you require in an area before you allow hunting?

Dave Olsen – The Western Association of Fish and Wildlife Agencies has set some parameters in which they recommend not considering a hunt on a sage grouse population without a minimum breeding population of 300 birds and then not harvest more than 10 percent of the population. In Utah's management plan we are more conservative than that. We require the population to be at 500 minimum for a three year period before we consider a hunt. There are areas in the state currently that meet those guidelines that we haven't recommended for a hunt yet.

## **VOTING**

**Motion was made by Fred Oswald to change the opening dates for the chukar and Hungarian partridge to the first Saturday in October**

Gary Nielson – What would that accomplish?

Fred Oswald – The comments that we have heard indicate that there is a good reason to protect chukar populations by moving the season a week later. Adding Hungarian would keep the seasons aligned.

Gary Nielson – I agree with the proposal that was originally made but you want to add another week to that.

Ed Kent – This motion would shorten the season a week.

Gary Nielson – It was moved a week already. What about the sage grouse?

Fred Oswald – The proposal from the Chukar Foundation was that they would like an October starting date for chukar and Hungarian partridge. I don't think the Chukar Foundation is concerned about when the sage grouse season is. We did hear that with regards to sage grouse there is a law enforcement issue. I think we need to weight whether it is more important to have sage grouse, chukar and Hungarian partridge all open on the same day or whether there is enough of a law enforcement issue that maybe sage grouse should open in September to allow more law enforcement presence.

Gary Nielson – The reason to have the sage grouse season later was to protect the brood hens.

Fred Oswald – I understand what you are saying. I would amend the motion to have all three seasons open the first Saturday in October.

Ed Kent – Essentially what you are doing is making a motion to adopt what has been proposed by the Chukar Foundation?

Fred Oswald – Yes.

**Amended motion made by Fred Oswald to adopt the Chukar Foundations recommendations in regards to sage grouse, chukar and Hungarian partridge season dates.**

**Seconded by Gary Nielson**

Duane Smith – Does that then mean that the Hungarian and chukar seasons totally overlap as they requested?

Ed Kent – Yes. We have a motion and a second to essentially, with the exception of the three-year/five-year proclamation cycle, to adopt the Chukar Foundation's proposals.

**In Favor: John Bair, Gary Nielson, Micki Bailey, Fred Oswald, Duane Smith**

**Opposed: Byron Gunderson, Alan Stevens, Doug Jones**

**Motion passed 5 to 3**

**Motion was made by Gary Nielson to continue with a three-year upland game guide**

**Seconded by Doug Jones**

**In Favor: all**

**Motion passed unanimously**

**Motion was made by Fred to accept balance of recommendations as proposed**

**Seconded by Doug Jones**

Allan Stevens – By opening the sage grouse season the first Saturday of October the season is shortened to two weeks as opposed to three weeks. I think if it opens the first Saturday of October it should still run for three weeks.

Ed Kent – What is the proposed closing date for the sage grouse?

Dave Olsen – I am not sure of the date but it was a three week season.

Allan Stevens – I would support the recommendation if the season was still three weeks.

Ed Kent – Fred, would you accept that as part of your motion?

Fred Oswald – Yes.

Ed Kent - So with the exception of the sage grouse season date being extended one week from the proposed closing date the rest of the guide as presented.

Fred Oswald – I accept that amendment

Seconded by Doug Jones

**In Favor: all**

**Motion passed unanimously**

**11) Bear Policy (Action)**

- **Craig Clyde, Regional Wildlife Manager**

**Questions from the RAC**

Fred Oswald – Why is this an action item?

Craig Clyde – The Division wanted to have support because of the number of incidences we went through last year. I am sure you have seen a lot about bears in the news and we wanted to bring this to the public and the RAC so they can see exactly what we are doing and see what our policy is and be able to have input.

**Questions from the Public**

Gerald Smith – Why wouldn't the department give out depredation tags?

Craig Clyde – That is one tool that we can use in certain situations.

Gerald Smith – How would one find out about getting a depredation tag?

Craig Clyde – It wouldn't be so much a depredation tag as someone who already has a tag.

**Comments from the Public**

Kurt Francom – I would like to compliment the DWR on the changes they have made. My boy and the young lady who is in the audience with me were in the tent on the first attack of the bear. I appreciate your changes and hopefully we can avoid the situation that happened last year. I want to thank you for your help.

**VOTING**

**Motion was made by John Bair to accept the policy as presented**

**Seconded by Doug Jones**

Fred Oswald – I would like to commend division for the proactive way in which they have handled the situation.

**In Favor: all**

**Motion passed unanimously**

**12) Wildlife Convention Permits Proposal (Action)**

- **Don Peay, Sportsmen for Fish and Wildlife Representative**

### Questions from the RAC

Ed Kent – Your proposal still abides by the 200 permit cap.

Don Peay – Yes.

Byron Gunderson – Who are the partners in this endeavor?

Don Peay – The Wild Sheep Foundation, the Mule Deer Foundation and Sportsmen for Wildlife.

Byron Gunderson – What do you estimate the value of these permits when you sell them at the convention?

Don Peay – These tags won't be sold they will be in a drawing so it is a five dollar application fee but you have to apply for them at the expo. It is not an auction, it is a drawing. But for example, six or seven years ago when the Wild Sheep Foundation had a desert sheep permit in Reno it brought 400 extra people. They spend a thousand dollars a piece, that is 400,000. These five permits could bring substantial revenue to the state.

Byron Gunderson – Are these permits one application per hunter.

Don Peay – Yes. Everyone can put in one time for each unit.

Ed Kent – If they draw they have to pay permit fee.

Byron Gunderson – So this may not significantly increase the amount of revenue that you take in for the state?

Don Peay – Well the state would get five licenses at non-resident fees. What it could possibly do is bring another 500 to 1,000 non-residents into the state and some estimates are that they spend 2,000 to 3,000 dollars a piece in the state.

Allan Stevens – For example if there are normally two draw permits for desert sheep for out of state hunters, you are proposing taking one of those draw permits away and basically raffling it off at the expo?

Don Peay – No. This year there were 23 rocky mountain big horn sheep tags offered in the draw. There was one non-resident and there should be two. The reason why is there a lot of small units that don't have enough permits to offer a non-resident permit. They actually have to combine two units and put one tag between two units. To provide non-resident opportunity they have had to get creative in their own system. We have sat down with the division and come up with a way allocate one tag to non-residents only which would be incentive for them to come and participate in the show.

Alan Stevens – So on the bison where does that permit come from? Is it an additional tag?

Don Peay – With the bison there are 172 tags but that number is going to come down dramatically over the next couple years because there was supposed to be 260 bison and then the plan go increased to 310 but the count was 500 so there are a lot more tags the two years to drive that herd back down to objective. Once that stabilizes there will be X number of tags. Probably around 30 tags and one of those would be non-resident. What it comes down to is do you put the tag in the normal draw where people don't have to come or do you put it into this where they do?

John Bair – It seems like there is some concern that we are taking these tags from somewhere else. These are new tags that are being allocated.

Don Peay – That is correct. Just as I mentioned there is a very good chance next year there will be a substantial number of new tags issued for big horns.

John Bair – So we are not taking these tags from any residents or any other non-residents. These are new allocations and to stay within the 200 permit rule you said the expo is giving up five other permits.

Don Peay – The idea was to stay at 200.

Allan Stevens - Are those five going to be for the same species?

Don Peay – That is a decision that the Division and the Wildlife Board gets to make.

### **Questions from the Public**

Mike Christensen – How many non-resident applicants were there at the convention last year and the year before?

Don Peay – The number was down about 30 percent from year one to year two.

Mike Christensen – The way I understand we manage animals is the biologists get their count they say there are going to be 30 big horn sheep taken statewide then we allocate our conservation tags then we allocate our convention tags and then we allocate our sportsmen raffle tags and then the tags that are left over from that are what we put into the draw. So we take another tag out and give it to the convention we are actually going to take a tag out of the public draw hunter's opportunity.

Don Peay – That is true. In 2008 the state should have given one more non-resident tag of each species. Theoretically they should have taken one resident tag of each species and given it to a non-resident. They didn't do that because of the rounding issues. Next year the state has three choices, they can either not comply with their ten percent policy, issue it in the normal draw or they can do it at the expo.

Mike Christensen – Has the state ever complied with the ten percent draw? The whole purpose of that is when a unit reaches ten then we give one to the non-residents. Are you going to apply this to all weapon types of all species? Because there are elk units that only have five elk tags.

### **Comments from the Public**

Mike Christensen – I understand the value and the role that the conservation groups play in our state and I understand the importance of these tags to sportsmen. Every time we take a tag out of the drawing and we allocate it in a different manner it clogs up the system. Now this is just one tag for each of these species and if the Wildlife Board decides to take the permit out of the current allocation that would mean the resident hunters couldn't apply for that permit. I encourage you to weight the good and the bad that comes from doing this, the precedence that it sets. We have resident hunters who are waiting to hunt these animals and every tag we take out is one less tag they have a chance to draw.

Doug Spencer – Don, will you tell us what the consequences are if state does not meet their ten percent to non-residents?

Don Peay – There is no exact answer but I will tell you what has happened. In the state of Arizona about three years ago an outfitter sued the fish and game because they were not reaching their allocation. They won in court so there was a period of time where there was actually no differentiation in Arizona between residents or non-residents. All the tags could have gone to non-residents. There was a law changed in congress so the states have if you will a gentlemen's agreement of ten percent. Some states give more than ten percent. The point is Utah is federal land which belongs to all Americans and a

lot of money has been spent by the federal government and also non-resident hunters to try to make the habitat better. There used to be eight sheep tags in Utah, now there are 62. We are trying to get to 100. We are investing a lot of time and money to grow the resource so there is more for everyone.

### **RAC Discussion**

John Bair – We keep saying that we are taking these permits from somebody. These are new permits that are going to be allocated to a nonresident one way or another. Do we allocate them to those who actually come to the state and invest and show some interest in what we are doing here or put them in a draw where someone can apply for them and maybe never come to the state and never really invest anything if they don't draw that tag?

Allan Stevens – One of the real problems I have with this is that SFW didn't but could have proposed that they would give one of each of these species back to be in the normal draw. Without that in the proposal there is no way that I could support this. Theoretically they could give back five turkey permits and still be under the 200 tag limit. I don't think that it is fair or ethical to not put that as part of the proposal to the board so I will not be supporting this proposal.

Mickey – Is this a one time proposal or for multiple years?

Don Peay – The original proposal was for five years. The only reason we have come to try and change this for the next three years is because the state changed the law midstream on us. This would be for the next three years.

John Bair – The public can draw these permits. I drew an antelope tag this year at the expo. Those tags are there for everyone to apply for. It's like people think we are taking them and burning them and that opportunity is gone. It is absolutely the opposite. Those permits provide more opportunity. I am pretty sure that building was full of members of the public there to apply for those tags. I think the right thing to do is rather than put these tags in the general drawing which are going to be non-resident tags anyway and is not going to effect the opportunity of anybody in this room and allocate those at the expo so the non-residents that actually show some interest and do invest in our state get the opportunity to draw those tags.

### **VOTING**

**Motion was made by John Bair to support the proposal as presented**

**Seconded by Duane Smith**

**In Favor: John Bair, Gary Nielson, Bryon Gunderson, Fred Oswald, Duane Smith**

**Opposed: Allan Stevens, Micki Bailey, Doug Jones**

**Motion passed 5 to 3**

**Meeting adjourned at 10:10 pm**

**400 in attendance**

**Next board meeting June 19<sup>th</sup> at the DNR Auditorium**

**Next RAC meeting July 15<sup>th</sup> at Springville Jr. High School**

**NORTHEASTERN RAC MEETING SUMMARY-MOTIONS PASSED**  
**Western Park, Vernal/May 29, 2008**

7.AIS RULE R657-60

**MOTION:** to accept as presented

Passed unanimously

8.HUNTER EDUCATION RULE R657-23

**MOTION:** to accept as presented

Passed unanimously

9.PRIVATE POND RULE R657-59

**MOTION:** to accept as proposed

Passed unanimously

10.BOARD VARIANCE RULE R657-57

**MOTION:** to accept

Passed unanimously

11.UPLAND GAME HUNTING GUIDE & RULE R657-06

**MOTION:** to accept as presented

Passed unanimously

12.BEAR POLICY

**MOTION:** to accept as presented

Passed unanimously

13.WILDLIFE CONVENTION PERMITS PROPOSAL

**MOTION:** to accept as proposed

Passed unanimously

**NORTHEASTERN REGIONAL ADVISORY COUNCIL MEETING SUMMARY**

**Western Park, Vernal**

**May 29, 2008**

**Started at 6:30 pm; Adjourned at 9:30 pm**

**RAC MEMBERS PRESENT:**

Rod Harrison-Elected Official  
Amy Torres-Chair  
Kevin Christopherson-NER Supervisor  
Kirk Woodward-Sportsmen  
Beth Hamman-Nonconsumptive  
Curtis Dastrup-Agriculture  
Carlos Reed-Native American  
Karl Breitenbach

**EXCUSED RAC MEMBERS:**

Bob Christensen-Forest Service  
Floyd Briggs-At Large

**UNEXCUSED RAC MEMBERS:**

Dave Chivers-Agriculture  
Rod Morrison-Sportsmen

**UDWR PERSONNEL PRESENT:**

Roger Schneidervin-NER Aquatic Pgm Mgr  
Roger Wilson-Wildlife Program Manager  
Larry Dalton-AIS Coordinator  
Walt Donaldson-Aquatic Program Chief  
Drew Cushing-Wildlife Pgm Coordinator  
Miles Hanberg-NER Habitat Pgm Mgr  
Dave Olsen-Wildlife Program Manager  
Marty Bushman-Asst. Attorney General  
Staci Coons-RAC/Research Analyst  
Gayle DeCamp-NER RAC Liaison  
Mike Fowlks-Law Enforcement Chief  
Jack Lytle-NER Conservation Officer

**WILDLIFE BOARD MEMBERS:**

Ernie Perkins  
Del Brady

**1. REVIEW AND APPROVAL OF AGENDA: Amy Torres**

Propose adding a 14<sup>th</sup> agenda item: Schedule NER RAC June luncheon

**MOTION by Kirk Woodward to accept the agenda**

Second by Karl Breitenbach

**Passed unanimously**

**2. APPROVAL OF MINUTES: Amy Torres**

**MOTION by Beth Hamann to approve the minutes**

Second by Rod Harrison

**Passed unanimously**

**3. OLD BUSINESS**

None



#### **4.REGIONAL UPDATE: Kevin Christopherson**

The Diamond Mountain lakes had a heavy winter. Crouse had a major die-off. That's the last pond in the series and usually the first one to go. Calder was the one we were most concerned about. There was a small fish loss there but the fish that were netted out of Calder this week shows several fish in the large category. These are the same fish that were stocked in Matt Warner and yet they are 4" longer so that's good news. Matt Warner looked really good.

