

Central Region Advisory Council
Central Region Conference Center
1115 N. Main St, Springville
May 19, 2009 ☞ 6:30 p.m.

Motion Summary

Approval of the Agenda

MOTION: To accept the agenda as stated
Passed unanimously

Approval of the Minutes

MOTION: To accept the summary notes as transcribed
Passed unanimously

Upland Game Hunting Guide & Rule R657-06

MOTION: To support the falconers proposal for the Division to allocate 40 permits and be issued on a first come first served basis. Permits would be for falconry only for the 2009/2010 season and the 2010-2011 season
Passed unanimously

MOTION: To approve the remainder of the upland game guide and rule as proposed
Passed unanimously

The use of Game Birds in Dog Field Trials and Training R657-46

MOTION: To accept the rule as presented
Passed unanimously

Statewide Sage-Grouse Management Plan

MOTION: To accept the statewide sage grouse management plan as presented
Passed unanimously

Hunting and Fishing Accommodations for People with Disabilities R657-12

MOTION: To accept the rule as presented
Passed unanimously

License Agent Procedures R657-27

MOTION: To accept the proposed changes to the rule as presented
Passed unanimously

Central Region Advisory Council
Central Region Conference Center
1115 N. Main St, Springville
May 19, 2009 @ 6:30 p.m.

Members Present

Micki Bailey, BLM
Calvin Crandall, Agriculture
Richard Hansen, At Large
George Holmes, Agriculture
Ed Kent, Chair
Gary Nielson, Sportsmen
Fred Oswald, Non-consumptive, Vice Chair
Jay Price, Elected
Duane Smith, Non-consumptive
Allan Stevens, At Large
Larry Velarde, Forest Service

Members Absent

John Bair, Sportsmen
Byron Gunderson, At Large

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

VOTING

Motion was made by George Holmes to accept the agenda as stated

Seconded by Allan Stevens

Motion passed unanimously

2) **Approval of the April 28, 2009 summary (Action)**

VOTING

Motion was made by Jay Price to accept the summary notes as transcribed

Seconded by George Holmes

Motion passed unanimously

3) **Regional Update (Information)**

- **John Fairchild, Central Regional Supervisor**

Wildlife

- Breeding bird surveys starting up
- Dove call counts to begin soon
- Depredation problems picking up
- Turkey transplant list getting finalized for statewide plan

Aquatics

- Boreal toad surveys starting up next week
- Gillnetting done at Deer Ck and Jordanelle
- Stocking rainbow and cutthroat trout at Strawberry this week
- Diamond Fork wetland enhancement project in full swing
- Cutthroat trout lecture at the Strawberry Fish Trap June 13
- American Fork creel survey will continue through August

Habitat

- MOU with BOR transfers management responsibilities for Deer Creek Reservoir property to DWR
- UPCD tour scheduled for May 27
- Livestock grazing begins on several WMAs, will continue into mid-June, benefits big game habitat

Conservation Outreach

- Utah Lake Festival June 6
- Mill Hollow Reservoir construction update/schedule for filling/stocking

Law Enforcement

- News conference held for Juab County poaching cases
- Heavy pressure at the urban fisheries, increased CO presence

4) Aquatic Informational (Information)

- **Roger Wilson, Wildlife Program Coordinator**

Questions from the RAC

Ed Kent – Is the reduction on community fishery limits to alleviate hatchery pressure?

Roger Wilson – We are moving to stocking these waters once a week and if we go to a two fish limit we feel like there will be consistent fishing all the time. I hope I made it clear that we have been approached by nearly every community to do this.

Ed Kent – Do you anticipate higher mortality rates due to more catch and release?

Roger Wilson – We will lose some and we have to manage around those loses.

Drew Cushing – The pressure is so intense at these waters it won't matter.

Ed Kent – What kind of an outreach program will there be with this change?

Roger Wilson – There will be signs and media releases. I am sure the regions will participate. There will be an intensive effort to make sure people are aware of it.

Richard Hansen – What is the best way when bait fishing to release fish?

Roger Wilson – Cut the line as far in the mouth as possible. You can decrease mortality by half by doing that.

Richard Hansen – I wonder if people who are fishing these community fishing waters know that.

Roger Wilson – That needs to be part of the outreach effort. You are going to lose fish. The real issue is do we have enough fish in the water to promote good fishing? That is really what we are after.

Questions from the Public

Quinn Mitchell – What is the purpose of spear fishing being open in June?

Roger Wilson – Spear fishing is quite different from angling. In the past there has been a lot of pressure to restrict spear fishing due to the idea that they have an unfair advantage. Also, fish are vulnerable when they are spawning and in concentration in some waters.

Quinn Mitchell – Do they spawn from November to June?

Roger Wilson – Cutthroat and rainbow do certainly. Any concentration makes them vulnerable. We provided another opportunity for spear fisherman last year at Flaming Gorge. This is something we have to work on over time. I can't overstate what a controversy it was last year at Fish Lake. What I heard from the anglers was that they have been fishing for 50 years and they haven't had access to those kind of lake trout. The spear fishermen went up there in one weekend and took a lot of trophy lake trout. This is not necessarily an accurate perception. Spear fishing is difficult, especially free diving. You can't go down and shoot a fish every time you are down. There were discrepancies in regulations for what spear fishermen could take and what anglers

could take. It created many problems. We made some changes to make them consistent. The bottom line is there is a lot of interest among the normal anglers to restrict spear fishermen above what they can take. And there is concern about access to spawning fish. Is there interest in the spear fishing community for winter/spring spear fishing access?

Quinn Mitchell – Yes. Would there be any chance you could just restrict certain species that are spawning?

Roger Wilson – It is possible. It adds complexity to the regulations. Get the ideas to us. This is informational and we will consider any ideas we receive.

Justin Fuller – If you limit spear fishing from spawning periods why are you not limiting fisherman? There are more fishermen out there.

Roger Wilson – There are and realistically spear fishermen as a group are limited in numbers. They don't have a great impact on the fishery. There is still a perception out there that spear fishing is really not angling. It is different than fishing. You take a fish that doesn't voluntarily take a hook in its mouth. You are down in the habitat.

Quinn Mitchell – So if I want to restrict muzzleloader hunters then I could submit an idea?

Roger Wilson – This is the process. We respond to social concerns. We really did give spear fishermen a lot more opportunity last year. We opened additional waters and increased the number of fish that could be taken.

Quinn Mitchell – How does the COR for spear fishing tournaments compare to CORs for angler tournaments?

Roger Wilson – We do have CORs for other types of tournaments. This wouldn't be the only group with the regulation. The main reason for a COR is so we are appraised of the event so we can be on site. We are not trying to collect money. We are not going to get rich with twenty dollars. We are just trying to get notification so we can send some of our aquatic invasive species personnel on site. I know some of these spear fishing tournaments attract Colorado spear fishermen. I am not sure but we probably have people from other states as well. Spear fishermen may bring boats and boats from other states are a concern to us. We are not trying to restrict it but we are trying to be aware.

Quinn Mitchell – As a concerned citizen I would be concerned that other anglers don't have the same regulations.

? - They do.

Ed Kent – This is not an action item and we will hear presentations from the audience but will not make recommendations unless Roger Wilson would like us to do that. Amanda will take good notes and Roger Wilson has given his contact information and I would as that you get with him to work out details on proposals by June first.

Roger Wilson – That is good. Ours are proposals too. Just get your ideas to us.