Brough looks good.

Bullock does not look good, there are bullhead are present that will compete with the other fish.

The bad news is multiple-year classes of walleye have been found in Red Fleet Reservoir. It was an illegal introduction. We caught some about 10 years ago hoped we had them all but we didn't. They have a lot of offspring and will eventually eat everything in the reservoir and then the population will crash. It is a culinary water source so that may limit our options. Walleye go in 15-year cycles the west where the fishing gets really good for a few years then there are too many and they stunt and fishing is poor for 10 years.

#### **Questions from Public:**

None

#### **Questions from RAC:**

Karl Breitenbach: Do we have walleye regulations to address this problem in the proclamation?

Kevin Christopherson: Yes, we will talk more about that later in the meeting.

#### **5.AQUATIC: Roger Wilson (INFORMATIONAL)**

Proposed Changes to the 2009 Fishing Rule and Guide  
See handout

NER Changes:

Flaming Gorge has a burbot problem. We are considering an allowance for up to six lines during the ice-covered period and *only* when fishing through the ice.

-To ensure consistency with Wyoming, a second pole permit would not be required during the ice-covered period when fishing through the ice. A second pole permit would be required for fishing OPEN water on the Gorge but not if it is ice-covered.

-When using more than two lines, the angler's name shall be attached to all lines, and the angler shall check only their lines.

Roger Schneidervin: Regarding Flaming Gorge, the angler harvest of burbot really took off this year. Up to 40 parties were seen at night, after dark, on the north end of Flaming Gorge. Wyoming looked at the use of tip-ups. It seems to have worked well. Very few rainbow trout were taken and almost no kokanee were taken. So that's why we're looking at this proactive step to eliminate the burbot. They are coming down at alarming densities. The netting showed three times as many as last year. It's an exponential population explosion going on. We'd like to have this six-pole regulation in effect to help with this.

We'd like them to get the second pole line out of the state they come from so they can come from Wyoming and get the second pole without coming all the way to Utah to get it.

With the same approach we're taking on burbot, we'd like a "must-kill" on Red Fleet. If you catch a walleye you must kill it, you can't return it.

**Questions from Public:**

None

**Questions from RAC:**

None

Michael Weyland (Atlantis Divers):

I have been active with spear fishers for quite some time. We'd like to see a reduction/elimination for contests of rough fish, carp and suckers. It seems counter productive.

We would like to see the UDWR open more lakes and reservoirs for spear fishing. There would be more opportunity to weed out carp. We're hearing terrible stories about burbot and seeing them as far down as Mustang Ridge. We propose to allow burbot gigging at night with a light. A gig is not a spear, it's not a projective. The diver would have to hold onto it with a three-prong barb on it. That eliminates the possibility of hurting anybody.

Please put the regulations concerning the diving guide in the proclamation. It's in the boating guide but not in the fishing proclamation.

E-MAIL Comment from Joe Johnson:

See handout.

Regarding bass tournaments. Want to change regulation regarding having fish brought to a central location for weighing and measuring.

**6.AIS MANAGEMENT PLAN: Larry Dalton (INFORMATIONAL, NOT AN ACTION ITEM UNTIL AUGUST)**

See handout

You can't get 140 degree water from a car wash or from your water heater at home. UDWR is providing cleaning stations which produce 165 degree water so that when it is 8 – 10 inches from the wand, the water temperature will be 140.

**Questions from Public:**

None

**Questions from RAC:**

Kevin Christopherson: It starts to sound like the sky is falling, but it's more than a fishing issue. You can imagine your irrigation line being impacted. It's a new world and when we start telling boaters they have to wash their boats and not just for a year but forever. We really need the public's support. I'd like to introduce Natalie Muth as our regional aquatic invasive species biologist. She's doing a really great job.

**7.AIS RULE R657-60: Michal Fowlks, Law Enforcement Chief (ACTION)**

See handout

**Questions from Public:**

Robert Judd: I'd like to know more about the professional decontamination stations.

Mike Fowlks: There will be professional decontamination stations and will be taken care of to ensure excess water is not put aback into the waters.

Robert Judd: Are there any guidelines so they know what they would have to have for decontamination:

Mike Fowlks: The only ones are UDWR stations now.

Robert Judd: What if I wanted to start my own business?

Larry Dalton: We haven't written guidelines yet. They will be forthcoming. We've been contacted by a few entrepreneurial souls who wan to make money. I am happy because I believe private enterprise in the State of Utah can make some money and serve our constituents. Lake Powell has 100,000 launches in a year and they decontaminated 500 boats last year. That's ½ of 1% of boats requiring decontamination

This year we may find that at some locals we will want to build catchment stations and real drain fields. At Lake Powell with two stations doing 500 boats, there's a pad that

captures the water, cleanses it and reuses it on the next boat. We'll be doing boats at 26 locals with portable stations.

The guidelines will give you a list of vendors and guidelines for water temperatures, etc.

**Questions from RAC:**

None

**Comments from Public:**

None

**Comments from RAC:**

Carlos Reed: We went to a summit meeting at the UDWR office in SLC and we discussed the Quagga mussel issue and the Endangered Species Act. I got hold of Larry who set up some training for Tribal waters like Midview and Bottle Hollow and Natalie Muth has come over and trained us. We have these certification self-inspection forms at the Ute Plaza and these forms need to be filled out first before you're even able to pick up a permit from the Tribe. The Tribe was presented a program from Natalie yesterday and passed a resolution and that we will help with enforcement from the Tribe side too. We want to let the public know that we will be enforcing this on Tribal waters, and thanks to the Division for the training

Karl Breitenbach: We use a lot of Clorox in the medical profession. Would that work?

Michal Fowlks: According to the rule that we're proposing, the only two contaminations we will accept are "clean, drain and dry" or 140 degree water. We're not authorized for anything else at this point.

Larry Dalton: There are other methodologies that will kill them like potassium chloride at 100 parts per million. But the contact time is 12 hours. And you can't hold a rag on your boat for 12 hours. All of the other methods are caustic and not as effective. They are not immediate, so we're not going to pursue them at this time.

**MOTION by Karl Breitenbach to accept UDWR's proposal**

Second by Kirk Woodward

**Passed unanimously**

**8.HUNTER EDUCATION RULE R657-23: Michal Fowlks, L.E. Chief (ACTION)**

See handout

Exemption to the rule an exemption from the shooting test for military personnel if they can provide a copy of their federal form from the military.

**Questions from Public:**

None

**Questions from RAC:**

None

**Comments from Public:**

None

**Comments from RAC:**

Curtis Dastrup: When they finish Hunter Education, they have a blue card given to them. When they go down to buy a license why do they have to show their blue card?

Mike Fowlks: If you have a previous year's license with the number on it, you're good to go.

Curtis Dastrup: My grandson did that and was told he had to show his blue card.

Mike Fowlks: Sounds like an issue with licensing.

**MOTION by Karl Breitenbach to accept as proposed**

Second by Rod Harrison

**Passed unanimously**

**9.PRIVATE POND RULE R657-59: Drew Cushing, Wildlife Pgm Coordinator  
(ACTION)**

See Handout

**Questions from Public:**

None

**Questions from RAC:**

None

**Comments from Public:**

Robert Judd (Utah Aquaculture Association. ):  
I'm one of the main proponents to the law change. In this area we have very diligently worked with UDWR to come up with a rule that is fair and will allow more people to purchase fish but at the same time protect the areas. We support what has been presented

**Comments from RAC:**

None

**MOTION by Curtis Dastrup to accept as proposed**

Second by Karl Breitenbach

**Passed unanimously**

**10.BOARD VARIANCE RULE R657-57: Marty Bushman, Assistant Attorney General (ACTION)**

See handout

A brand new rule is being proposed, to give the Division authority to help people who are precluded from obtaining or using a wildlife document because of an event or condition beyond their control.

**Questions from Public:**

None

**Questions from RAC:**

None

**Comments from Public:**

None

**Comments from RAC:**

None

**MOTION by Karl Breitenbach to accept**

Second by Beth Hamman

**Passed Unanimously**

*Comment by Kevin Christopherson: There is a trend here. Director Karpowitz is looking at ways to make things easier for the public, simplify the rules. If you think we've gone too far, let us know but as complicated as some of these things sound it's really a simplification.*

**11.UPLAND GAME HUNTING GUIDE & FULE R657-06: Dave Olsen, Wildlife Program Coordinator (ACTION)**

See handout

NER Proposals:

Add Daggett County for Quail hunt

**Questions from Public:**

None

**Questions from RAC:**

Karl Breitenbach: It seems like I've been hearing the sage grouse are in trouble.

Dave Olsen: They are under a status review process for possible listing as an endangered species. It was finalized in 2005 and it was determined they were not warranted at that time, but groups approached the courts and decided to go again for another 12 month review. We don't know where that's going yet.

Amy Torres: Have all members of the RAC had a chance to look at all the proposals that came in off the internet from the following:

Jess Hofberger

Travis Proctor

Dave Dahlgren

Several from Utah Chukar Foundation

Yes.

**Comments from Public:**

Bob Hurley (Utah Chukar and Wildlife Foundation):

See handout.

I'd like to commend the Division and Upland Game Coordination Committee for the proposals they have made. We would possibly like to add to it to make it a bigger step. On the chukar partridge season, we'd like to see the season moved into October. These are based on scientific facts, not emotion.

On sage grouse, we recommend the opener be in October to conserve the brood hens. The research in Washington and Idaho found September hunts had a greater harvest of brood hens because they still have their chicks. By extending the season to October 1, the broods are starting to disperse, and the chicks are bigger, harder to differentiate.

We support having the Hungarian partridge season concurrent with the chukar season. They look a lot alike.

We prefer for the Upland Game Proclamation to stay on a three-year cycle not a five-year cycle. There is a lot of research going on that may change the proclamation

**Comments from RAC:**

Karl Breitenbach: It's nice to hear somebody talk about what's good for the resource.

Carlos Reed: The recommendation changes hunting hours from 8 am to 30 minutes before sunrise. Changing that in this area is going to be a benefit for the Tribe because that's what our regulations are now.

Curtis Dastrup: Hurley said he'd prefer a three-year to a five-year proclamation. Is it not feasible to have a five-year program and still make these changes if they come about?

Dave Olsen: That's our point of view. Whatever reviews come about, we could revise the proclamation if it's big enough.

Bob Hurley: We can live with it but I think there's other ways of saving your money than making a five-year proclamation.

Curtis Dastrup: Who's going to determine if it's valuable enough to amend the proclamation? Who makes that determination?

Dave Olsen: It could come from anywhere; from the public, from our own findings from studies and from our own groups and discussions with the Director to decide if it was something to approach the Board about.

Karl Breitenbach: I really like opening in October instead of September. I think it's best for the resource.

Dave Olsen: We do have a little bit of interest on hen harvest that I can provide. I don't share the great concern over sage grouse for two reasons. With the sage grouse, the Western Association doesn't let you hunt unless we have a minimum of 300 population and we have gone to 500 level population over five years. We don't allow more than 10% of population to be taken.

Also, there's no doubt that hen harvest appears to occur at a higher rate than males but hen adults are in the population at twice the level of males. We feel like we can still accomplish that with the date without harming the resource.

Kevin Christopherson: One of the challenges is with law enforcement and all hunts starting on the same day. In my mind that's one of the main concerns is spreading law enforcement way too thin.

**MOTION by Curtis Dastrup to accept as presented.**

Second by Karl Breitenbach

**Passed unanimously**

**12.BEAR POLICY: Charlie Greenwood (ACTION)**

See handout



**Questions from Public:**

None

**Questions from RAC:**

None

**Comments from Public:**

None

**Comments from RAC:**

Kevin Christopherson: One of the things we looked at was different agencies have different signs and we all got together to decide how much information should go on the sign. We deal with dozens and dozens of bears. Last year we dealt with about 25 bears just in our region. This is probably one of the most important policies we are dealing with tonight.

Kirk Woodward: Is there a way to report a bear incident?

Kevin Christopherson: We have a pretty formal process and forms. It's kind of three strikes and you're out. To determine what level of bear we have. We start hazing it first and then trap it and relocate it. We're at the mercy of the public reporting it. Some people want them removed right away and some think they're cute.

Jack Lytle: In the formal campsites we talk with all the concessionaires and they're very quick to get with us but the folks we need to work with more are campers that are in dispersed camping. The way for them to do that is to contact the Dispatch Center, 9-1-1, the office, or a biologist or officer.

**MOTION by Kirk Woodward to accept as presented**

**Second by Karl Breitenbach**

**Passed unanimously**

**13. WILDLIFE CONVENTION PERMITS PROPOSAL: Don Peay, Sportsmen for Fish and Wildlife (ACTION)**

Approached RACs and Board in 2005 for 250 permits. We were able to bring a lot of people and money into Utah from the International Sportsman's Expo. It was projected we brought in 18 million dollars to go toward conservation. 49 out of 50 states were represented. On the second year of the Expo, the state required the \$65 nonresident license before you can apply. This created some nonresident buyer resistance.

In looking at how the Division issues once-in-a-lifetime permits, looking at 2008, because a lot are small units, three on North Slope, etc. there were 23 total bighorn tags

and only one nonresident tag issued. The typical policy is to issue 10% to nonresidents. Several permits were short. We thought if we could get a desert and bighorn sheep and offer it to nonresidents only, they would be more willing to apply. The Division proposed that we offer one for each of the once-in-a-lifetime hunts that only nonresidents could apply. We certainly are not going to look a gift horse in the mouth. We think it will bring a significant number of people for that reason. The money will be reinvested back into the resource to help these herds grow. The Ute Tribe participates out there at the Expo also. It's a simple question of, do you put the permits in a normal draw or in the convention Expo.

**Questions from Public:**

Del Brady: Your chart shows nonresidents have been short and you're proposing that we have one of each that is only for nonresidents.

Don Peay: Yes.

Jack Lytle: Would that be in addition to or as a part of total?

Don Peay: They would be in addition but reduce five of the normal draw permits.

Jack Lytle: So they would reduce the permits for residents.

Grizz Oleen: So where do the permits come from?

Don Peay: From the regular draw.

Carlos Reed: On your total tags, you want to take one permit from that and put it over from the residents to the nonresidents?

Don Peay: That's one possibility, or from the bighorn herd, the Board could say we could actually issue three tags, not two, and one could go to nonresidents and two for residents. The herds are growing so there will be additional opportunities to hunt in the future. The same thing goes for bison. We've spent a lot of money to increase habitat and herds.

**Questions from RAC:**

Amy Torres: What is the Division's opinion?

Kevin Christopherson: We don't oppose it.

Curtis Dastrup: Question for Del. If the statute says we're going to take 10% and you're not there, are you going to do it?

Del Brady: That's what the statute says. Most states have been trying to stick to this 10%... A court case in New Mexico pushed that issue so they have to pay attention to that. Personally, these five permits that Don Peay is proposing could bring in untold

thousands of dollars from nonresidents. We're not going to shortchange ourselves as far as dollars statewide.

Curtis Dastrup: I guess the only ones who will get shorted will be the nonresidents who don't come to the Expo.

**Comments from Public:**

Del Brady: You take a look at western states and the number of nonresidents who would put money toward that for a chance at one additional permit.

Don Peay: In Reno, 400 extra nonresidents came for the opportunity to get one additional permit.

**Comments from RAC:**

Karl Breitenbach: There is a segment who won't want to go to the Expo but I feel that the money generated from this will go to wildlife so I personally would go with it.

**MOTION by Karl Woodward to accept as proposed**

Second by Curtis Dastrup

**Passed unanimously**

**14.SCHEDULE JUNE NER RAC LUNCHEON**

June 20, 5:30 pm, at Del Brady's home (LET HIM KNOW)

**Meeting adjourned at 9:30 pm**

**MOTIONS MATRIX**  
**SOUTHEAST REGIONAL WILDLIFE ADVISORY COUNCIL**  
**JOHN WESLEY POWELL MUSEUM IN GREEN RIVER**  
May 28, 2008

**APPROVAL OF THE AGENDA**

**MOTION:** to approve the agenda as amended.

**PASSED:** unanimously

**APPROVAL OF THE MINUTES**

**MOTION:** to approve the minutes of the April 29, 2008 meeting as written.

**PASSED:** unanimously

**AQUATIC INVASIVE SPECIES MANAGEMENT PLAN**

**MOTION:** Informational presentation only.

**PASSED** N/A

**AQUATIC INVASIVE SPECIES RULE R657-60**

**MOTION:** to approve the Aquatic Invasive Species Rule as presented.

**PASSED:** unanimously

**HUNTER EDUCATION RULE R657-23**

**MOTION:** to approve the Hunter Education Rule as presented.

**PASSED:** unanimously

**PRIVATE POND RULE R657-59**

**MOTION:** to accept the Private Pond Rule R657-59 as presented.

**PASSED:** unanimously

**BOARD VARIANCE RULE R657-57**

**MOTION:** to accept the Board Variance Rule as presented.

**PASSED:** unanimously

**UPLAND GAME HUNTING GUIDE AND RULE R657-06**

**MOTION:** to approve the Upland Game Hunting Guide and Rule as presented, except that  
Guidebook review occur in three, rather than five years.

**PASSED:** unanimously

**BEAR POLICY**

**MOTION:** to accept the Bear Policy as presented.

**PASSED:** unanimously

**WILDLIFE CONVENTION PERMITS PROPOSAL**

**MOTION:** to table discussion of the proposal.

**PASSED:** with a majority vote.

**SOUTHEASTERN REGIONAL ADVISORY COUNCIL MEETING SUMMARY**

**John Wesley Powell Museum in Green River**

**May 28, 2008**

**Commence at 6:30 p.m. Adjourn at 10:15 p.m.**

**RAC MEMBERS PRESENT:**

Adams, Bruce	At Large
Albrecht, Kevin	U.S. Forest Service
Byrnes, Verd	At Large
Gilson, James	Sportsmen
Hatch, Jordan	Agriculture
Kamala, Laura	Environmental
Larson, Rick	DWR Supervisor
Maldonado, Walt	Sportsmen
Riddle, Pam	BLM
Sanslow, Terry	At Large
Sitterud, Drew	Elected Official

**EXCUSED RAC MEMBERS:**

Bayles, Lyle	At Large
Hoskisson, Wayne	Environmental

**UNEXCUSED RAC MEMBERS:**

Lewis, Kurt	Agriculture
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**UTAH WILDLIFE BOARD MEMBERS PRESENT:**

Perkins, Ernie

**DWR PERSONNEL PRESENT:**

Birdsey, Paul  
Bushman, Martin  
Coons, Staci  
Cushing, Drew  
Dalton, Larry  
Donaldson, Walt  
Hart, Justin  
Larson, Rick  
Olsen, Dave  
Pratt, John  
Stettler, Brent  
Stilson, Randall  
Wallace, Guy  
Wilson, Roger

**PUBLIC IN ATTENDANCE 21**

## **CONDUCTING THE MEETING**

-Terry Sanslow, Vice Chairman

## **APPROVAL OF THE AGENDA**

**Questions from the RAC:**

**Questions from the Audience:**

**Comments from the Audience:**

**Comments/Discussion from the RAC:**

Rick Larson advised the RAC that due to the agenda length, he would dispense with a regional overview. Terry Sanslow asked the RAC to consider Rick's advisement in a motion.

**MOTION by** Drew Sitterud to approve the agenda as amended.

**SECOND by** Bruce Adams

**PASSED** unanimously

## **APPROVAL OF THE MINUTES**

**Questions from the RAC:**

**Questions from the Audience:**

**Comments from the Audience:**

**Comments/Discussion from the RAC:**

**MOTION by** Verd Byrnes to approve the minutes of the April 29, 2008 meeting as written.

**SECOND by** Walt Maldonado

**PASSED** unanimously

## **OLD BUSINESS**

-Terry Sanslow, Vice Chairman

**Questions from the RAC:**

**Questions from the Audience:**

**Comments from the Audience:**

**Comments/Discussion from the RAC:**

Terry Sanslow indicated that there was no OLD BUSINESS, and that the RAC could proceed to the next agenda item.

**MOTION by N/A**  
**SECOND by**  
**PASSED:**

**AQUATIC INFORMATIONAL**

-Roger Wilson, Wildlife Program Coordinator

**Questions from the RAC:**

Walt Maldonado expressed concern about fishing tournament rules, fee schedules and CORs.

Roger Wilson indicated that a special committee would be convened to consider such issues.

Walt Maldonado asked why the chub population in Scofield had grown so dramatically.

Roger Wilson explained that the chub population at Scofield follows a cycle that is exhibited elsewhere. Years of slow growth are followed by a period of exponential increase.

Paul Birdsey added that Scofield has had an unusually long run without a big chub problem.

We are now on the downhill slide, said Paul Birdsey.

Walt Maldonado asked about the pike sterilization process.

Roger Wilson explained the heat treatment process for pike eggs, which causes sterilization.

Walt Maldonado asked about the cost.

Roger replied that the costs weren't exorbitant, but that the process required sophisticated heaters and precise timing for the procedure.

James Gilson asked about the production time frame.

Drew Cushing answered that production could start next year.

**Questions from the Audience:**

Frank Sacco asked several questions about the "catch and kill" strategy; chub management options at Scofield; and health risks posed by the Asian tape worm.

Roger Wilson and Paul Birdsey addressed Mr. Sacco's questions, indicating that "catch and kill" related exclusively to illegally-introduced fish, chub management could follow the strategy employed at Strawberry Reservoir, and Birdsey denounced any health risk posed by the Asian tape worm.

Steve Christensen asked about fishing contest rules and fees and urged the Division to consider the needs and financial limitations of small fishing clubs.

Roger Wilson acknowledged the issues, but added that DWR biologists faced increasing challenges as tournaments drew boats from out-of-state, potentially bringing in aquatic nuisance species.

**Comments from the Audience:**

**Comments/Discussion from the RAC:**

Walt Maldonado commented that he favored implementation of Strawberry-type regulations for chub control at Scofield. Walt added his opinion that tournament fees should be kept low to encourage such events, which promote sport fishing and youth participation in recreational fishing.

**MOTION by N/A. Informational presentation only.**  
**SECOND by**  
**PASSED:**

## **AQUATIC INVASIVE SPECIES MANAGEMENT PLAN**

-Larry Dalton, Aquatic Invasive Species Coordinator

### **Questions from the RAC:**

James Gilson advanced a hypothetical situation about boating at Lake Powell, followed by a launch at Scofield Reservoir.

Larry Dalton answered that a boat that had been at Lake Powell would not be subject to decontamination, since Lake Powell has not been declared a contaminated water. If Lake Powell were declared contaminated at a future time, then decontamination would have to occur before launching at Scofield Reservoir.

### **Questions from the Audience:**

Public: How do you decontaminate bladder boats?

Larry Dalton indicated that the self-decontamination process was recommended. Caustic chemicals, such as bleach or potassium chloride, could damage bladders and other sensitive equipment.

Public: What is the cost for professional decontamination?

Larry Dalton indicated that professional decontamination employed scalding hot water. At Lake Powell, the marina operator charges \$50 per hour. This year, the DWR will perform this service free-of-charge.

Public: I worry about boaters self-certifying.

Larry Dalton acknowledged the concern, but indicated that boaters had a vested interest in the resource, and have shown extraordinary commitment in other states, where self-certification has been used.

David Lacey asked if there were natural predators that could control the quagga mussel.

Larry Dalton indicated that natural predators within its native geographical range in Russia were able to control the species, but that we lacked those same natural controls.

### **Comments from the Audience:**

#### **Comments/Discussion from the RAC:**

Walt Maldonado congratulated the state for its aggressive action to stem the advance of aquatic nuisance species. As a Bass Federation representative, Walt volunteered the assistance of his organization in the effort to stem the advance of these mussels.

Larry Dalton identified the progress that has been made in educating the public, and welcomed the partnership of the Bass Federation.

**MOTION by** N/A. Informational presentation.

**SECOND by**

**PASSED:**

## **AQUATIC INVASIVE SPECIES RULE R657-60**

-John Pratt, Law Enforcement Captain

### **Questions from the RAC:**

Terry Sanslow asked for examples of the term, "conveyance."

John Pratt said the term could include waders, float tube, paddle boats, equipment, tools, anchors, buoys and all types of water craft.

James Gilson asked about the Division's right to close a water body.



John Pratt affirmed that that was correct. If a water body were closed, a boat would have to be decontaminated before leaving the area.

Laura Kamala asked if quagga mussels could be eradicated from a contaminated water body. John Pratt responded that eradication may be possible with rotenone or potassium chloride, or if the water body were drained and dried or drained and completely frozen.

Walt Maldonado asked about staffing at launch locations.

Larry Dalton replied that the DWR has only limited staffing at major launch sites for a single shift a day. Partnerships with other agencies will augment the monitoring program.

Drew Sitterud asked about the preferred substrate for mussel attachment.

Larry Dalton answered that quaggas preferred hard or calcium-rich surfaces. PVC pipe, concrete, cinder block, boat hulls, and plastic were commonly used attachment substrates.

**Questions from the Audience:**

Bill Love, Ken's Lake Water Master asked about monitoring this water for mussel presence.

Larry Dalton replied that the likelihood of contamination was small for Ken's Lake, but that monitoring measures were being developed and would be shared as they became available.