Comments from the Public

Cory Uhrich – Rocky Mountain Spear Fishing Association – This association was started last year partly due to what happened at Fish Lake as well as our concern for the regulations about spear fishing. First off I want to say thank you to DWR for what they have done for spear fishing. That said we are concerned about the emergency change to close Fish Lake. We don't feel that it was given enough time to allow spear fishermen time to get up there and do good research. We feel it is based on emotion that it was closed. We understand that there are a lot of fishermen out there who don't approve of taking fish during the spawn. I have been fishing my whole life with a rod and reel and we have all caught fish on the spawn. Sometimes we let them go, sometimes we keep them. In Fish Lake the opportunity for spear fishermen to actually take one of these trophy fish is in the fall. Unfortunately we can't get to them during the summer

months when the rod and reel fishermen can. They are extremely deep. This gives us an opportunity. Are they less vulnerable when they come up there during the spawn? I was there on that October day I did not see anything different in these fish other than they would come up from the 100 foot plus depth. They were still at 40 to 50 feet, free swimming fish that are very difficult to spear. I wanted to educate you a little about spear fishing in general, especially free diving which is breath hold spear fishing. It is very difficult and it takes years for divers to get to the ability to do what they did last year. DWR opened up spear fishing and we had a lot of good divers show up, probably some of the best in the Colorado, Utah and Montana. People like Jimmy Houston or Bill Dance. Folks like that who are in the bass fishing community that actually came out to do spear fishing. That is why a lot of those fish were taken. It was a very small amount. The DWR did a survey and they estimated that there were 17 mature lake trout taken which is a fraction of what was probably taken by anglers that year. We are a very small community and don't feel that there is a threat. In addition we are also concerned about the discrimination. There is a lot of talk online in forums and a lot of that is directed toward us and we are concerned about that. We don't want to have to fear when we go out to the water. We are anglers as much as I know there is a difference. We are actually hunting after fish and it is actually more difficult. The ability to hold your breath for one minute or up to two minutes and dive in ice cold water to 40 or 50 feet to even see these fish makes this very difficult. It is not something anyone can just jump in the water and do. If this continues it might be good to have DWR people there. We want you there. We don't want to hurt the fishery just as the anglers don't want us to hurt the fishery. We hope if these changes are put into regulation that they are based on facts that it is really hurting the environment and not just based on emotion. The Rocky Mountain Spear Fishing Association is asking that you please not pass this regulation and please keep the season open until November. We had a petition that was online for a couple weeks and we had about 100 people around the nation sign it and were concerned about this change and about discrimination. We hope that we will be treated equally and we can all work together as a team. There is one valuable thing that we do when we spear fish and that is that we take a lot of rough fish such as carp. A lot of people saw those big lake trout when we were up there but they didn't see the 3 or 400 dead carp that we also took out of the lake. There were some very large carp taken out of Fish Lake and a lot of those fish would have eaten the lake trout eggs on the spawning beds. There is a lot of value that we can bring. We do take a few game fish and that is because we also enjoy eating fish and enjoy being out in the Utah waters.

Ed Kent – To summarize your concerns, you are concerned about limiting the season on Fish Lake and essentially limiting opportunity for spear fishermen and also about discrimination from other anglers. Would there be some possibility of doing some outreach and educating the public about spear fishing?

Cory Uhrich – That is why we started this association. We are trying to get information out there on the web so that the public knows we are not a threat to the fishing and the environment.

Terry Opheikens - Rocky Mountain Anglers, President – We are concerned about the changes in tournament regulations. Our tournaments are all about fellowship, education and sharing information with other anglers. We don't keep the fish, we release them. Normally our events are small. Lately there has been a group come in strictly for money and posing as a club and we think it is detrimental to the fisheries and also to the tournaments themselves. We have a statement I would like to read. Statement inserted.

One of the most fundamental policies held by Rocky Mountain Anglers since our organization was founded in 1989 is its support of walleye tournaments. More than any other group, RMA and its members have been instrumental in establishing walleye tournament fishing in Utah. RMA has consistently supported tournaments in Utah and surrounding states and we have worked with the Utah Division of Wildlife Resources to help create fair, practical rules to govern these

tournaments.

The DWR fishing contest rules were developed so the DWR could manage larger tournaments but still allow smaller organizations such as RMA and the bass clubs to hold small club tournaments among members. The current DWR rules regulating fishing contests benefit Utah's fisheries, anglers and the public in a variety of ways, including:

- providing a responsible point of contact
- giving officials advance notice
- managing conflicts
- helping officials make decisions that are in the best interests of the fishery, such as time of year and fish handling
- monitoring and educating participants on aquatic nuisance species such as Quagga mussels, especially with out-of-state participants.
- having some measure of control over how tournament organizations make money off our fisheries resources

There are money tournaments going on now that are advertised online and that do not legally have to apply for a Certificate of Registration with the DWR. Technically, these tournaments may be within the DWR's rules regarding fishing contests. However, they take advantage of a loophole in the rules and are not being conducted within the spirit or intent of the rules. These are money tournaments that set prize and contestant limits that are just below legal limits to avoid communication with the DWR, State Parks or other responsible agency. The impacts they impose on facilities, fisheries and exposure to aquatic nuisance species such as Quagga mussels are similar those posed by regulated tournaments. However, they do not have to expose themselves to the same oversight and expenses. This may be their right according to the letter of the law, but it does a disservice to those who pay their way and work hard to conduct themselves responsibly.

At the April 14, Rocky Mountain Anglers unanimously approved the following statement: "Organizations that conduct fishing tournaments for monetary gain have a responsibility to our fisheries, anglers and the public. This does not change just because the details of these contests, such as maximum number of contestants and prize money, lie slightly outside the letter of the DWR fishing contest rules. RMA emphatically opposes tournaments and angling organizations that subvert the spirit of the DWR fishing contest rules by conducting tournaments, for money or other value consideration such as prizes, which are designed to narrowly avoid inclusion in the letter of the law. By operating narrowly outside the rules, these tournament organizations avoid the paperwork, fees and scrutiny that legitimate tournament organizations are bound by, which also creates an unfair advantage over legitimate tournament organizers who play by the rules. In RMA's opinion, this type of situation demonstrates a lack of responsibility, and we discourage our members and our friends from supporting fishing contests that conduct themselves in this way. In addition, we encourage the DWR to explore ways to modify the fishing contest rules to eliminate this abuse and still maintain the original intent of the rules." We propose four changes and additions to address this:

1. Dropping the limit of prizes/money for a Type 1 contest to \$250
2. Dropping the limit of contestants for a Type 1 contest to 30
3. Requiring that prizes/money rewarded for standings in multiple contests be included in each contest
4. Requiring that any contests that draw out-of-state anglers be considered Type 1 contests.

We feel that this proposal will resolve the situation, and ask that the DWR consider it.

Ed Kent – Have you seen this proposal?

Roger Wilson – Yes, tonight.

Ed Kent – Terry, your organization feels that if the Division implemented these changes it would eliminate the abuse?

Terry Opheikens – We do. We feel it would deter those who just want to make money. If you look at this organization it is just set up strictly to make money. They have no meetings, they

have no place to contact them. At 250 dollars it would allow a small tournament or a group thing. One concern we have is that they are attracting a lot of people to these tournaments and a lot of boats and they are unsupervised and it puts a real congestion on the lake because they are not restricted.

Ed Kent – And these tournaments are throughout the state?

Terry Opheikens – I know they draw people from out of state.

Ed Kent – So there could be the issue of invasive species being transported?

Terry Opheikens – Yes sir, definitely.

Jay Price - Are there a lot of those types of tournaments, are there a lot of those groups?

Terry Opheikens – I am only aware of one right now but if that particular group makes money there will be others.

George Summer – Starvation Walleye Classic – I am a tournament organizer and I support the Rocky Mountain Anglers proposal. As a tournament organizer I have expenses such as insurance, a COR and a conditional use permit from state parks. It upsets me when I go through the hoops to do it the right way when someone else does not have to go through the hoops. They are not following the intent of the law. They are intentionally avoiding permits which are safeguards for the public and for other organizers like myself. I can organize an event on a lake and they can still hold a tournament on that same body of water. There is a conflict there and I can't do anything about it, neither can state parks nor DWR because they are under the letter of the law. I am asking for the same regulations that Rocky Mountain Anglers has. A type one tournament be limited to 250 dollars in prizes and 30 participants. If they advertise for participants from out of state they would have to be permitted and multiple or after event awards be included.

Mike Wayland – owner of Atlantis Divers – We have been pushing spear fishing events for a number of years. I want to demonstrate that our primary target is not game fish it is rough fish. We do take some game fish but it does not compare to the rough fish taken. Power point presentation given showing spear fishermen and carp taken.

-Many large carp taken including state records.

-Family sport

-Travel to other states to spearfish

-Limited visibility

-Point system used for competitions (1 point per fish plus 1 point per pound)

-Diver down flag – Utah boating regulations require that all boats, except in the diving party, maintain 150 foot distance for divers protection unless the diver invades their territory. We would like to see this flag and a description in the fishing guide so that all fishermen in boats will recognize what it means.

Thank you.

5) Upland Game Hunting Guide & Rule R657-06 (Action)

- **Dave Olsen, Wildlife Program Coordinator**

Questions from the RAC

Allan Stevens – Why limit a group to four people?

Dave Olsen – It follows our other applications.

Allan Stevens – The grouse hunt is a family hunt for us and we would like more than four of us to put in and have permits.

Kenny Johnson – With the limited number of permits your odds get much worse with a large group.

Allan Stevens – Would the group application work the same as the big game draw?

Dave Olsen – That would be my understanding.

Kenny Johnson – We don't anticipate the odds to be terrible. The supply is not too far behind demand. When you put a permit in a draw it appears to be worth more so there could be more people apply.