**Comments from the Audience:**

**Comments/Discussion from the RAC:**

**MOTION by** James Gilson to accept the Aquatic Invasive Species Rule as presented.

**SECOND by** Walt Maldonado

**PASSED:** unanimously

**HUNTER EDUCATION RULE R657-23**

-John Pratt, Law Enforcement Captain

**Questions from the RAC:**

**Questions from the Audience:**

**Comments from the Audience:**

**Comments/Discussion from the RAC:**

**MOTION by** James Gilson to approve changes to the Hunter Education Rule as presented.

**SECOND by** Drew Sitterud

**PASSED:** unanimously

**PRIVATE POND RULE R657-59**

-Drew Cushing, Wildlife Program Coordinator

**Questions from the RAC:**

**Questions from the Audience:**

**Comments from the Audience:**

**Comments/Discussion from the RAC:**

**MOTION by** Verd Byrnes to approve the Private Pond Rule R657-59 as presented.  
**SECOND by** Walt Maldonado  
**PASSED:** unanimously

**BOARD VARIANCE RULE R657-57**

-Martin Bushman, Assistant Attorney General

**Questions from the RAC:**

James Gilson asked for a definition of “substantial” as it related to the amount of time a hunter had been able to hunt.

Marty Bushman replied that the term was subjective and a matter of discretion for the Board.

James Gilson asked about the circumstances, prompting development of the Rule.

Marty Bushman replied that a Rule, defining the roles and process for both the Wildlife Board and the Division’s Variance Committee had not been formalized.

**Questions from the Audience:**

**Comments from the Audience:**

**Comments/Discussion from the RAC:**

**MOTION by** Kevin Albrecht to approve the Variance Rule as presented.  
**SECOND by** James Gilson  
**PASSED:** unanimously

**UPLAND GAME HUNTING GUIDE AND RULE R657-06**

-Dave Olsen, Wildlife Program Coordinator

**Questions from the RAC:**

Walt Maldonado asked if the extended pheasant season was included in the new guidebook.

Dave Olsen replied that it was.

**Questions from the Audience:**

**Comments from the Audience:**

Travis Proctor of the Utah Chukar Partridge Association voiced approval for the Division’s recommendations, but suggested additional measures, including changes in season openings and durations. He asked that the upland game proclamation be reviewed at 3-year intervals, instead of 5 as is done currently.

**Comments/Discussion from the RAC:**

Walt Maldonado, James Gilson and Verd Byrnes discussed elements of Mr. Proctor’s recommendations with Dave Olsen.

Dave Olsen advised that the biggest problem with October starting dates for upland game was the manpower shortage for law enforcement. Another concern was the potential conflict with other big game hunt openers.

Dave Olsen was willing to agree to a 3-year review, saying the longer term was simply an administrative time savings issue.

James Gilson asked if the recommendations being presented came from the DWR or from the Upland Game Committee.

Dave Olsen replied that recommendations had come from the DWR, but were based on recommendations received from the committee last December.

Kevin Albrecht voiced concern about protecting sage-grouse from further decline. Were we doing enough to reduce the hen harvest and safeguard populations?

Dave Olsen assured that a late September opening would adequately protect brooding hens. The fact that the DWR opens a hunt only when a minimum population of 500 birds is observed is another safety measure. Our requirement for a special permit, together with the restrictive bag limit serves to reduce harvest and safeguard the species.

James Gilson asked Ernie Perkins about the likelihood that the general deer hunt could move into early October.

Ernie Perkins was unwilling to hazard a guess, due to the number of variables at large.

**MOTION by** Verd Byrnes to accept the Upland Game Proclamation as presented.

**DISCUSSION** Kevin Albrecht suggested that the motion include the recommendation to reconvene in 3 rather than 5 years. Terry Sanslow asked Verd Byrnes if he would be willing to amend his motion to include that recommendation. Verd agreed.

**REVISED**

**MOTION by** Verd Byrnes to accept the Upland Game Proclamation as presented with a recommendation for a 3-year review.

**SECOND by** James Gilson

**PASSED:** unanimously

**BEAR POLICY**

-Guy Wallace, Wildlife Biologist

**Questions from the RAC:**

Verd Byrnes asked if the policy included penalties for people who feed bears.

Marty Bushman answered that the Bear Policy was limited to DWR's internal operations, and did not extend to regulation of public behavior.

**Questions from the Audience:**

**Comments from the Audience:**

**Comments/Discussion from the RAC:**

**MOTION by** Drew Sitterud to approve the Bear Policy as presented.

**SECOND by** James Gilson

**PASSED:** unanimously

**WILDLIFE CONVENTION PERMITS PROPOSAL**

-Sportsmen for Fish and Wildlife Representative

**Questions from the RAC:**

**Questions from the Audience:**

**Comments from the Audience:**

**Comments/Discussion from the RAC:**

The SFW was unable to provide a representative to present their convention permits proposal. Consequently, no presentation was made.

**MOTION by** Drew Sitterud to table discussion of the proposal.

**SECOND by** Pam Riddle

**PASSED:** with a majority vote.

Members voting in favor of tabling the proposal included: Pam Riddle, Laura Kamala, Verd Byrnes, Jordan Hatch and Drew Sitterud.

Members opposed to the motion were: Walt Maldonado, Kevin Albrecht, James Gilson, and Bruce Adams.

*Note: By mistake, Brent Stettler wrongly counted the votes on each side and declared a tie. Terry Sanslow, as acting chairman, broke what he believed was a tie vote by voting in favor of the motion.*

**ADJOURNMENT**

Terry Sanslow adjourned the meeting at 10:15 p.m.

**Southern Regional Advisory Council Meeting  
Cedar City Middle School  
Cedar City, UT  
May 27, 2008  
7:00 p.m.**

**REVIEW & ACCEPTANCE OF MINUTES**

**MOTION:** To accept the minutes and agenda as written

**VOTE:** Unanimous

**AQUATIC INVASIVE SPECIES RULE R657-60**

**MOTION:** To accept Rule R657-60 as presented

**VOTE:** Unanimous

**HUNTER EDUCATION RULE R657-23**

**MOTION:** To accept Rule R657-23 as presented

**VOTE:** Unanimous

**AQUACULTURE AND FISH STOCKING RULE R657-16-14**

**MOTION:** To accept Rule R-16-14 as presented

**VOTE:** Unanimous

**PRIVATE POND RULE R657-59**

**MOTION:** To accept Rule R657-59 as presented

**VOTE:** Unanimous

**BOARD VARIANCE RULE R657-57**

**MOTION:** To accept Rule R657-57 as presented

**VOTE:** Unanimous

**UPLAND GAME HUNTING GUIDE & RULE R657-06**

**MOTION:** To accept Upland Game Hunting Guide & Rule R657-06 as presented

**VOTE:** 7 in favor 2 opposed

**BEAR POLICY**

**MOTION:** To accept Bear Policy as presented

**VOTE:** Unanimous

**WILDLIFE CONVENTION PERMITS PROPOSAL**

**MOTION:** To accept Wildlife Convention Permits Proposal as presented

**VOTE:** 5 in favor 4 opposed

**Southern Regional Advisory Council Meeting  
 Snow College  
 Richfield, UT  
 April 29, 2008  
 7:00 p.m.**

<b>RAC Members Present</b>	<b>DWR Personnel Present</b>	<b>Wildlife Board Present</b>	<b>RAC Members Not Present</b>
Cordell Pearson Sam Carpenter Chairman Jake Albrecht Gary Hallows Dell LeFevre Rex Stanworth James Edwards Jack Hill Steve Dalton Clair Woodbury	Douglas Messerly Giani Julander Natalie Brewster Lynn Chamberlain Heather Perry Jim Lamb Mike Ottenbacher Crystal Stock Josh Carver Michal Fowlks Larry Dalton Drew Cushing Dave Olsen Roger Wilson Marty Bushman Jason Nichols Walt Donaldson Staci Coons	Ernie Perkins	Harry Barber Steve Flinders

Chairman Jake Albrecht called the Meeting to order at 6:58 p.m. There were approximately 293 interested parties in attendance in addition to the RAC members, Wildlife Board members and DWR employees.

Jake Albrecht: Okay, we'll go ahead and get started. We have a large audience with us tonight. We want to apologize, some of the agendas said we started at 6:30 when we actually start at 7:00, so some of you have been here quite a while. My name is Jake Albrecht; I'm the chairman of the Southern RAC. I'm from Glenwood, Sevier County. And at this time I would like to excuse Paul Niemeyer with the Utah Wildlife Board who is the chairman, and also Steve Flinders who sits on this RAC. They won't be able to be here tonight. I haven't seen Thomas Hatch here tonight with the Wildlife Board. He might come in. I'd also like to recognize Dr. Bowns, Jim Bowns. If you would stand please. He used to, he just went off the Wildlife Board six months ago or so I think. Also, we have Staci Coons, if you would stand. She's the Wildlife Board Coordinator from Salt Lake. And we also have Ernie Perkins here who sits on the

Wildlife Board. Ernie, where are you? Way in the back. Also, an announcement: Chris Colt, if you are here Ernie Perkins would like to meet you there in the back somewhere. Okay, before I get started I would like to start on my left and have the RAC members introduce their selves. Steve Dalton.

Steve Dalton: My name's Steve Dalton. I'm from Teasdale. I'm an at-large representative.

Sam Carpenter: Sam Carpenter. I'm from Kanab, Utah. I represent the sportsman.

Cordell Pearson: Cordell Pearson. I'm from Circleville, Utah. I represent at-large.

Gary Hallows: Gary Hallows, agriculture.

Douglas Messerly: I'm Doug Messerly, Regional Supervisor with the Division of Wildlife Resources out of Cedar City, the Southern Region office. I and my staff act as executive secretary for this committee and have no voting power.

Jack Hill: I'm Jack Hill from Cedar City, non-consumptive representative.

Jim Edwards: Jim Edwards from Delta. I represent the sportsman.

Rex Stanworth: Rex Stanworth, Delta, and I represent at-large.

Dell LeFevre: Dell LeFevre, and I represent agriculture.

Jake Albrecht: Okay, our RAC meeting procedures for the night will be, we'll have our presentation, some are informational and some are action. The informational items we will also take comments and questions from the public. But after each presentation we'll have questions from the RAC and then questions from the public. After that we'll have comments from the public, three minutes per individual, five minutes per organized group. And if you want to speak with some comments there will be some DWR people will have some comments cards. We need to have you fill those out with your name and which item you want to talk about, which agenda item. And then we'll have comments from the RAC; we'll have RAC motion, discussion and a vote. So with that I'm going to turn the time to Heather Perry for procedures for dedicated hunter.

**Procedure for Dedicated Hunters to Receive RAC Credit (Informational)**

- Heather Perry, Southern Region Dedicated Hunter Coordinator

***Review and Acceptance of Agenda (action)***

Jake Albrecht: Okay our first item of business is to accept tonight's agenda.

**Questions from the RAC:**

None.



**Questions from the Public:**

None.

**Comments from the Public:**

None.

**RAC Discussion and Vote:**

Jack Hill: Mr. Chairman.

Jake Albrecht: Jack Hill.

Jack Hill: In the interest of time can I make a motion to accept the agenda and the minutes as written?

Jake Albrecht: If you would do so.

Jack Hill: I would so move that we approve the agenda and the minutes of the last meeting.

Jake Albrecht: Okay, we have a motion by Jack Hill. Do we have a second? A second by Cordell Pearson. Any other discussion? Seeing none, all in favor please raise your right hand. Any against? Motion carries.

**Jack Hill made the motion to accept the minutes from the previous meeting and the agenda as written. Cordell Pearson seconded. Motion carried unanimously.**

**Wildlife Board Update:**

-Jake Albrecht, Chairman

- The antlerless addendum rule and permit recommendations for 2008 were approved.
- The CWMU permit recommendations were also approved.
- The brood stock at Kolob reservoir proposal was approved.
- Steve Dalton, Steve Flinders and James Edwards were selected to the Statewide Mule Deer Management Plan.
- Sam Carpenter is going to be our Southern Region RAC on the Mule Deer Paunsaugunt Management Plan.

Jake Albrecht: Other than that I'm going to turn the time for Doug Messerly and we'll move right along.

**Regional Update:**

-Douglas Messerly, Southern Regional Supervisor

Douglas Messerly: Thank you Mr. Chairman. In the interest of time I'll try to keep my remarks brief.

- Just a reminder that the antlerless application period begins June 2<sup>nd</sup>, which is Monday. The proclamations are currently available online, so if you would like to apply Monday you will be able to do that. It's unknown at this time whether we'll have proclamations to distribute to our agents. This week, hopefully, we will. But if not you can look at that proclamation online in order to do your application on the 2<sup>nd</sup>. That application period closes June 30<sup>th</sup>, so be sure and get that done.
- Things that are happening with the Division, those of you that are fishing, southern region waters may have run into some of our technicians that we've hired to assist in the effort to interdict with Quagga, which is an agenda item tonight, an invasive mussel that's found in Nevada, currently, we're trying to keep from Utah. We're trying to educate the public and ask for your help in keeping this invasive species out of our state.
- Fishing is really picking up on some of our reservoirs. It is probably peaking in the lower elevation reservoirs. The first couple of weeks of June typically are the best time to go so consider that as an activity. I'm told that the reservoirs are very busy this weekend in spite of gas being as expensive as it is. So that was encouraging. And the fisherman that did brave the inclement weather did pretty well, I'm told. So that should improve for at least the next couple of weeks in the lower elevation and then higher elevation lakes can be up to a month later. But there's some good fishing ahead for us this spring.
- Finally, we're having kind a rash of nuisance bear incidents that are happening and I'd just like to remind everybody that's camping out there to please keep your camps cleaned up. There are bears on just about every wildlife management unit we have in the southern region. And, unfortunately, a fed bear usually becomes a dead bear because they get habituated to feeding from camps and cabins, and things like that, and it's very difficult to break that behavior once it's conditioned into them. So we would appreciate your help with that. I hope you get to see a bear this summer. They are fun to see and a lot of people enjoy seeing them. Unfortunately they can become a nuisance and we're going to have public safety as our number one interest, and sometimes that comes at the expense of the bears. And we'd like to keep as many of them out of trouble as we can. So, unless there's any questions Mr. Chairman, that's what I have. Thank you.

Jake Albrecht: Thanks Douglas. For you board members who can't see the screen during the presentations you are welcome to go down and sit on the front row to where you can see. Our first item of business will be the aquatic presentation. This is an informational item only. Roger Wilson, who is a wildlife program coordinator. Roger.

**Aquatics Presentation (Informational) 10:00 to 40:18 of 3:34:37**

- Roger Wilson, Wildlife Program Coordinator (see attachment 1)
- Mike Ottenbacher, Regional Aquatics Program Manager (see attachment 2)

(Clair Woodbury arrived during second presentation)

Jake Albrecht: Thanks Mike. Do we have any questions from the RAC?

**Questions from the RAC:**

None.

Jake Albrecht: Do we have any questions from the public?

**Questions from the Public:**

None.

Jake Albrecht: Okay, comments from the public?

**Comments from the Public:**

None.

Jake Albrecht: We have no cards, so we'll go to comments from the RAC.

**Comments from the RAC:**

Jake Albrecht: Harry, or uh . . .

Jack Hill: I was up at Panguitch when they netted the last fish. I can tell you that there are some beautiful fish in that lake and they are fat, as fat as I am. Beautiful fish. I would like to see some change so that there can be some of those fish harvested but there are some very beautiful, beautiful fish in that lake.

Rex Stanworth: Mr. Chairman?

Jake Albrecht: Rex Stanworth.

Rex Stanworth: I guess it's a question and then a comment. What kind of participation are we seeing? Are fishermen utilizing the lake or are they shying away from the lake because of the slot limit?

Mike Ottenbacher: I think our use has been good up there. I don't know of Micah Evans is here tonight or one of our officers that has been working the lake, but we've had a significant amount of fishing pressure there. We do have a census that we did in 2001. When we complete this census it will give us a good comparison of the amount of use that we had compared to that year. Unfortunately, that year we didn't, didn't begin the census until May, so we don't have much to compare with other than just anecdotal evidence. But I think our use has been relatively high, especially considering the good fishing that we've got at other places in the region.

Dell LeFevre: We had some business owners from . . .

Jake Albrecht: Dell LeFevre.

Dell LeFevre: Yeah Dell LeFevre. We had some business owners from Panguitch in today say, and I'd like to hear from your conservation officer, it's dead up there now. Nobody's fishing.

Mike Ottenbacher: I wish I would have brought the latest, we haven't analyzed the data that we've got for May yet, but I do have some counts. I know our creel census clerk, I think not this weekend but the weekend before, said he was essentially busy from the start of his survey period till the end interviewing people. And what we'll do is our clerk will go up and make a count of anglers and then he'll go and try to interview the anglers to see how the fishing is between those counts. He said he couldn't get to everybody that was up there that day. And like I say, Dell, I, when we get through with this census we'll have a good, good way to compare with at least 2001, which I think might have been a fairly typical year at Panguitch.

Jake Albrecht: Any other comments? Let the minutes show that that was Jack Hill and not Harry Barber that commented there. Okay, if we don't have any other comments before we move on to the next item, also let the minutes show that Clair Woodbury came in and also Senator Stowell came in with us. If you would please stand? We want to welcome you to the meeting tonight. Okay, our next item is Aquatic Invasive Species, Larry Dalton.

**Aquatic Invasive Species (AIS) Management Plan (Informational) 44:16 to 1:11:37 of 3:34:37**

- Larry Dalton, AIS Coordinator (see attachment 1)

Jake Albrecht: Thanks Larry. Do we have any questions from the RAC?

**Questions from the RAC:**

Jake Albrecht: I got one question Larry. In a water that freezes over for the wintertime, does that kill that particular type of mussel?

Larry Dalton: No. Great example here is the Great Lakes. If you've been there you've had opportunity to fish through the ice. They freeze up real good. You can drive trucks out there. These mussels are alive and well in the Great Lakes. The mussel has to be frozen, and if he's under the ice he's in water that's not frozen, or in the mud, on rocks whatever. So a frozen lake, unless it freezes right to the bottom and freezes the bottom hard is the only way they would die. And that would be a fishless lake every spring.

Jake Albrecht: Okay, second part, is it going to be mandatory at our port of entries to pull boats over?

Larry Dalton: We are, Captain Fowlks will address that issue but I will speak to that very briefly. We are currently working with the Department of Transportation to use the ports of entry to do checks there. And yes we could, could and will under the authority of law use the ports of entry in the State of Utah.

Jake Albrecht: Sam Carpenter.

Sam Carpenter: Did I hear you correctly that Lake Powell is infected with these?

Larry Dalton: No, Lake Powell, uh, a year ago in August we did detect the veliger for this critter in Lake Powell. We took samples and sent them to three labs. One lab gave us a positive hit, both visually and with DNA analysis. Two other labs could not find it with visual inspection under a microscope. And so if you can't find it visually then you don't run the DNA test. So what we have is a situation where we're on very high alert at Lake Powell but we don't, at least we're not saying at this point in time that Lake Powell is an infested water. It won't be listed in our new law as infested. But we're taking samples on a real regular basis down there and if it does show up then we would take emergency action with the Wildlife Board to list Lake Powell. But today we believe Lake Powell is, we're on high alert there. That's it. I've told you the facts; we've seen them, they just many not have taken. Or maybe they did and we just haven't found more of them yet. I'm not sure. We're spending a lot of energy down there checking that out.

Jake Albrecht: Jack Hill.

Jack Hill: You indicated scalding the mussels at 140-degree temperature.

Larry Dalton: Yes.

Jack Hill: Is there a chemical that can be used to combat them?

Larry Dalton: There actually are a couple of chemicals around. They take quite a bit of contact time. Potassium chloride, the same salt you use in your water softener, at 100 parts per million will kill them but it take twelve hours of contact time. So if you happen to have one of these ski boats with the big ballast in it that never drains, you can inject that into that ballast and of course it sits around at your house for twelve hours or wherever, that will kill them. There is also a chemical called, its manufactured name is Ridlime. If you spray it on them in about, in a few minutes actually it dissolves the shell off of a ¼ inch sized one and that kills it. So there are some other things out there. Ridlime is, boaters are always concerned about what it is he's pumping inside of his boat and spraying around on it. And the salt, it doesn't hurt other aquatic species. You can kill at 100 parts per million and safe drinking is 250 parts per million.

Jake Hill: I was thinking something like chlorine bleach.

Larry Dalton: Chlorine also kills. I apologize that I forgot the contact time on it but it's fairly long. Chlorine is quite caustic so, you can put it on real strong but real strong also is damaging your equipment. So chlorine is used at times but it's not the best tool. There's, the hot water is the very best tool because it pretty much represents a no impact to your equipment and kills the critter on contact.

Jake Albrecht: Okay, do we have any questions from the public?

**Questions from the Public:**

None.

Jake Albrecht: Do we have any comments from the RAC then?

**Comments from the Public:**

None

**Comments from the RAC:**

None.

Jake Albrecht: Thanks Steve.

Jack Hill: I sure hope there's a lot of help from other state agencies.

Jake Albrecht: Okay, our next item on the agenda is Aquatic Invasive Species Rule, Michael Fowlks. This is an action item.

**Aquatic Invasive Species Rule R657-60 (Action) 1:16:46 to 1:26:22 of 3:34:37**

- Michael Fowlks, Law Enforcement Chief (see attachment 1)

Jake Albrecht: Okay, do we have any questions from the RAC?

**Questions from the RAC:**

Rex Stanworth: I've got one, or two, or three.

Jake Albrecht: Rex Stanworth.

Rex Stanworth: Mike, these decontamination centers, obviously I guess your just in the preliminary, how many of those will there be and will there be any at the lake side? In other words like at Strawberry, or Bear Lake or some of the premier areas?

Michael Fowlks: Larry could probably answer this better than I. We have two decontamination centers set up at Lake Powell now that are permanent. The Division has purchased portable decontamination centers as well. And I can't tell you how many we've got; Larry can answer that.

Larry Dalton: Thanks Mike. As Mike said, Lake Powell, the National Park Service has two on Lake Powell, one at Bull Frog, one at Wahweep. The Division of Wildlife Resources has 26

decontamination units. They are trailer mounted and they are scattered all over the state of Utah. And pretty much they would be within an hour's distance of most boating waters to move one over or to send a boater in that direction. We'll learn more about that as we get through life a little bit here of how effective we can be. And the decontamination takes about half an hour.

Rex Stanworth: And is there a charge, will there be a charge for the decontamination?

Larry Dalton: At Lake Powell they're charging about \$50.00 an hour on their two units. Airmark, the concessionaire is manning those units. The Division of Wildlife units, we will not charge a fee this year. That's not saying we won't next year. After we assess what it means in terms of workload, timing and the like, we may be charging a fee. In fact I think it will be pretty likely. At Lake Powell they have 100,000 launches a year. They decontaminated 500 boats last year. You play the math on that, that's one half of one percent of the boats. And that's kind of what I'm expecting to see on an average across the state of Utah. We'll see what works out.

Rex Stanworth: I guess one of the questions I've got is if somebody goes, let's say goes to Strawberry and they're greeted at the dock, or at the area where they're going to launch their boat, and somebody walks up to them and says where have you used your boat and they say, well yeah we've used it there. Have you had your boat decontaminated? No. Is there any fear that those mussels could be moved from that launch area out into the water via either shoes, or tires, or whatever it might be coming through that lot? Is there any, I mean are you thinking of that being a problem at all?

Larry Dalton: Hypothetically, sure, any piece of equipment that is exposed to the water in an infested lake if brought to another water before it has dried or been decontaminated with scalding water has the potential to inoculate a new water. So hypothetically, yes. In reality it hasn't been documented to see movement occur in that way. Movement is pretty much occurring on or in your boat with either veligers, or juveniles, or adults attached to that equipment.

Rex Stanworth: I guess my point was going to be that at least in most of those waters you've got areas where you have to check in, pay your fee to get in. Is that going to be an appropriate to ask this question rather than at the launch site?

Michael Fowlks: We're focusing on the highest threat. We're focusing on stopping that boat from launching before it gets in the water, that's the highest threat. I think Larry's right, I think there is some hypothetical chance you could get some contamination if they haven't already hit the water but certainly the biggest threat is when they put the boat in the water, or the trailer.

Rex Stanworth: Now this form that you're going to have these boaters fill out, if I've got a boat but I've never left the state of Utah, if I put this in my window, the same form each time, is that going to be acceptable or is it going to have a new date on it every single time I go into the water?

Michael Fowlks: We'd like you to re-date it. And all you've got to do is say that you haven't

been in infested waters and just re-date it when you launch.

Rex Stanworth: Okay. My last question is the penalty. Just looking at this, it says there's a penalty under such and such. What is the penalty if somebody is caught putting a contaminated boat in the water?

Michael Fowlks: The penalty for a violation of the rule, the proposed rule, would be a Class C misdemeanor. A violation of the statute would be a Class B misdemeanor. And maybe Marty would like to expound on that.

Jake Albrecht: Marty Bushman.

Marty Bushman: There will be a two-tier criminal violation system. If you are transporting these mussels in any type of conveyance in the state, having have been in an infested water without decontamination, this is what the Code says. But the legislature passed this last year, is if you are doing it knowingly and intentional, in other words you know you got mussels, you may have them encrusted on the prop or the hull of the boat and you're moving them across the state and you have not disinfected that's a Class A misdemeanor. If on the other hand you've been in an infested water but you don't have necessarily direct knowledge that you've got them on board that is considered a Class, actually it's an infraction, which means it's equivalent of a Class C misdemeanor except you can't go to jail for an infraction. So the idea was is you're going to be held strictly liable if you've been in an infested water that you may have those on board but it will be an infraction unless you know you've got them, because you've visually seen them, and you're moving them across the state, then it ups it up to a Class A misdemeanor

Rex Stanworth: Thank you.

Michael Fowlks: I should add that if you voluntarily comply with decontamination there is no penalty.

Jake Albrecht: Any other questions from the RAC? I have one. Say you get them into some type of waterway that moves water to a town, or a city, some canal, who pays for the cost?

Michael Fowlks: Where did Larry go? I'm not sure.

Larry Dalton: You do. The facility controller, a water conservancy district would suffer the cost at the front but you all know what happens when their maintenance costs go up; it will be passed on to the user. So what I said at the start, you do, is pretty much the answer.

Jake Albrecht: Is that somewhere in here?

Larry Dalton: That's a reality of life. That's not in any rules or laws.

Jake Albrecht: Any other questions form the RAC? Do we have any questions from the public?



**Questions from the Public:**

None.

Jake Albrecht: We have no comment cards, so we'll go to comments from the RAC.

**Comments from the Public:**

None.

**RAC Discussion and Vote:**

Jake Albrecht: Jack Hill.