Allan Stevens – Last year I got to the credit card screen four times and did not get a grouse permit.

Kenny Johnson – It was painful. I won't bore you with the details but that is the main reason for going to a draw.

Richard Hansen – Would this be a statewide draw?

Dave Olsen – You would draw for one of four areas.

Richard Hansen – Why are we going to a draw?

Dave Olsen – We have limited these permits since 2002. The number of permits is based on the population estimate that is done annually. There is a minimum population size to start a hunt and then we target ten percent of the fall population. We have sold them over the counter in the past and we went online last year and it was not very successful so we feel this is the best way to handle it.

Comments from the Public

Kirk Winward – emailed information – Thank you for the opportunity to address the RAC. I am the financial vice president for the Utah Falconers Association and we support the Division's recommendations for a draw with one minor modification. Historically the falconry regulation for sage grouse take was a six month season with a one per day limit. In 2002 the Division proposed a two bird limit. Falconry was not a focus of this recommendation and by the time falconers were aware of the situation it was difficult to modify the regulation. Never-the-less to mitigate the impact to falconry the RACs and Wildlife Board approved falconers to obtain a second unused permit. This was appreciated by the falconers but became ineffective once demand outdid supply. Despite the fact that falconers represent a relatively small proportion of the hunters in Utah the exceptional value to falconers hunting sage grouse merits special consideration. Sage grouse are large strong flyers and have an escape behavior that makes them almost impossible to harvest. Many falconers consider hunting sage grouse as the pinnacle of their falconry experience. A falcon is not like a gun that you can put up for a year without consequences. In fact it usually takes several years of training to gain modest success. Losing one year can ruin a sage grouse falcon. From data collected by a DWR survey for two years where they surveyed 30 percent of hunters they predicted a zero falconry take. Another data source is our falconer survey. Rather than poll 30 percent of the hunters we had access to data that we could identify falconers who had permits and we polled all of them and in one year a total of two sage grouse were harvested and the next year one was harvested. A third data source we have is from Wyoming Fish and Game. They have many more sage grouse and probably ten or more kinds of sage grouse falcons. Their data shows an annual take of 1.5 birds for falcons. Falconer take is very limited and because of this we recommend that in addition to the draw the Division allocate a small group of permits to the falconry community. We would request that 40, less than 4 percent of permits, be allocated to falconers. We think that this could be in addition to gun permits because the impact is so small. In conclusion we see this as truly a win win win situation. A win for falconers because we would have opportunity to fly our birds yearly. We consider this a win for the Division because it is a chance to increase opportunity with minimal impact to the resource. We also see it as an opportunity for the gun hunters because it effectively takes the falconers out of the pool of applicants. We appreciate the Division's argument that this request is out of the traditional three year period for reviewing the upland game proclamation. But it is precisely because of the Division's proposal outside of the three year sequence that creates this problem. We feel it is reasonable to address the problem outside of the three year cycle.

Jared Tanner – Thank you for listening. I wanted to point out a few different points. We are also required to fly and hunt with our birds by the DWR. This isn't a bird keeping hobby. By virtually eliminating our opportunity to hunt sage grouse it disallows us to be able to hunt as they require us to do. It is also a federal law. Like he said it takes two to three years to train a falcon for sage grouse. During that time you are also training a dog to work with your falcon. You also have to worry about eagles and other predators that can kill your bird in a heartbeat. The time that it takes that we put into these hunts is a yearly, daily process. To lose opportunity on these sage grouse would be detrimental to our hobby. All we are asking for at this time is 4 percent or less for two to three hundred falconers to fight over. You need to take into consideration that it is really a zero impact on the sage grouse.

Ed Kent – In summary, you recommend to allocate an additional 40 permits beyond the 1,100 permits the Division is recommending that would be falconry only permits.

Jared Tanner – Also to clarify that the falconers that have those permits would not be allowed to use a gun. And they would be falconry only permits.

RAC Discussion

Fred Oswald – Under the proclamation could a falconer put in for a draw and if he got the permit could they hunt with falcon?

Dave Olsen – Yes.

Fred Oswald – How many falconers are in the State of Utah?

Jared Tanner – Approximately 200 to 300. The issue is that there is a training process and if we don't draw out and are not able to get a permit that makes us unable to train our birds.

Richard Hansen - Would the 40 permits be on a draw also?

Dave Olsen – If the Board elected to go that route our drawing contract has already been made and there was no provision to include that type of drawing. For this initial year there would have to be some other provision made.

Richard Hansen – Could they be first come first served.

Dave Olsen – They could and I think they agreed to that.

Kirk Winward – Even though there are 200 to 300 falconers in the state the number of falconers who would have a bird ready to train on sage grouse is very few.

Duane Smith – Were these numbers considered in your proposal and could this be implemented this year?

Dave Olsen – The draw could not but the Board could do anything. When the Board gave us the direction to implement a draw it did not enter my mind. Because of the three year proclamation timeline we decided we would not support their proposal at this time but we would work with them. However, we did encourage them to bring their ideas to the RAC and the Board so it was on the table. What they have described is true. The impacts are limited and the number of individuals involved is minimal.

Duane Smith – Could the 40 permits be issued by a hand done draw.

Kenny Johnson – That could be easily handled.

Gary Nielson – So the number of falconers participating is limited? How many people would put in?

Kenny Johnson – This year we will learn how many people want these permits. In the past we stop selling them when they are gone and we don't really know what the real demand is.

Duane Smith – There are about 200 or 300 falconers but only 40 to 50 that would have a bird to hunt sage grouse and you are willing to restrict yourself.

Kirk Winward – Absolutely.

Dave Olsen – Just to clarify if the permits were issued we would like them to be allocated in the current hunting units, not statewide.

VOTING

Motion was made by Fred Oswald to support the falconers proposal for the Division to allocate 40 permits how the division decides and be sold on first come fist served basis. Permits would be falconry only permits for the 2009/2010 season (and the 2010-2011 season) Seconded by Richard Hansen

In Favor: all

Motion passed unanimously

Motion was made by Fred Oswald to approve upland game guide as proposed Seconded by Duane Smith

In Favor: all

Motion passed unanimously

Fred Oswald – To clarify the first motion, that was just for this year.

Dave Olsen – Okay.

Fred Oswald – Then you would come back with and recommendation addressing this issue for the next hunting guide.

Dave Olsen – I would suggest that it be for two years because we are in the first of a three year guide and we would not come back to RAC for two years.

Ed Kent – Does everyone agree that the recommendation be for two years (2010 and 2011) until new proclamation comes out. If everyone is okay with rewording the motion we won't vote again.

Dave Olsen – And the dates would be as proposed by Division for this year and next year.

- 6) **The Use of Game Birds in Dog Field Trials and Training R657-46 (Action)**
- **Dave Olsen, Wildlife Program Coordinator**

VOTING

Motion was made by Jay Price to approve the rule as presented Seconded by George Holmes

In Favor: All

Motion passed unanimously

- 7) **Statewide Sage Grouse Management Plan (Action)**
- **Jason Robinson, Wildlife Licensing Specialist**

Questions from the RAC

Ed Kent – I witnessed first hand this management plan in action at Strawberry last fall and it is very exciting to see.

Fred Oswald – Do you think the plan will have any impact on whether the feds decid to list sage grouse?

Jason Robinson – I don't think it will. They have most of the information they are going to base their decision on.

Fred Oswald – If the listing does take place what will happen to this plan.

Jason Robinson – This would be a starting point for a recovery plan.

Fred Oswald – And the state would be required to have a recovery plan?

Jason – Yes.

John Fairchild – If listed it is out of our hands and the species would be under the jurisdiction of the Fish and Wildlife Service.

Gary Nielson – Shouldn't this data show that sage grouse should not be listed?

Jason Robinson – We think so. It is hard to say. There are many different levels that this listing decision could come back at. Range wide, seven management zones, population level, or statewide level. We feel like we are doing a lot for the species and feel that this management plan will help us.

Richard Hansen – In the last five years has the population increased or decreased?

Jason Robinson – Our lek data has significantly increased. I will preface that by saying that we do spend more time looking for sage grouse. We have also found counts on leks have increased.

John Fairchild – It is defiantly increasing at Strawberry. You were almost out of birds now you are close to that 500 level.

Jason Robinson – We have good research in the Tooele county area and we found a few leks we didn't know about. There are more birds than we thought originally.

Richard Hansen – What has been the major factor for changes at Strawberry?

John Fairchild – A major conservation effort including predator control, transplanting birds and lot of habitat work. It is a terrific conservation success story.

Richard Hansen – What are the predators, coyotes?

John Fairchild – Red fox.

Ed Kent – Ravens eat the eggs.

Fred Oswald – Are the four hunting areas mostly public land?

Jason Robinson – Parker Mountain is mostly federal land, Uinta Basin is a lot of public land, the Rich county area you have Deseret Land and Livestock but there is public land north of there.

The Box Elder area has a little more private but there is still some public land to hunt.

John Fairchild – There are also quite a few walk in access areas in the northern region.

Comments from the Public

Jared Tanner – Good job increasing the population over the last few years.

VOTING

Motion was made by Allan Stevens to accept the statewide sage grouse management plan as presented

Seconded by Gary Nielson

In Favor: All

Motion passed unanimously

- 8) Hunting and Fishing Accommodations for People with Disabilities R657-12 (Action)
- Kenny Johnson, Wildlife Licensing Specialist**

Questions from the RAC

Gary Nielson – Will the tag numbers you talked about be issued this year?

Kenny Johnson – Not for this fall but we are still working on that.

Duane Smith – Have you had any comments about the controversy regarding the companion hunting part of this rule and season extensions?

Kenny Johnson – Yes. It is a black and white condition right now as far as rule goes. If the region has a question they can send it to the Salt Lake office and we may even involve Marty Bushman in our attorney generals office for clarification. Last year the big focus was a big ugly bull that had a nick name and people came out of the woodwork looking for a way to get in there early. That is a concern.

Duane Smith – I think we need to take a look that.

Fred Oswald – Have you look at what are other states doing?

Kenny Johnson – It is all over the map. Every state was different and every disability was different and every definition was different. One of the things that I noticed was that other states,

instead of trying to level the playing field in the field with some sort of accommodation, they simply on the front end offer a bit of a discount.

Comments from the Public

Justin Fuller – Thank you for your time and thanks to the Division for the benefits we have now. We don't want this be abused. I know a guy who walks with a cane but can hike all the way to Timp cave and has a COR. I don't consider that a disability. The November season was chosen because there are not a lot of other hunts going on and the pressure is much less. If the deer are not next to road we cannot shoot them. We also feel it is necessary to move the date because it currently is during the week and we always have to have someone to go with us and people don't have time to take off to help us in the field. We would have more opportunity to hunt if it was a weekend. Thanks for your time.

Ed Kent – What was the date in November?

Kenny Johnson – The second Saturday.

Ed Kent – You are recommending an experimental hunt the first Saturday for two days?

Kenny Johnson – Yes.

Duane Smith – Would giving you seven days before the regular hunt be better so you have a weekend?

Justin Fuller – We don't think so because the spike hunters and any bull hunters are also in the field and the animals are already away from the road.

Duane Smith – Not as bad as they would be off the road after all the hunts.

Justin Fuller – Based on comments from people we feel November would be better because of all the hunts in October. Even during five days before hunt you still don't see many deer by the roads. We feel the November would be better.

Duane Smith – Do have any idea what success rates are on the third season in Colorado? I am not sure you are going to be more successful.

Justin Fuller - That is why it was an experimental hunt this year and we will find out how successful it is.

Ed Kent – I wonder if earlier than later would be better. Are you okay with the two day experimental hunt in November?

Justin Fuller – Yes.

Larry Velarde – Why not have a four day hunt on Friday, Saturday, Sunday, Monday? I can see the advantage of hunting that time of year as well. I think it is a good experiment.

Kenny Johnson – We met with the group a month ago and discussed options. The Division did not want to push the hunt too long or too late and open a flood gate to everybody trying to apply for these and really spike the number of potential participants. I don't want to speak for them but two days was about all the time they felt they could spend in the field and would get the job done.

VOTING

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

Seconded by Richard Hansen

Gary Nielson – Is that to approve the two day hunt the first Saturday and Sunday in November?

Ed Kent – Yes.

In Favor: all

Motion passed unanimously

- 9) **License Agent Procedure R657-27 (Action)**
- Kenny Johnson, Wildlife Licensing Specialist

RAC Discussion

Richard Hansen – I know that in the business that I am in when you take money from a client they sweep money from your account in 24 hours.

Kenny Johnson – I have been working with the state treasurer’s office and many of the states are sweeping everyday and you are right, that is the best way to insure that those monies are not tempting someone to do something they shouldn’t with it.

Duane Smith – I would encourage you to sweep monthly.

VOTING

**Motion was made by Gary Nielson to accept the proposed changes to the rule as presented
Seconded by Larry Velarde**

In Favor: all

Motion passed unanimously

Other Business – Elect a new Chair

Richard Hansen – I would like to nominate Gary Nielson for Vice Chair.

Ed Kent – Fred, how do you feel about being chair?

Fred Oswald – I have enjoyed being the Vice Chair and serving on the RAC and I would be happy to be Chair. I would advise the person who may want to be Vice Chair that they need to be ready to go to a board meeting all day on a week day sometimes.

Ed Kent – And be familiar with Roberts rules.

Jay Price – I want to publicly give a vote of thanks to Ed Kent. He has done a great job and it has been nice working with him.

Ed Kent – I have enjoyed my association with you.

John Fairchild – It seems an appropriate time to present you with a print in appreciation of your service. We also appreciate Calvin and his time spent with us and will present him with a print of his choosing. We also want to recognize Doug Jones who is no longer on the RAC.

Ed Kent – If everyone is okay with Fred Oswald as the Chair and Gary Nielson as Vice Chair we can approve.

All approved.

Meeting adjourned at 9:20 p.m.

35 in attendance

Next board meeting June 4th at the State Capitol Building, Senate Room 210, Salt Lake

Next RAC meeting August 4th at Central Region Conference Center

Thanks Ed and Calvin!!!

NORTHEASTERN RAC MEETING SUMMARY-MOTIONS PASSED
Western Park, Vernal/May 14, 2009

8. UPLAND GAME HUNTING GUIDE & RULE R657-06

MOTION: to accept as presented, but want the Board to look more in-depth at the falconry concerns that were presented.

Passed unanimously

9. THE USE OF GAME BIRDS IN DOG FIELD TRIALS AND TRAINING RULE R657-46

MOTION: to accept UDWR's proposal

Passed unanimously

10. STATEWIDE SAGE-GROUSE MANAGEMENT PLAN

MOTION: to accept the Division's Plan with the exception that all references to buffer zone recommendation be removed and only appear in appendix 5.

Passed unanimously

11. HUNTING AND FISHING ACCOMMODATIONS FOR PEOPLE WITH DISABILITIES R657-12

MOTION: to accept UDWR's proposal as presented, and in addition, have the Board look into Alan Smith's suggestion of seeing if CWMU operators can provide some programs for people with disabilities.

Passed unanimously

12. LICENSE AGENT PROCEDURES R657-27

MOTION: to accept as presented

Passed unanimously

NORTHEASTERN REGIONAL ADVISORY COUNCIL MEETING SUMMARY

Western Park, Vernal

May 14, 2009

Started at 6:30 pm; Adjourned at 8:45 pm

RAC MEMBERS PRESENT:

Karl Breitenbach-At Large
Beth Hamann-Nonconsumptive
Kevin Christopherson-NER Supervisor
Rod Morrison-Sportsmen
Bob Christensen-RAC Chair
Amy Torres-BLM/FS
Curtis Dastrup-Agriculture
Ron Winterton-Elected Official

UDWR PERSONNEL PRESENT:

Roger Wilson-Wildlife Pgm Coord.
Jason Robinson-Project Leader
Dave Olsen-Wildlife Coord.
Drew Cushing-Wildlife Biologist
Randy Scheetz-NER Law Enf.
Gayle Allred-NER Admin. Aide
Ron Stewart-NER Cons. Outreach
Charlie Greenwood-NER Pgm Mgr
Greg Sheehan-Admin Serv. Sec Chf

EXCUSED RAC MEMBERS:

Floyd Briggs-At Large

UNEXCUSED RAC MEMBERS:

Dave Chivers-Agriculture
Carlos Reed-Ute Tribe
Kirk Woodward-Sportsmen

1,2 AND 3. REVIEW AND ACCEPTANCE OF AGENDA AND MINUTES AND OLD BUSINESS: Bob Christensen

4. REGIONAL UPDATE: Kevin Christopherson

The Environmental Assessment for Seep Ridge Road is out for public comment. There is only a 15-day comment period. I encourage the RAC to review it and provide any comments they have to the BLM. It has to do with the proposal to Pave Seep Ridge road to the Grand County line in the Book Cliffs. DWR has concerns for deer on the winter range. You can go to the BLM web site or the BLM office for a copy of the EA. Talk to your constituents and get your comments in, whatever they may be, in support, or share your concerns with this project.