Jack Hill: Coincidentally, two weeks ago I was in Las Vegas and there was an article that appeared in the Las Vegas Review Journal about the infestation of these mussels in the National Fish and Wildlife Services hatchery at Lake Mojave. And so it got me thinking about the infestation and I was driving back to Utah. And that's, it was just a run of the mill weekend and I counted, I don't drive very fast, about 65 miles an hour, so a lot of those great big trucks pulling those great big boats went by me and I counted 11. And I thought, holly Toledo. If there are 11 on a casual weekend I wonder what it's going to be like on the 4<sup>th</sup> of July or Labor Day and they start stopping those boats at the port of entry south of St. George. It would seem like to me that the DWR's going to have a hell of a problem relative to decontaminating those boats that have been on Lake Mojave or Lake Mead.

Jake Albrecht: Any other comments? Okay, this is an action item so at this time we need to go forward with a motion and a vote.

Jack Hill: I would so move for the approval of R-657-70 Aquatic Invasive Species Interdiction.

Jake Albrecht: Okay, we have a motion by Jack Hill and a second by Rex Stanworth. The motion was to approve R657-60. Do we have any other discussion? All in favor right hand. Any against? Motion carries.

**Jack Hill made the motion to accept Rule R657-60 as presented. Rex Stanworth seconded. Motion carried unanimously.**

Jake Albrecht: Our next item is Hunter Education Rule 6657-23. This also is an action item, Michael.

**Hunter Education Rule R657-23 (Action) 1:37:05 to 1:39:03 of 3:43:37**  
- Michael Fowlks, Law Enforcement Chief (see attachment 1)

Jake Albrecht: Questions from the RAC.

**Questions from the RAC:**

None.

Jake Albrecht: Questions from the public.

**Questions from the Public:**

None.

Jake Albrecht: Okay, we have one comment card. Gordon Poppitt.

**Comments from the Public:**

Gordon Poppitt: Good evening Mr. Secretary, Mr. Chairman, Gentleman. Gordon Poppitt, I think you know that name. It's not that I have opposition to this exemption for military personnel but I think it's a concern. I've been in hunter education since 1973, even before Jack was born, and it's a concern, I just hope that we don't see any bad reaction from it. The idea is to prove proficiency, and that's fine. But there's a different set of rules when you're in combat or training for combat, different from those when you're out in the hunting field. I don't think Alkaida wears blaze orange, as a matter of fact. It's a concern, and obviously it's already passed the legislature so it's not going to be something that's going to be changed but I have long-term concerns about it. One of the purposes of the shooting test is not only to show accuracy and proficiency it's to look at the actions and reactions of the shooter on the line and things that you can maybe correct. My concern is that reaction retraining depending on how far back could cause an accident and I would hate to see that reflect negatively on the state of Utah and the hunter education program itself. And that's it. But by the way, just for your comments, I'm not opposed; I was never in the US military. I was in the military and there is no prize for guessing in which country. But I think the thing to do is to try to protect each student and the program itself. And that's it, thank you.

Jake Albrecht: Thanks Gordon. Just to rewrite, or reread that paragraph, it says: a member of the United States Armed Forces or Utah National Guard is exempt from the shooting practical test required in subsections 2 and 3, if they can provide a copy of their federal form 201 outlining their firearms training to the hunter education program. Okay, so do we have any other comments? We had one card and that's all we have. Okay, we are to the point where we need to decide what we want to do with this hunter education rule which is an action item. Rex.

**RAC Discussion and Vote:**

Rex Stanworth: I'd like to make a motion that we approve the hunter education rule R657-23.

Dell LeFevre: I'll second it.

Jake Albrecht: Okay we have a motion by Rex Stanworth to approve and a second by Dell LeFevre. Do we have any other discussion? Seeing none, all in favor please raise your right

hand. Any against? Motion carries.

**Rex Stanworth made the motion to approve hunter education rule R657-23. Dell LeFevre seconded. Motioned carried unanimously**

Jake Albrecht: Okay, our next item of business is the Private Pond Rule, R657-59, action. Drew Cushing.

Drew Cushing: Actually we have one other thing that was brought late, and it's just this one slide, and it's a change to our Aqua Culture and Fish Stocking Rule, R657-16-14. You guys don't have this.

**Aquaculture and Fish Stocking R657-16-14 1:43:28 to 1:44:14 of 3:43:37  
- Drew Cushing, Wildlife Program Coordinator (not on agenda)**

### **Questions from the RAC**

Jake Albrecht: I have a question Marty, where this was not on the agenda.

Marty Bushman: This was arguably a point; it's of such minor change that it may not even have needed to go to the RACs. So I decided, initially it was talked about not doing it, we thought while we're here let's go ahead and present it and have them take a look. What you're doing here is something that is already authorized in the code, that the Division can take wildlife any time, anywhere, any manner if it's under the direction of the director and for the purpose of wildlife resources. And this was just writing a rule that was more consistent with that statutory directive.

Jake Albrecht: Okay, do we have any questions from the RAC?

None.

### **Questions from the Public:**

None.

Jake Albrecht: We have no comment cards.

### **Comments from the Public:**

None.

Jake Albrecht: Do we have any other comments?

### **RAC Discussion and Vote:**

Jake Albrecht: Motion to approve, Jack.

Jack Hill: You bet. I would move for the approval of R657-59.

Drew Cushings: That's the wrong rule; I changed it.

Jake Albrecht: We have a motion by Jack Hill to approve R657-16-14. Do we have a second?

James Edwards: I'll second.

Jack Hill: What the hell does that say?

Jake Albrecht: A second by Jim Edwards. Any other discussion? Seeing none, all in favor right hand. Please raise your right hands. Okay, any against? Motion carries.

**Jack Hill made the motion to accept the Aquaculture And Fish Stocking Rule R657-16-14. James Edwards seconded. Motion carried unanimously.**

Drew Cushings: All right, now we're moving on. Now we're at the R657-59, Private Aquaculture and Private Fish Ponds Rule.

**Private Pond Rule R657-59 (Action) 1:46:19 to 1:55:38 of 3:43:37**

- Drew Cushing, Wildlife Program Coordinator (see attachment 1)

Jake Albrecht: Okay, questions from the RAC?

**Questions from the RAC:**

Jake Albrecht: So on the inspections to the pond they will be done by the Utah Department of Agriculture and DWR?

Drew Cushing: No. What will happen is a, if a pond inspection is needed, if it's within that area then we will do the inspection. If it's not inside of those delineated areas then the Department of Agriculture, or not the Department of Agriculture but the Aquaculture Facility will do the inspection.

Jake Albrecht: Del LeFevre.

Del LeFevre: How come your aquaculture regulations are stiffer than the regular DWR's regulations? How come you're regulating them guys more than you're regulating yourself?

Drew Cushing: I don't think we're regulating them any more than we are ourselves. That's why that map was made fairly clear. Our regional aquatic folks had to come to grips with their management and what they do within those areas. And so this was their way of coming to grips with their type of management within those areas and we don't expect any more or any less from the private aquaculture folks.

Jake Albrecht: Any other questions from the RAC?

Jake Albrecht: Questions from the public? Gary, you have a question?

Gary Hallows: Explain the part about how you can inspect when you want.

Drew Cushings: Excuse me?

Gary Hallows: It said in there that you could show up and inspect those private ponds at your leisure. What do you mean by that?

Drew Cushings: Yes Sir. If there's an issue, if we think that some diseased fish were put in there, or there's another aquatic nuisance species that may be in there, if there's an issue with that site that we can go in and see, make sure those fish are indeed sterile, make sure they're indeed rainbows if that's what's supposed to be in there. And it's just to keep honest people honest and let us know who's not honest.

Jake Albrecht: Do we have any other questions from the public then?

**Questions from the Public:**

None.

Jake Albrecht: Okay, we have one comment card, Mr. Blackburn. Dennis Blackburn.

**Comments from the Public:**

Jake Albrecht: You have five minutes.

Dennis Blackburn: Five minutes? I would just like to say I represent Utah Aquaculture Association. And DWR, we have worked with, the DWR in writing this rule and that we do support this rule as it is written.

Jake Albrecht: Thanks Dennis, appreciate that. We don't have any other comment cards from the public, so we'll go to comments from the RAC.

**RAC Discussion and Vote:**

Jake Albrecht: I would say that where they are in favor of this rule that we ought to go ahead and pass the motion as, or the rule as presented.

Jack Hill: Mr. Chairman.

Jake Albrecht: Jack Hill.

Jack Hill: I would move for the acceptance of R657-59.

Dell LeFevre: I'll second it.

Jake Albrecht: A motion by Jack Hill and a second by Dell LeFevre. Any other discussion? Seeing none, all in favor please raise your right hand. Any opposed? Motion carries.

**Jack Hill made the motion to accept Rule R657-59 as presented. Del LeFevre seconded. Motion carried unanimously.**

Jake Albrecht: Our next item is the Board Variance Rule, Marty Bushman.

**Board Variance Rule R657-57 (Action) 1:59:49 to 2:09:12 of 3:43:37**

- Martin Bushman, Assistant Attorney General (see attachment 1)

Jake Albrecht: What was that last part on the screen?

Marty Bushman: I thought you would be so impressed that you would want to clap your hands and so I uh, (unintelligible).

Jake Albrecht: I thought I missed something there for a minute. Questions from the RAC?

**Questions from the RAC:**

Jake Albrecht: Sam Carpenter.

Sam Carpenter: Yes, you mentioned season extensions. What exactly do you mean by that? You don't mean extending a deer hunt season or something like that do you?

Martin Bushman: What it would mean, probably the easiest way to answer this is if you had a limited entry deer permit that because of some event, you're spouse dies or something that qualifies as an event that would allow the variance, and you couldn't hunt in 2007, the Board or the Division with season extension authority could allow you to extend that season to the next year. It simply kind of puts you in the place you were in one year and moves it to the next.

Jake Albrecht: Any other questions from the RAC? Do we have any questions from the public?

**Questions from the Public:**

None.

Jake Albrecht: We have no comment cards from the public.

**Comments from the Public:**

None.

**RAC Discussion and Vote:**

Jake Albrecht: I'd just like to comment, first meeting I went to at the Wildlife Board there was a gentleman there from the Book Cliffs that was in there for a variance and I thought it was better than a John Wayne movie. But these guys are put on the spot once in a while and I think this rule is necessary, so if we could move on and go from there. Rex.

Rex Stanworth: I move approval for the Board Variance Rule, R657-57

Jake Albrecht: We have a motion by Rex Stanworth to approve the Board Variance Rule. Do we have a second? A second by Gary Hallows. Any other discussion? All in favor, right hand. Any against? Motion carries. That was Marty's rule.

**Rex Stanworth made the motion to accept Rule R657-57. Gary Hallows seconded. Motion carried unanimous.**

Gary Hallows: I make a motion we go pee.

Jake Albrecht: Okay, our next item on the agenda is Upland Game and Hunting Guide Rule, R657-06. Gary you are excused.

**Upland Game Hunting Guide & Rule R657-06 (Action) 2:14:23 to 2:48:08 of 3:43:37**

- Dave Olsen, Wildlife Program Coordinator (see attachment 1)

Jake Albrecht: I thought the Big Game one was long. Any questions from the RAC? Clair.

**Questions from the RAC:**

Clair Woodbury: One question on clarification, in 2012, you say the starting date from September 22<sup>nd</sup> back to the 29<sup>th</sup>?

Dave Olsen: Yes that's what that would be.

Clair Woodbury: Would that also move the closing date from October 7<sup>th</sup> to the 14<sup>th</sup>?

Dave Olsen: Yep, I didn't clarify that either. Sorry, I guess you're correct.

Clair Woodbury: And one other question, on the informational meeting we had on death of birds, the pheasant was proposed to go to a 60-day, or approximately, and I haven't seen anything since on that. Was that dropped then? They decided that wasn't going to work?

Dave Olsen: Correct. A recommendation from the Upland Game Advisory Committee was to have a longer season and that would have ended December 31<sup>st</sup> had we chosen to go that way. However, there's quite a bit of resistance to a longer season like that on private lands so

we opted to try and just stay (unintelligible).

Clair Woodbury: I thought that but I hadn't heard anything mentioned about it so I thought I'd ask.

Dave Olsen: Thank you.

Jake Albrecht: Any other questions from the RAC? On the doves, what is the name of the dove or the bird that sounds like a hoot owl that sits on the?

Dave Olsen: That's probably the Eurasian Collared- Dove.

Jake Albrecht: So is that legal to kill now?

Dave Olsen: Yeah, it has been and yes it is.

Clair Woodbury: Jake, the white-wing sounds a lot like that too. It makes a little squawk.

Jake Albrecht: Can I get a written permission on that?

Dave Olsen: Have what you say?

Jake Albrecht: Written permission?

Dave Olsen: As long as it's the right bird. The Eurasian dove is a little larger than the morning dove and when they fly they have more of a squared tail instead of that pointy tail that the doves have. And on the back of their neck you can see a distinct collar. And they have kind of a raucous; it's not like a morning dove call. It's a little more like a cross between a Morning Dove and probably a crow or something in that call.

Jake Albrecht: On pheasants, what type of predator control has the state looked at or have they looked at any to help bring those populations back?

Dave Olsen: I'm going to have to qualify anything I say because I've only been in this program since November, but we did have some predator control activity and there still is a little bit that continues up around Ogden Bay Marsh. But that's an area that it's pretty politically hot to get involved in from a Division, so we haven't had anything wholesale, nor is it very cost effective unless you can really get in and take care of a lot of the predators. That goes from mammalian predators up through crows and everything. So it's not a proposition that we want to really try to get back into.