Our biologists are gillnetting now, and Ron Stewart helped at Flaming Gorge just this week. We haven't seen a serious impact to Flaming Gorge's sport fishery from burbot yet. There were a number of rainbows in 16-20 range.

The Wildlife Board passed the Antlerless rule with some exceptions, mostly in the southern region. Their deer are already at or over-objective down there. (See handout). The elk proposals etc. were accepted as presented.

5. AQUATIC INFORMATIONAL: Roger Wilson (INFORMATIONAL)

(See handout)

Northeastern Region:

Sheep Creek in Daggett County, from Flaming Gorge upstream to the Ashley National Forest Boundary, will be closed August 15 through 6:00 am on the last Saturday of November.

Please share your ideas with the UDWR by June 1.

Questions from Public:

None

Questions from RAC:

Karl Breitenbach: Where are the true muskies going?

Roger Wilson: We don't want to stock true muskies. We want to cross them with northern pike and produce tiger muskies. We may get some tiger muskies this year too. We have a holding facility at the Lee Kay Center.

Karl Breitenbach: In what fisheries?

Roger Schneidervin: In Cottonwood Reservoir in the Northeastern Region.

Karl Breitenbach: They're a pretty tough predator.

Roger Wilson: We're waiting for approval for Joe's Valley to put tiger musky there as well.

Comments from Public:

Mike Weyland (Atlantis Divers) - I have Utah Carp Spear fishing Adventures. I want to show this power point presentation. (Lots of carp shots)

In Fish Lake there are some lake trout taken but we mostly hunt carp.

I want to show you this Diver Down flag. Boaters don't seem to know what it is. It used to be in the Parks and Recreation Guidebook. I haven't even seen a guidebook this year. Are they available? This information needs to be put back in.

Comments from RAC:

Rod Morrison: What do you put the flag on?

Mike Weyland: On the boat or on a float. We drag the float within 50 feet of us. A lot of boats pull in on us. I guess they're curious. This needs to be addressed before somebody gets hurt.

Gerald Meyers: What do you do with them?

Mike Weyland: We eat some and smoke a lot of them. They're very good. We also look for places to donate.

Kevin Christopherson: The boating guide is produced by State Parks. I'm not sure if they have current boating guide out?

Randy Scheetz: I've seen one. I don't know how current it was.

Roger Schneidervin: There was one published last year. I'm not sure how often they're published or their distribution.

Amy Torres: Have you sent your recommendation to the Division?

Mike Weyland: I haven't but I can.

Roger Wilson: I have copies of those that we have retained.

Karl Breitenbach: Roger, you indicated it would be helpful to get a COR from the tournaments? Can you explain why?

Roger Wilson: Anglers have misconceptions about spear fishing. When we made the changes last year it was to change the limit, when the spear fishing limit was less than the angler limit. Some anglers believe spear fishermen have an unfair advantage. It's not true that spearfishermen can fish easier and we couldn't have two sets of regulations. We needed one set. We just want to know where the spear fishing tournaments are happening for everyone so we can deal with any AIS issues or controversial issues from the public. The COR process is largely notification. The fee structure is a lot more affordable than it was. It can be as low as \$20.

Karl Breitenbach: How would you answer that's inequitable?

Roger Wilson: It's just a different process. I'm not sure it's inequitable treatment. We're just looking for notification.

Amy Torres: How would the definition of tournament be? Regardless of size, I understand where these guys are coming from. Is there a size the tournament has to be?

Roger Wilson: The key component is if a cash prize or award is given. If there are no money awards, there's no requirement. Last year we set the prize limit at \$2000. Anything less didn't even need a COR. Also numbers drive it. A tournament with over 50 participants needs a COR for Type A Tournaments. And live weight tournaments. Type B contests are different but still require a COR.

Amy Torres: So monetary requires a COR but non-monetary doesn't?

Roger Wilson: Yes. The others are called fishing "Events". Kids fishing events give trinkets and coloring books but no cash. Other groups have tournaments and have a banquet afterwards where they get cash. As long as the cash isn't involved in the tournament itself.

Bob Christensen: This agenda item is informational so if you have comments, go to the Division's web site to give your comments.

Bob Christensen: Public who hand in comment cards, please list the agenda item you want to discuss on your comment card.

8. UPLAND GAME HUNTING GUIDE & RULE R657-06: Dave Olsen (ACTION)

Last year we passed the upland game two-year guidebook and rule, but we had some problems with the online applications for permits. The Board mandated we come up with a proposal for drawing sharp-tail grouse sage grouse and sand hill crane. We're here today in response to the Board's request.

Proposed changes:

Applications only - \$10

Group applications – up to 4 hunters

15% of permits to youth hunters –does not apply to group applications

Preference points by species

Application period: June 25-July 9, 2009

Draw results available: July 30, 2009

Northeastern Region:

The Northeastern Region youth chukar hunt has been on the Willow Creek WMA in the Book Cliffs but it was in a remote location with a prohibitive distance and the public had problems finding it. We propose moving it to the R.T. Thacker Walk-in Access landowner area southeast of Vernal in Jensen. It's closer, so there's less travel involved. We would be able to give straightforward directions. The dates and times would remain the same.

Also, we no longer want to require an essay from the youth. None of the other youth hunts have that requirement.

Questions from Public:

None

Questions from RAC:

Beth Hamann: Why aren't you allowing the youth to go in with the party? I think it would be educational.

Greg Sheehan: Youth can go in with group. They get one random number for the draw, but if they do that instead of the youth draw they lose that 15% preference.

Beth Hamann: I was just thinking it would encourage more youth participation if they were going in a group.

Greg Sheehan: They can, they just don't get the 15% preference.

Rod Morrison: Were the group permits previously given out on a first-come first-served basis and did that not work out?

Dave Olsen: Permits were sold over the counter until last year. When they went online the system crashed. Apparently, the system was not capable of handling the load. We could have gone back to over the counter, but the Board asked us to come up with a way to do it online.

Rod Morrison: I was thinking this might be a more fair way.

Dave Olsen: I think that's probably correct.

Comments from Public:

Bob Christensen: Remember to keep comments to three minutes from an individual, five minutes from someone representing a group.

Mark Holmes (Utah Falconers Association). I would like to thank the Northeastern Region for its support in the past. Dave Olsen's been great to work with. We've had national competitions here in Vernal. Kind of like spear fishermen, people watch movies about falconers and think you just use your falcon and drop the prey and go home. Federal regulations require us to hunt our birds. Keeping them just as pets violates the regulations. Pheasant populations are so thin, they're hard to find. So there are a lot of falconers who train their birds solely to hunt grouse. Not being able to hunt that bird for a year violates federal regulations and is detrimental to the bird. Data collection shows falconry is a non-impact form of hunting for grouse. The latest survey showed zero impact; there were no birds harvested. In 2002 there were two birds taken, in 2003 three birds were taken.

We recommend:

- a. Allocating a portion of the permits to the falconry community – which will not be valid for gun hunting.
- b. Assess of the historical take data
- c. Continue to allow 1 additional two bird permit (as permits remain available in the falconry pool) but in order to get it, require the presentation of bird wings and associated used permits for the first two birds.
- d. Allow falconry sage grouse permits to be used in any open area
- e. When the Board approves a NAFA meet, allow the 5-day non-resident hunting license to be valid to hunt sage grouse.
- f. Add a reporting requirement for any falconer who obtained permits to submit a report to DWR reporting any harvest data.

Comments from RAC:

None

Bob Christensen: We can discuss the Division's proposal and the Falconers' proposal with the RAC or can ask the Board to formulate a proposal and bring it back to us.

RAC Discussion and Motion

Curits Dastrup: How many sage grouse permits are there?

Dave Olsen: They are set each year based off of a strutting ground count and extrapolations. Last year 1100 sage grouse permits were issued; each permit was for 2 birds (2200 birds) with a 50-70% success.

Curtis Dastrup: What's the status in Strawberry?

Dave Olsen: Encouraging. We have been augmenting that population and it has come back. We're focused not only on reintroductions and support but predator control and habitat improvement. That was a year ago. We will continue predator control for three years and then see if the population can sustain itself.

Curtis Dastrup: What kind of habitat work?

Dave Olsen: We have done brood rearing habitat work and rejuvenation of decadent brush in Strawberry Valley and also in the Fruitland area, like Alan Smith's property.

Curtis Dastrup: Do they go there in the wintertime?

Dave Olsen: Yes.

MOTION by Amy Torres: We're looking at rules not numbers, so I suggest we accept the proposal as presented but ask the Board look more in depth at the falconry problem that has come up from this.

Second by Karl Breitenbach

Discussion:

None

Passed unanimously

9. THE USE OF GAME BIRDS IN DOG FIELD TRIALS AND TRAINING: R657-46: Dave Olsen (ACTION)

(Slide Show)

Approved March 5, 2002, continued October 19, 2004

5-year review is due 2009

Propose to continue the rule with no changes. We checked with two dog trial groups and they were satisfied with the rules as written.

Questions from Public:

None

Questions from RAC:

None

Comments from Public:

None

Comments from RAC:

Curtis Dastrup: Do we require a COR for field trials for pen raised birds?

Dave Olsen: Yes.

Curtis Dastrup: Why?

Dave Olsen: In the rule it requires, similar to fishing tournaments, where they're turning birds loose, the Division likes to look at it and approve area so it's not on top of a brooding area.

Curtis Dastrup: What's the cost of the COR?

Dave Olsen: \$75 with a \$10 application fee. If a club or group lists every possible area they want to have a trial, a renewal would be \$30. Halfway through year if they decide they want to add an area there is a \$10 amendment fee.

Curtis Dastrup: I have dog trials next to my place and I wonder why they have to pay a fee to hunt their own birds on their own land.

Dave Olsen: It is to protect landowners. Having permission save them from having trespass and animals dumped on them they didn't want in the process.

Curtis Dastrup: I can understand why you want information so I guess we're stuck with it.

MOTION BY Karl Breitenbach to accept UDWR's proposal
Second by Ron Winterton

Discussion:
None

Passed unanimously

10. STATEWIDE SAGE-GROUSE MANAGEMENT PLAN: Jason Robinson, Project Leader (ACTION)
See handout

Questions from Public:
None

Questions from RAC:
Ron Winterton: I have some concerns. I think this was on the habitat development guidelines that they wanted to keep and it came from oil companies. Is this what's going to go in the appendix?

Jason Robinson: Yes. The appendix will have suggested guidelines and buffers and crucial habitats separately.

Curtis Dastrup: On areas that you have improved have there been any of the leks changed or increased? Desert Land and Livestock has increased leks by quite a few and they have changed from one area to another. Have we noticed this in any other places?

Jason Robinson: In parts of the states where you have an increase, leks will get bigger and you have an overflow effect. With the work on improving habitat, the populations increase, get overcrowded, and males will establish leks in new areas. Usually it stays in the same traditional area for a long time. On Parker Mountain we have seen increases in leks and establishment of new leks.

Curtis Dastrup: My father owns a piece of property in Altonah. When we bought property there were 10 birds. Over time, we had over 250 in the same area and I don't know what's happened to those now; I haven't been there in a few years. If it's like the turkey, I had 25 years ago and we have none today. With my dad, they had none, now they have 200 and they've moved. With the sage grouse in Altonah, the leks have moved. Do you know why? The habitat hasn't changed.

Jason Robinson: Sometimes disturbances like if noise levels are too high they'll abandon it. Often we don't know if it's the same birds. It's hard to say.

Curtis Dastrup: Is there any evidence as to why this decline's taking place? Is it just a disturbance? Because in the Altonah area there's been no disturbance.

Jason Robinson: Range wide it is habitat loss, predation from red fox, there are a whole gamut of factors that help in the decline of sage grouse numbers, not just one factor.

Bob Christensen: For the guidelines, is it going to be the same working group?

Jason Robinson: Susan White and Tom Clayson and the SITLA representative worked quite hard on these, however we're still working with these and it will go out to groups and involve a few other folks along the way.

Comments from Public:

Alan Smith: I'm in favor of and encourage that the Board approve the first part of the statewide management plan. I didn't realize that they're not going to bring in the guidelines at this time. I'm quite confident that with the work that we've put in there, that the guidelines coming down, I don't see very many changes and that I will probably speak in favor of those but I haven't seen the final version. I was impressed with the professionalism of everybody on the committee. We met half a dozen times. I was one of the culprits of getting rid of sage brush but with the wealth of knowledge I've obtained, I'm putting the sage brush back in our mixture of seeds we plant.

Robert Riddle: I support the statewide plan. I'm one of the members of the Strawberry Working Group. I'm very concerned that this bird not be listed. If it is listed, it will really severely hamper our opportunities to do anything with the grounds on the current habitat that they're working on right now. In the guidelines I would like to see something that would help prevent this bird from ever becoming an endangered species.

Alan Smith: I have a follow-up comment. Utah, along with Colorado and Wyoming, has gathered a vast amount of information. If the final determination is not to list, it will be because of the work of this state and surrounding states and plans like this. I'm hoping that's the case.

Comments from RAC:

Karl Breitenbach: After having eaten sage grouse once, I wonder why we're pursuing hunting. They're not that challenging to hunt. Are we giving out too many tags?

Jason Robinson: The State of Utah's actually very conservative. Other states like a population of 300 before hunting. We go to 500 before hunting as literature suggests. There is a high demand for sage grouse hunting in the state of Utah.

Bob Christensen: I think the group has put together a good plan.

Kevin Christopherson: Let me compliment Duchesne County. They sent us a letter and caught us in a mistake. A few lines got left in the Plan that should have only been in appendix 5. They also pointed out that the counties have not had an opportunity to comment on the guidelines through the RDCC process. They will see these guidelines in the RDCC process, and the RAC will see them later. We recognize the oversight, and could support a motion to amend the plan. Mike Hyde's been great to work with.

MOTION by Ron Winterton to accept the Division's proposals, but with the exception that counties have a say before the final line version goes to the state. (And I would like to have our county planner in there because he's quite well versed in these issues. I would like to have Mike Hyde be involved in that, as well as an update). I suggest we pull guidelines out of the plan, but accept the rest as is.

Second by Karl Breitenbach

Discussion:

None

Passed unanimously

11. HUNTING AND FISHING ACCOMMODATIONS FOR PEOPLE WITH DISABILITIES R657-12: Kenny Johnson, Wildlife Licensing Specialist (ACTION)

See handout

Questions from Public:

Gerald Meyers: Doesn't the hunt overlap with the black powder elk season?

Greg Sheehan: It happens after the Muzzleloader hunt ends.

Questions from RAC:

Rod Morrison: Is there a list for people to help take disabled hunters out? I'd like to see a group established.

Greg Sheehan: There are a couple of groups who help a lot. I think it would be good to make that offer. Maybe we could put on our website that if people want to sign up, we could use volunteers to help disabled people.

Comments from Public:

Alan Smith: I have had two CWMUs in the Northeastern region in the last seven years, I've made it a point to offer one of my cow elk tags to the disabled and they've had 100% success every year. Make a Wish Foundation approached me. They suggested that when the CWMU rules come up, have each CWMU supply one cow tag or doe tag to these groups. We could almost fulfill 100% of the needs of this group if we did. The ones who can't walk we can put on a sled. There are groups who have bought trucks, got horses

who can lay down and put the hunter on, stand up, shoot from horse and bring back and lay down. Food for thought to encourage the CWMU groups later. The RACs could suggest that in the future. I'm very proud to be helping. Hopefully I can in the future.

Comments from RAC:

Karl Breitenbach: I vote "Yes" on supporting the motion to accept as presented but I just got a phone call and need to be excused.

Karl Breitenbach excused.

MOTION by Amy Torres to accept UDWR's proposal as presented and in addition ask the Board to look into Alan's suggestion of having CWMUs step up and see if we can get them to have some programs for folks with disabilities.

Second by Beth Haman

Passed unanimously

12. LICENSE AGENT PROCEDURES R657-27: Greg Sheehan, Administrative Services Section Chief (ACTION)

See handout

Questions from Public:

None

Questions from RAC:

None

Comments from Public:

None

Comments from RAC:

None

Ron Winterton MOTION to accept as presented

Second by Amy Torres

Discussion:

None

Passed unanimously

Meeting adjourned

Kevin Christopherson: Our biologists will be spawning cutthroat trout at Lake Canyon Lake on Wednesday. If anyone is interested in observing let me or Gayle know.

RAC social will be June 30th, Tuesday at Del Brady's house.

Next RAC Meeting: July 30, 2009.

Northern Regional Advisory Council

May 20, 2009

6:00 P.M.