Douglas Messerly: In addition to that Jake there is a program in Sevier County that we are still funding, or we did fund last year, for predator control in cooperation with APHIS, Animal Plant Health Inspection Services.

Dave Olsen: Gopher chokers. And I should clarify, we do have a predator control program in the upland game program but it's targeted principally to sage grouse populations that are



struggling and it's proven effective in those limited areas such as the Strawberry Valley and been very specific to red fox and predators that get on the sage grouse.

Jake Albrecht: Okay, one last question. I received four or five letters or e-mails from people around the state requesting that the majority of the season's dates start in October. But you're rational for starting in September is dealing with manpower because of the other season dates that follow.

Dave Olsen: That's a big one and I could turn some time to Mike Fowlks, he can kind of explain that if you'd like. But it also has to do with opportunity as well and try to allow people to use the best time to hunt. I guess not make a conflict for hunters to have to make a decision on an opening day.

Michael Fowlks: It is a manpower issue as well. October 4<sup>th</sup> we have the waterfowl hunt open. We have the general season elk hunt open and we put a lot of efforts into that. And if these seasons open on that date it would spread us even thinner. So our preference is that these seasons open on the 27<sup>th</sup>.

Jake Albrecht: Thanks Michael. Any other questions from the RAC? Questions from the public? .

### **Questions from the Public:**

Jake Albrecht: Please come forward to the microphone and state your name?

Dave Pettigrew: My name's Dave Pettigrew. I was wondering on the Eurasian dove if it's considered to be a threat to morning doves and native species?

Dave Olsen: I'm trying to answer that. We really don't know yet. There is some concern that it could be but however in Utah it's just shown up in the last five years or so and seems to have focused most of its residency close to urban centers, right now, in that area. You don't see them too much out in the wild. So that's an unknown. We just don't know.

Jake Albrecht: Any other questions from the public?

### **Comments from the Public:**

Jake Albrecht: We have no comment cards from the public. Oh we have one, sorry. Excuse me. Chris Colt if you'd come forward please. Sorry about that.

Chris Colt: Yeah I do have a couple of comments regarding these rules. First I just wanted to underline the importance of upland game hunting to the recruitment of young hunters. And let you that that's how I think we're going to get and maintain our hunters in the future. It's pretty hard if they're only able to draw a big game tag like once every three years to get that interest. It's in upland game hunting that I think we're going to get and maintain these hunters so therefore it's really important. Second, I wanted to just say that there are hunters out there that the upland game season is more important than the big game seasons. So it's important

to some of us. And second I want to appreciate that the efforts that the Division has made working with the public and the Upland Game Advisory Council on some of these changes. I want to strongly suggest to the RAC that they not approve splitting the Hungarian partridge season. This is an issue that I personally have dealt with regarding chukars, trying to consolidate those seasons. In Sevier County we were split, north versus south of I-70. No biological reason to do it. It's the same kind of issue in northern Utah with hunns. No biological reason to do it. I think there are rules and laws in place regarding trespass on private land that could deal with the problem there. So I urge you to make one hun season, or make the recommendation for one hunting season. Second on the chukars and the sage grouse, I personally suggest moving that later. I understand that there is a manpower issue. Maybe we could even look at one week later in October. It would be during the elk hunt so it may limit some hunting opportunities if someone wanted to hunt elk for that second weekend but still want to go out and hunt sage grouse or something. So it may limit some opportunities but it's biologically sound because of, number one, protecting the brood hens on sage grouse and allowing those broods to break up so we're not killing as many of those older hens. And then on the chukars disbanding them off of their need for water, and so they're not focused on those water sources. So again, I would suggest moving that later into October. Next I would like to recommend a 30-day pheasant season. So we just have one pheasant season or what's now the extended pheasant season. The reason I recommend doing that is the limiting factor on pheasants is habitat, not harvest, and so we could just have a statewide, month long season. And as I was looking at the numbers going through here, I believe we have the highest number of upland game hunters hunting pheasants and that's where the interest is in. A lot of upland game hunters feel that the Division's kind of abandoned pheasants, pheasant hunting. This would be one great way to show them that we do have an interest in pheasants and provide pheasant hunting opportunities there. Where I don't think we're going to impact the species, we're harvesting males only, so I would recommend a 30-day season there. And then last I would like to thank the RAC for passing the increases on the turkey tags. This is a little separate from this issue, but I feel it was a big success. I've talked to a lot of folks this year who drew tags, they've been out hunting, they had a great time. A lot of them didn't harvest turkeys. They are new to turkey hunting. Never the less they had a great time, good opportunity. I guess there was one last issue I'm concerned with, and that is, and I don't know if this is the right forum to address it but I'm concerned with the fact that there's now a \$10.00 fee with these upland game applications. For instance if you want to get a sage grouse permit and a sharp-tail permit and maybe a band-tailed pigeon permit one of the ptarmigan permits, that's \$10.00 per set of those permits that you're getting. Now say if you're getting them for a family member, you know, that doubles that cost. So it starts to be kind of expensive. So I'm curious if we couldn't just have an upland game application fee and then you could put in for multiply species. Right now these aren't drawings per say, they're just a limited number. As soon as they are gone they are gone. So what I'm wondering is if we can't change that \$10.00 per set of tag fee on there. Those are the comments that I have.

Jake Albrecht: Uh Chris, I wrote down recruitment, 30-days pheasant, is that right?

Chris Colt: That's right.

Jake Albrecht: Hungarian and chukars stays the same?

Chris Colt: Let me run through them again. The chukar season, the chukar and sage grouse would have a later opening date, like October, excuse me, the first Saturday or the second Saturday in October, my first recommendation. The second is that the hungarian partridge be on season not the current split recommendation. Then the third one was a 30-day pheasant season.

Jake Albrecht: Statewide.

Chris Colt: Statewide.

Jack Hill: Well the chukar season is September 27<sup>th</sup>.

Jake Albrecht: Okay thanks. Okay, that was the only comment card we have.

### **RAC Discussion and Vote:**

Jake Albrecht: Just by a show of hands or acknowledgement, how many of you guys received the e-mail or the letters from? I think there were five of them or four of them. So we got three or four of us that did. Okay, I'm going to take just a second and just kind of read some of the highlights of each one so that we have them into the minutes. First one is from Jess Hothberger from Salt Lake City. He's stating that chukar season should not open until the first Saturday in October. Once the fall rain begins the chukars disperse providing greater hunting opportunities for everyone. So he's stating the later that we can have that hunt the better it would be. Sage grouse season should not start until October. Hunting season should be pushed back as far as possible to allow dispersal of broods and to protect brood hens. There is no biological reason that we are aware of that would support closing the hungarian partridge season earlier than the chukar season. Such a rule is exposing sportsman to needless violation of the law, even an expert hunter will sometimes mistake huns for chukar. We do not support opening the forest grouse season any earlier, too many of the birds are too young to hunt by that date. However, we support extending the season until December 31st or January 31<sup>st</sup> because heavy snow will gradually shut the season. There will be little effect on the birds but will bring a few extra days for those who enjoy it. Second one is from Travis Proctor. Basically the same thing as what I stated, he'd like the season dates to start a little bit later. But he goes on to talk about the chukars are using guzzlers well into September. The guzzlers most used by chukar are located in prime brood rearing habitat. He talks about 4-wheeler damage as well as people setting on the guzzlers all the time. So he'd like that moved back. Basically, I think, pretty much the same as what the first person was. The third one is David Dalgreen of the Upland Game Advisory Committee. Chukar partridge season, currently the recommendation is to move the opening day to the fourth Saturday in September. Based on research done at BYU, USU, habitat damage has taken place due to vehicles around guzzler sites, shrub cover around guzzlers is the single most important factor in chukar use of the guzzlers. We recommend the season opener for chukar partridge be moved into October. Hungarian partridge season, we recommend unifying the hungarian partridge season and aligning it with the chukar season. Sage grouse, we recommend moving the sage grouse season opener into October to allow dispersal of brood groups and reduce harvest of brood hens. If lack of law enforcement is an issue in early October we recommend moving the

season opener later in October. The last one, and when I printed this off there was an attachment and I printed the attachment and I forgot to print who it was from. But anyway it goes on to talk about basically the same things I've already stated, other than he has some sayings in there deals with rational. Chukar partridge: change the season to a unified statewide season starting in October through mid February. The rational is the later start date will relieve pressure on chicks and concentrated birds around water. The later start date will decrease illegal vehicle use. Too many hunters go off established roads to access water sources creating unwanted illegal roads. I don't know, you could argue on that one all you wanted to. A later ending date will likely increase nonresident license sales as more nonresidents hunt Utah to extend their season. Unifying the season will simplify regulations and biology shows that the season can be extended without harming the birds. Pheasant: make the season a unified statewide season, lengthen the season. Rational, harvesting only cocks has no detrimental impact on the population; in fact it may allow more hens to survive in limited winter habitat. Stronger trespass laws have eliminated many past trespass problems. Much of the public land available for hunting is marshland. Marsh hunting improves later in the season when the weather is colder and all the crops have been harvested. Makes sense. A longer season allows more hunters the opportunity to hunt and spreads out pressure, it simplifies regulations. Sage grouse: lengthen the season three weekends and move it to October. Rational, harvest is controlled by limit tags; a longer season allows hunters to have more flexibility in their schedule. A later season will benefit successful hens, which are most vulnerable during an early season while they are still with their chicks. Hungarian partridge: may want to adjust seasons to coincide with chukar hunting. They have mirrored each other in the past. Forest grouse: lengthen the season. Rational, more hunting opportunities with little or no impact. Align seasons with other western states. Nonresident youth fees: offer nonresident youth the same price for an upland license as a resident youth. Rational, generate interest in a new generation for upland hunting in Utah. Most other states offer a lower price. Some states give youths a reduced license fee. Adult hunters are more likely to take their children hunting with them and can bring in additional match monies. Other items, possibly temporary closing of some areas of reintroduction of a species, creating a law to prohibit driving or parking a motor vehicle within a certain distance of a guzzler. I've said enough. That's all of the letter that I had. You can have my copies. Okay, comments from the RAC. How do you want to handle this? Do you want to go with the ones that they're concerned about individually or?

Jack Hill: Jake, on the start dates that those people have pointed out, all of the start dates that I looked at are within a week of what they wanted. So I don't, I don't have any heartburn over the start dates as outlined in what we've received from stat. Unless you want to move it that one week and get it into like the birds were, want to get those start dates into October. But gosh, the start dates are the last week in September now. So I don't know what the, if that's a problem. The other two, what was the rational for setting back the forest grouse? Gad in order to hunt those things you've got to be up in the mountains and if you're going to set it back into October or November you're in the middle of the winter. I don't want to hunt those suckers when there's two feet of snow on the ground.

Jake Albrecht: Well and that's what they are saying, it's only the dedicated hunters that really like to go do it.

Jack Hill: Well I (unintelligible) want to hunt them too.

Dave Olsen: That on forest grouse the starting date would be the traditional mid September opening is what we're recommending. But it would be extended as we recommended to the end of December. I don't know if I, maybe misunderstood what you're . . .

Rex Stanworth: Jake, Jake?

Jake Albrecht: Rex Stanworth.

Rex Stanworth: I guess the one thing that kind of sells me on using the state's dates is the opportunity for more youth to hunt. I was, after receiving all those letters I was pretty much convinced that that end of October made sense. However, being able to have our youth hunt I think overshadows that a little bit. The one issue in regards to pheasants, Millard County used to be the premier area for pheasants and if there are any pheasants there they'll be gone in the first fifteen minutes of the hunt and after that you go home. But the folks with agriculture, even though there are trespass laws that have been reinforced most of the farmers are not real anxious to see an increase in the length of the pheasant hunt, at least in our area; they may be in other areas. But they look at it and say, there's no economic benefit for me as a landholder. All I get is the potential for a lawsuit or potential for this or that and the other. So I guess in our area I would tell you that there's not a real push to make that pheasant hunt longer. In the past they used to give us an extension where a farmer could actually post his property with signs that says if you'll contact me we'll allow you to hunt and they extended that hunt longer. In those cases I think there's some validity to that, if a guy's willing to open up his property. But for the most part, just arbitrarily say we're going to increase it by two weeks, I don't think you'll see a vast majority of our people over there that would be willing to do that. So that was my comments that I wanted to make.

Jake Albrecht: On the hungarian and the chukar, the hungarians are only . . . I'm not a bird hunter, okay, I grew up in Fremont, there wasn't any. The hungarians are mainly north?

Dave Olsen: Yeah, a few scatter down maybe into Utah County but not anything below that county line there.

Jake Albrecht: So it's from like Juab County north then.

Dave Olsen: Pretty much, yeah. And that is a consideration, mirroring chukar and hungarian partridge hunts on top of each other just because of mistaken identities by hunters and those kinds of things. The northern region was a little uncomfortable, that's where that split remained, was internally from them but it does make sense to unify those seasons.

Jake Albrecht: Okay, any other comments from RAC members?

Jack Hill: Yeah I've got one. Didn't we take some kind of action last year about motorized vehicles around guzzlers? We didn't? We could make a recommendation that there be a . . . Well I know that they do hunt the guzzlers on their 4-wheelers.

Jake Albrecht: Okay, how do you guys what to handle this? Do you want to talk about chukars or the ones that were identified in the comments or? Do you want to deal with it on a? Cordell. Cordell, you'd like to make a motion.