Place: Brigham City Community Center

RAC Present

Darwin Bingham
Brad Slater
Ann Neville
Jon Leonard
Bill Fenimore
Ryan Foutz
James Gaskill
Paul Cowley
Bret Selman
Lee Shirley
Shawn Groll

DWR Present

Jodie Anderson
Randy Wood
Craig Schaugaard
Ron Hodson
Matt McKell
Roger Wilson
Cassie Mellon
Dave Olsen
Jason Robinson
Greg Sheehan
Alan Clark
Walt Donaldson
Drew Cushing
Craig McLaughlin

Wildlife Board

Ernie Perkins

RAC Absent

Mark Marsh
Robert Byrnes

Meeting Begins: 6:00 p.m.

Number of Pages: 12

Introduction: Brad Slater- Chair

Agenda:

Review of Agenda

Review of April 28, 2009 Meeting Minutes

Regional Update

Aquatic Informational

Native Trout Restoration Project

Northern Leatherside Chub

Upland Game Hunting Guide & Rule R657-06

The use of Game Birds in Dog Field Trials and Training- R657-46

Statewide Sage-Grouse Management Plan

Hunting and Fishing Accommodations for People with Disabilities R657-12

License Agent Procedures R657-27

Item 1. Review and Acceptance of Agenda

Motion: Gaskill- Approve agenda as revised.

Second: Leonard

Motion Carries: Unanimous

Item 2. Review and Acceptance of April 28, 2009 Meeting Minutes

Motion: Cowley- Correction on Item. 4 Sensitive Species Program Updates. The minutes should read 1.6 billion instead of 1.6 million. Accept the minutes as presented after the corrections.

Second: Fenimore

Motion Carries: Unanimous

Item 3. Old Business

Brad Slater, RAC Chair

None

Item 4. Regional Update

Ron Hodson, Regional Supervisor and Brad Slater, RAC Chairman

Presentation was given for Bill Fenimore, Darwin Bingham, Lee Shirley and Ryan Foutz who are going off the NRO RAC Board. Small gift was presented for their time and dedication to the RAC council.

Item 5. Aquatic Informational

Roger Wilson, Wildlife Program Coordinator

See Handout

Regulatory Objectives to continue efforts to simplify, clarify and standardize regulations.

Public Questions

Keith Major- Fruit Heights- Spear fishers over spawning beds. Do lake trout spawn at night?

Wilson- They still congregate in the shallow water. They are in there for spawning.

Keith Major- What is the difference between Fish Lake and any other lake?

Wilson- We encourage lake trout harvest at Flaming Gorge, Fish Lake is different. We made a lot of changes to the spear fishing regulation. With the conflict at Fish Lake, we thought it was wise to close the season early.

RAC Questions

Gaskill- Change in community water limits. Are we sure it is fishing that is taking fishing out and not a survivability issue?

Wilson- There is one survivability issue we are concerned about and that is birds.

Gaskill- Cormorants and Pelicans.

Wilson- It is mostly Cormorants. We are contemplating measures right now including laser targeting these birds.

Gaskill- Lasers?

Wilson- We laugh about that but Idaho has undergone a lethal take of pelicans and have run it through their board. That is an option for Utah. It is a serious problem. We feel that angler removal is the most significant part of the equation.

Gaskill- Have we done studies to address that?

Wilson- Yes. I could invite Drew up here for numbers.

Drew Cushing- We do have bird problems but we also had creel surveys showing 100 anglers per acre per day.

Gaskill- The idea sounds good to do it on a weekly rather than bi-weekly basis. These community waters primarily are bait fisherman. Would this not limit fishing opportunities by length of time to fish?

Cushing- That is a concern but the other option is that you would go and not catch any fish and be discouraged. We want to spread out the fish.

Gaskill- This is something you are going to monitor heavily this summer and come back in the fall to tell us how it worked?

Cushing- This wouldn't be implemented until January of 2010.

Gaskill- It is an informational item now?

Cushing- Right.

Shirley- I keep getting questions about 21st street pond. We have been waiting for results for years. What is happening?

Craig Schaugaard- This past month, we have collected fish from the pond and 3 locations on the river. They have been sent to a lab in Colorado for analysis. The tests have been run but when we received the results, we could not make head or tails of it. As soon as we know there is not a health risk, we will open it up. We stocked rainbows in there last fall.

Shirley- Are you able to open it up right away once you get results?

Schaugaard- If we have support from Salt Lake.

Shirley- It is an excellent fishery for the kids in Ogden.

Schaugaard- You would not believe the largemouth bass that are in there.

Paul Roberts- Is the fish hatchery program able to stock weekly rather than bi-weekly?

Wilson- Yes, we have committed to that.

Cowley- Do we have a good definition of what community water is or is it merely a designation that the division puts on the water?

Wilson- Drew might be able to better address this. Typically community waters are driven by an agreement with the community. They are usually smaller waters. Working on guidelines with communities.

Cushing- We have a signed agreement with the cities and these waters are intensively managed. They have a youth program associated with them incorporated with that agreement.

Neville- Clarification on bird problem?

Wilson- A bird problem?

Neville- Do we have evidence that the bird populations have increased?

Wilson- In some areas, pelicans have increased greatly.

Neville- Do you have evidence?

Wilson- Yes, we do.

Neville- Is it evidence that there is more use at the pond or has the actual population increased?

Wilson- I am not sure I can answer that for Cormorants.

Neville- I just want to be really careful about managing for only fish and not thinking about overall population.

Wilson- In a lot of cases, our stocking programs are bringing these populations up and increasing the situation. It drives the approach a little bit. Our desire is to discourage these birds.

Shirley- I have watched the Cormorants on one of the community lakes in Weber County and they do take a lot of fish out of that lake.

Gaskill- Where does Beaver Creek originate?

Wilson- Southern portion of the La Sal Mountains.

Gaskill- Does it originate in Hidden Lake or Dons Lake?

Wilson- I think it might, I am not sure.

Donaldson- It does not.

Gaskill- It does not originate in Dons or Hidden?

Donaldson- *(could not hear comment)*

Gaskill- It does? I thought it came off the north.

Donaldson- *(could not hear comment)*

Fenimore- Spear fishing COR definition of tournament?

Wilson- There are contests type 1 and type 2. The key element is they provide a monetary award or prize based on catch.

Fenimore- Tournament has some sort of organization providing prizes and such.

Wilson- Right. You have to meet that criteria. You only need a COR for type 1 tournaments. They are contests that involve live weigh. If they do not meet that criteria, they are type 2 and do not need a COR.

Public Comment

Michael Weyland- Utah Spear fishermen Association- Presents a power point presentation of fish that were harvested by spear fishermen.

Paul Roberts- Where are harvested carp going?

Weyland- Most are ending up in the local dumps. Once in a while it is recommended to sink them down to the bottom of the lake.

Keith Major- If spear fishers are required COR's, then all other get-togethers should require the same.

Slater- Time limits for comments.

Christopher Rose- Brigham City Community Youth Fishing Program- Support 2 fish limit to help prevent overfishing.

RAC Input

Fenimore- Clarification on COR's for family spear fishing. That is not a tournament correct?

Cowley- COR's are DWR, so that is totally out of the picture. When there is an activity on nation forest service lands, it does require a special use permit for that activity.

Slater- In lands managed by the National Forest Service, there is an interest by DWR. I have seen great cooperation between the different agencies when it comes to events.

Neville- Fishery aspect of birds and fish, encourage the division and biologists to make sure you are working together before drastic lethal methods are put in place.

Public Input

Michael Weyland- Clarification on situation on Flaming Gorge. Agreement was settled right then.

Cowley- That is the best place to settle that.

Jim Morkin- Rocky Mountain Anglers- Type 1 and type 2 tournaments. We coordinate with the DWR when we have a get-together. 4 proposed changes: dropping limit of prizes and money for limit 1 contests to \$250 dollars, dropping limit of contestants for a type 1 contest to 30, requiring prize money to be included in contest and require any contest for out-of-state anglers be type 1.

RAC Comments

Neville- Item 3, would that be annual prize money rewarded?

Morkin- We prefer it be paid out on site that day or within a couple of days.

Gaskill- I support what Jim has said about tournaments. I hope the division will consider it strongly. I do not think that the spear fishing regulations are a great burden so I also support what the division recommends. There are a lot more Cormorants now that a few years ago. They are concentrated on the community fisheries and small reservoirs.

Shirley- I can see the problem with the spear fishing in Fish Lake. I think the division is making a good recommendation. Some people taking a lot of fish at the community fisheries. The kids really need that experience.

Cowley- Would the division consider or encourage a 2 fish limit? Recommend that we educate if we are viewing spear fishing as a legal fishing method. Need to educate the other fisherman out there in the fishing guide. Recognize the safety issue.

Foutz- Commend spear fisherman.