Cordell Pearson: I would. I would like to make a motion that we accept DWR's proposal as presented.

Jake Albrecht: Okay, we have a motion by Cordell.

Gary Hallows: I'll second.

Jack Hill: What was the last part of (unintelligible)?

Jake Albrecht: Just a second. We have a motion by Cordell Pearson to accept the DWR's proposal as presented.

Jack Hill: Oh.

Jake Albrecht: We have a second by Gary Hallows. Do we have any other discussion?

Rex Stanworth: Is there any, I guess the question is in regards to the hungarian partridge, and it deals up in the northern part of the state. I mean to me it make a lot of sense to, if you're going to be hunting and you're hunting and one flies up versus the other, it looks like to me you'd want to have those hunts coincide. So that would be my one comment is that if we could make the hungarian partridge same time to coincide with the chukar partridge would make a lot more sense.

Jake Albrecht: We already have the motion and a second. Do we have any other discussion? If not, all in favor of the motion please raise your right hand. All those against. Motion carries.

**Cordell made the motion to accept the Upland Game Hunting Guide and Rule R657-06 as presented. Gary Hallows seconded. Motion carried 7 to 2 Rex Stanworth and James Edwards opposed.**

Jake Albrecht: Okay, our next item is also an action item, will be Bear Policy presented by Jim Lamb from Loa, Wildlife Biologist.

**Bear Policy (Action) 3:15:35 to 3:22:02 of 3:43:37**  
- Jim Lamb, Wildlife Biologist (see attachment 1)

### **Questions from the RAC:**

Jake Albrecht: Any questions from the RAC?

Cordell Pearson: Yeah if you have a problem bear on an area and a person has a tag, even though his hunt starts later in the year, are you going to give them the opportunity to harvest

that bear, the problem bear?

Jim Lamb: We do that quite often, however, many times the bear that is causing the problem is not one that a hunter wants to harvest. So in the event that we have a bear that we feel a hunter will harvest those contacts are made and those hunters are given the opportunity. We have had hunters take advantage of that and it's been successful for us.

Cordell Pearson: Okay, because I just know that, is this something new that you're doing or was this in effect last year?

Jim Lamb: No, that was part, that particular point that you asked about has been part of the policy for quite a few years now.

Cordell Pearson: Okay, because I know there was a person that had a bear tag and wanted to hunt a bear on the Beaver Mountain. He was told no he couldn't bring his hunter in to do it.

Jim Lamb: I don't know the particulars of that case.

Cordell Pearson: I do.

Jim Lamb: So I can't comment on the Cordell. Uh, Doug may know.

Cordell Pearson: Are you familiar with that?

Douglas Messerly: I don't know the particulars of the case that you're referring to. But let me tell you the particulars of one that happened this week. Actually on the 12<sup>th</sup> of May. We had a bear on the Zion unit up here at Duck Creek that's been causing us a lot of problems. The hunt is on now. We called all five hunters. At one point one of the hunters treed the bear, decided they didn't want it. And that is frequently what happens is the people can't come when we need them, or the do come and they don't want the bear. And we love to give them the opportunity to do that but very often it doesn't work out. Any hunter that's willing to go to the effort to get the bear that we need when we need it go we are very interested in doing it. And I have frequently extended seasons and gained cooperation from those people to do it. But you've got to remember, when we're, when we make the decision to take a bear it's out of public safety, a concern for public safety and we don't often have time to wait for vacations and weekends and things like that. But we try every chance we get, that's one of the things that occurs to us first.

Jake Albrecht: Any other questions from the RAC? Questions from the public?

### **Questions from the Public:**

None.

Jake Albrecht: Comments from the RAC?

### **Comments from the Public:**

None.

Jake Albrecht: Motion to approve?

**RAC Discussion and Vote:**

Jack Hill: So move.

Jake Albrecht: A motion by Jack Hill to approve the Bear Policy. And a second by Rex Stanworth. Any other discussion? All if favor right hand. Any against? You're against? Everybody's for. I think we've been here too long.

**Jack Hill made the motion to approve the bear policy as presented. Rex Stanworth seconded. Motion carried unanimous.**

Jake Albrecht: Jim, thank you. Good job. Okay, our last agenda item, other than other business, is the Wildlife Convention Permits Proposal. This is an action item.

**Wildlife Convention Permits Proposal (Action) 3:25:36 to 3:29:47 of 3:43:37**

- Byron Bateman, Sportsmen for Fish and Wildlife Representative (see attachment 5)

**Questions from the RAC:**

Jake Albrecht: Any questions from the RAC. Rex?

Rex Stanworth: I've got one. Byron, are any of the other states surrounding us, are they participating with any tags at all, or is it strictly Utah tags that are going to the convention?

Byron Bateman: There are other states that are providing tags that are auctioned off during the Expo. We, a combination of all the tags we sold we generated over 12.5 million dollars. New Mexico is an example, auctioned off 4 premium tags, elk tag, sheep tag, deer, antelope. Wyoming commissioner tags, Wyoming governor tags, Idaho, every state that has a tag, these tags are being, you know, most of them are being sold at the Expo, for the western states. And a lot of these are Alaska and the Canadian providences; a lot of these other tags and stuff.

Rex Stanworth: But what about tags that the regular sportsman can put in for, are there only tags from Utah that the regular sportsman can go to the door, have his thing validated and put in for, say, a Wyoming elk hunt or a Wyoming deer permit? Is there any of those or are only those permits that are coming from the other areas auction permits?

Byron Bateman: I'm really not sure if I understand your question.

Rex Stanworth: Well on these permits that, we gave a vast amount of permits last year that



the regular sportsman could go online, put in what he wants, come up to the Expo and he could then validate what he wanted and pay for a chance to go in for a regular sportsman permit. The ones that you've just designated are like a limited entry that they were auction. I'm just wondering are any of the other states putting in any other permits besides the ones that are being auctioned?

Byron Bateman: In conjunction with our 200 convention permits for the state of Utah, no they are not.

Rex Stanworth: Okay.

Byron Bateman: But none of the other states are doing the habitat work that we are here in the west either.

Jack Hill: Whoop-tee-do.

Jake Albrecht: Steve Dalton, is that you down there? Go ahead.

Steve Dalton: Yeah Byron, aren't these nonresident permits that you're talking aren't they, are they going to be auctioned off?

Byron Bateman: No, they'll be done in a draw just like the regular tags are. They're Utah once-in-a-lifetime tags for nonresidents only. It would have been part of the allocation that would have been available to nonresidents had we fulfilled the full 10 percent in the general, you know, drawing that we just went through.

Steve Dalton: Great, thank you. That's what I thought, they were just the regular lottery type permit, you just put your name in, pay your fee and then if you're successful you have to pay the DWR for a nonresident permit.

Byron Bateman: That's correct

James Edwards: Yeah Byron, how much money did the Expo generate for the Division last year?

Byron Bateman: Just for the convention tags, or for the entire?

James Edwards: For the entire Expo.

Byron Bateman: I don't know what the dollar figure is because the DWR was there selling, you know, hunting licenses at the same time that we were doing the Expo licenses. So I only know the amount that we did through the, you know, five dollar application fee that we changed. But what the Division raised through selling licenses and stuff like that I have no idea.

James Edwards: Does the Division have any idea what they accumulated from the Expo?

Douglas Messerly: I don't have those figures but the dollars that we would have accumulated

would have been from licenses sold for people applying. The applications fees in this case go to the convention, as I understand it. So the money that the Division would have derived would have been from actual hunting licenses that were sold in order to do the application. So I don't know what those figures are. How many applications did you run Byron?

Byron Bateman: There's a little over 9,000.

Douglas Messerly: And I would guess, and this is pure speculation, some where in the neighborhood a third of those bought their licenses on site. But that's just speculation.

Byron Bateman: Yeah because this is the first year the law was passed where you had to have a license before you could apply, so.

James Edwards: I guess what I'm trying to get to is some of the money that come from the Expo that was donated to the Division for conservation projects, do we have any record of that?

Byron Bateman: We purchased some private land, I don't know if you're aware of the Brown's Park area, Little Hole area, out there by Flaming Gorge and stuff like that. We helped purchase 640 acres of critical wetlands habitat the Doug Miller property that, you know, we participated in. I'm talking about Sportsman for Fish and Wildlife, we put our money into those two particular projects plus other projects that we did in conjunction with DWR. You know a lot of the seed and stuff, a lot of stuff that went, you know, for the fire, you know the Milford Flat fire, the 300,000 acres out here, and just different habitat projects you see up and down the state. And then other work we're doing in different parts of the state, just, you know, part of our normal conservation project work that we do.

James Edwards: I just want to bring out some of the really good things of this Expo. I've been to both of them that they've had and I was amazed at the amount of people that were there and the money that was being generated and I was just trying to bring out some of that money that was being used for conservation projects in the state of Utah, which is really good. We need it.

Jake Albrecht: We'll go to comments now. You have a question? Cordell.

Cordell Pearson: I think maybe the question he was trying to ask you is how much money did you people from SFW, just you, actually give to DWR? How much money was brought in that you took in for DWR?

Byron Bateman: Well it's a three-way partnership; we split the money equally three ways after expenses. And then, so the money that we generated just for the conservation, not conservation permits, everybody gets these confused, but the convention permits, they were down a little bit this year because it was the first year, like I said, that you had to buy a license prior to applying. We had a bout 9,000 people apply. 18 percent of those were nonresidents. But, uh, we put combined over 110,000 dollars into the Brown's Park purchase. Over 10,000 dollars into the Doug Miller purchase. And if you look at our last issue or the previous issue we had over 1,000,000 dollars of habitat projects and different monies that we've spent

throughout, you know, the state. So we put up reward money, we paid reward, we have a current reward going right now in the Henry Mountains for two buck deer that were poached out there. We paid a lot of other rewards. There was an archer that were arrested and convicted for shooting some cattle last year that we helped pay that reward. So there's a lot of thing and I don't have the exact dollar amount but it's very significant. It's a six-figure number. And if we add that to everything else it's a seven-figure number. And if you add the matching dollars that goes with that, you know, that increases that exponentially too. So every dollar we donate gets matched three to four times, and sometimes more.

Jake Albrecht: Okay, seeing no other questions, any questions from the public?

**Questions from the Public:**

None.

Jake Albrecht: We have no comment cards.

**Comments from the Public:**

None.

Jake Albrecht: Comments from the RAC?

**RAC Discussion and Vote:**

Jack Hill: I do, go ahead. First of all I want to compliment SFW for all the work that they do. It's a good organization that does a lot of good. But I think it's high time that the, that we stop giving any more tags for people that don't live in the state of Utah. I think that if we're going to give any more tags it should be tags that live in the state of Utah. We've already given 200 tags to the project and I think that if we're going to give any more tags it should be for the regular draw for the state of Utah. That's my comment.

Jake Albrecht: Thanks Jake Hill. Jim. Do you have a comment? Steve did you have a comment down there? Sam?

Sam Carpenter: My take on this then, the benefactor of these tags is going to be the convention. This is to draw more people from out of state into the convention. And the tags that we are issuing to do this should have been issued anyway. Isn't that correct?

Byron Bateman: That's correct

Sam Carpenter: So we're really not going above or beyond any allocations or anything of that nature. And the convention will benefit, the state will benefit if we give you these tags.

Byron Bateman: Correct

Douglas Messerly: The question has been asked Byron, the answer to your question those tags should have been issued anyway. Could you explain that please? The question is rampant up here.

Byron Bateman: Okay, the Division always tries to come close to 10 percent of the tags for nonresidents. There's been some legal cases in the past where some other states tried to limit it. But the numbers that I gave you we actually could have issued more nonresident, not resident, but nonresident tags that we didn't. Actually on all the species except the bison we were short two and we're only asking for one of the two to be issued, you know, for convention tags. So we're still being conservative with the number that we're actually asking for. But these are tags that could have been issued that weren't issued. Hope that, does that answer your question?

Jake Albrecht: It did for me. Do we have any other comments? Sam?

Sam Carpenter: No, but I'd like to make a proposal that we accept the presentation as Byron has presented it. Make a motion to do that.

Jake Albrecht: Okay your motion was to accept the Wildlife Convention Permits Proposal as presented?

Sam Carpenter: Yes it was.

Jake Albrecht: Okay, do we have a second? Second by Jim Edwards. Any other discussion? Seeing none, all in favor please raise your right hand. Count them for me please. Four. All those against? Four.

Jack Hill: You get to vote Jake.

Jake Albrecht: How many's here? How many is this? I vote to approve the Wildlife Convention Permit Proposal. I vote yes.

Byron Bateman: Thank you very much. We appreciate that.

**Sam Carpenter made the motion to accept the Wildlife Convention Permits Proposal as presented. James Edwards seconded. Motion carried with tiebreaker vote by Jake Albrecht in favor. Rex Stanworth, Jack Hill, Gary Hallows, Cordell Pearson opposed. Dell LeFevre was absent from vote.**

Other Business (Contingent)  
- Jake Albrecht, Chairman

Jake Albrecht: Okay, one item of business that we need to correct the minutes on, under the Board Variance rule, this paper said 58, R657-58 and it should have been 57. So if you will put that into the minutes as corrected. With that . . .

Jack Hill: I would move for adjournment.

Jake Albrecht: We're not done yet. Our next meeting will be July 8, 2008 at 7:00 PM at the Panguitch Triple C Arena in Panguitch. And Dell LeFevre is in charge of the refreshments. Motion to adjourn.

Meeting adjourned at 10:40 pm

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