Item 6. Native Trout Restoration Project

Craig Schaugaard, Aquatic Biologist

See Handout

RAC Questions

Gaskill- How many species of cutthroat trout are there?

Schaugaard- In Utah?

Gaskill- Anywhere.

Schaugaard- In Utah, there are 3 native species.

Gaskill- Would you define species.

Schaugaard- They are subspecies.

Gaskill- So there is 1 species?

Schaugaard- There is one cutthroat species and 3 subspecies: Yellowstone, Colorado and Bonneville. They have petitioned all 3 of them for listing.

Gaskill- All 3 subspecies?

Schaugaard- Yes.

Gaskill- Then we have strains?

Schaugaard- There is evidence that Bear Lake and Bear River cutthroat might not actually be bonneville. Right now, they are being called bonneville. That is why I called them 2 different strains.

Gaskill- Is the bottom line that we don't really have a good definition of strains vs. subspecies vs. species.

Schaugaard- We have a pretty definite on the subspecies.

Gaskill- What is the definition of a subspecies?

Schaugaard- I don't know the scientific definition.

Wilson- The greenbacks are also here, so we have 4. Strains is really below the subspecies level. The Bear Lake cutthroat is a strain of the bonneville. Does that make it clear?

Gaskill- It answers my question. What is the basic reason for this whole cutthroat program.

Schaugaard- To prevent listing.

Gaskill- So it is not so much biological as it is mandated by the feds?

Schaugaard- We don't want it to be mandated by the feds. Right now it isn't.

Wilson- They are native fish. There are a lot of people interested in these fish.

Schaugaard- We actually have 5 species of cutthroat in the state.

Gaskill- 4 subspecies.

Wilson- That is correct.

Schaugaard- Clarkeye is the species.

Gaskill- Those names change and are based on ideas of what a species is and what a subspecies is. Next year, it could change.

Schaugaard- There are really 2 groups in the bonneville basin. The nearest neighbor is the safest approach.

Gaskill- There is individual variation as well.

Schaugaard- You want individual variation.

Gaskill- what is wrong with brook trout and brown trout?

Schaugaard- In the right places, there is nothing wrong with them.

Gaskill- Is that because they are better adapted to whatever environment they compete in?

Schaugaard- They are better competitors in most cases.

Wilson- In the east, the brook trout are not doing very well in their native habitat.

Gaskill- Is it true that Colorado spent \$400,000 dollars and discovered they had the wrong strain of cutthroat?

Schaugaard- I know they have had some issues.

Public Questions and Comment

Paul Roberts- How did Yellowstone get into the Raft River drainage? Were they planted?

Schaugaard- The Raft River often connects with the Snake River and we believe that they probably still migrate out of the Snake up to the Raft River and into the drainage.

Paul Roberts- Are they the lower stand or middle stand Jackson Hole strain Snake River or are they unidentified?

Schaugaard- I don't know that Matt do you?

Matt McKell- Technically, I guess there are probably 3 strains.

Paul Roberts- Did the Colorado get into the Uintah Basin natively?

Schaugaard- Through the Colorado and Green Rivers.

Paul Roberts- They really belong there?

Schaugaard- Yes.

Paul Roberts- If you eliminate the fish from a stream, you ought to bring in the nearest neighbor which it seems you plan to do. Catching and hauling a bunch of fish over 10 miles, will this be enough of a contribution of fish to re-populate and maintain?

RAC Comment

Gaskill- I am opposed to killing a fish that is better adapted to an environment simply because it was brought here by a man rather than swimming upstream.

Cowley- Cooperative agreement between states and land management agencies. Species being petitioned for listing. If they become listed, the management opportunity is moved to the federal agency. Support actions that the state is taking. Try to protect the native species here within the state.

Groll- Comments regarding listing fish and other stocking options. Stock fish for a few years until native fish get established.

Gaskill- Extinction and biological processes.

Item 7. Northern Leatherside Chub

Cassie Mellon, Wildlife Coordinator

See Handout

RAC Questions

Gaskill- Is the southern doing ok?

Mellon- They have not been petitioned. We are also developing a conservation agreement and strategy.

Gaskill- Just in case?

Mellon- We are not developing the strategy just in reaction to the petition listing.

Gaskill- Introduced populations of chubs. How do they get introduced?

Mellon- They were probably used as bait fish. It was probably bait bucked introduction.

Gaskill- Do they kill them?

Mellon- No.

Gaskill- I don't want us to kill them.

Motion was made to change the order of the Agenda

Motion: Cowley- Move the Hunting and Fishing Accommodations to this point of the agenda.

Second: Neville

Motion Carries: Unanimous

Item 8. Hunting and Fishing Accommodations for People with Disabilities R657-12

Greg Sheehan, Administrative Services

See Handout

Public Comment

Roy Edwards- Disabled Hunters- Concerned if the new changes are adequate?

RAC Questions

Cowley- What could be said in the regulations to tighten it up? Is it a matter of going out and following up on the COR's to see if they truly are handicapped?

Roy Edwards- Yes.

Leonard- Can you get an extension for limited entry hunts for the disabled?

Sheehan- That is correct.

Leonard- But you can't for the general hunt?

Sheehan- A limited entry hunt, you get a 30 day extension. General hunt you get 5 days before the hunt starts and then 2 days in November for deer.

Leonard- It is very important that they have that early season advantage when the turkeys are down.

Sheehan- We will have to look at that one when we get to turkeys.

Roy Edwards- Thank everyone for introducing the program. Look at those that are abusing the program.

Motion

Motion: Cowley-Accept the wording change that has been presented and encourage the Division to closely monitor the COR's that have been issued.

Second: Gaskill

Motion Carries: Unanimous

Sheehan- The reason we have made that an experimental hunt in November is because we are planning to do a 100% harvest survey of those who get the COR's. This rule is only good for this year.

Item 9. License Agent Procedures R657-27

Greg Sheehan, Administrative Services

See Handout

RAC Questions

Fenimore- Are agents bonded?

Sheehan- Most of our agents are bonded. We have dropped our requirement for most of our long-term agents.

Motion

Motion- Fenimore-Approve the recommendations as presented.

Second: Bingham

Motion Carries: Unanimous

Item 10. Upland Game Hunting Guide & Rule R657-06

Dave Olsen, Wildlife Program Coordinator

See Handout

Public Questions

Kirk Winward- How would preference points work if you had a group of 4 applicants and one had 1 preference point and the other had zero?

Olsen- Let's have Greg answer that question.

Sheehan- Preference points round down. So, if you were in a group and there was one, it would round to 1/4 point per person and that would round down to zero. You have to have a whole point.

RAC Questions

Gaskill- Have you done anything to make the youth application process a little fairer?

Olsen- If we have more applicants than we do positions, we do hold a drawing and try to balance that. We try to be fair. We are trying to address that.

Gaskill- It does not take into account whether they had a tag last year or not?

Olsen- No. We have not looked at that.

Gaskill- I think that is an issue we had. I hope you would consider that as a fairness issue.

Olsen- We do have a lot of repeat kids so I will make note of that.

Cowley- Have you seen the discussion from the Falconers on this issue and what your thoughts are?

Olsen- I have. When we put the drawing together, it changed the status of falconers and issuing sage grouse permits. We are in a 3 year proclamation so we will not support the changes recommended at this point. We did suggest they bring it to the RAC and make the issue known.

Cowley- Was the data presented accurate?

Olsen- Yes.

Cowley- How did the other RAC's vote on this matter?

Olsen- One RAC turned the entire proposal down. The other 3 accepted it but attached a motion that they work with the falconers in the future.

Public Comment

Kirk Winward- Utah Falconers Association- Support of division's proposal with one modification that the pool be allocated for falconry. Propose that a small pool of sage grouse permits be set aside for falconry. Request that 40 of the approximate 100 permits be allocated to the falconry pool.

Todd Balentine- Clarification regarding other RAC's decision.

RAC Comment

Selman- Appreciate the falconer's role and work they put into these birds. I would like to accept this proposal and give 40 birds to these guys.

Motion

Motion: Selman- Move to accept the proposal as presented and add 40 permits for the Falconry, which the DWR can allocate accordingly to the areas to be hunted.

Second: Bingham

Discussion on the Motion

Fenimore- Are falconers also able to hunt pheasant and ducks?

Olsen- Yes.

Fenimore- So there season is not only restricted to sage grouse?

Olsen- That is correct.

Foutz- We went ahead and modified it for youth but not for the falconers. I think it would be in line to make some modifications even though we are outside that 3 years.

Cowley- Is this 40 permits outside what is currently set up for allocation?

Slater- An additional 40 permits.

Gaskill- Concerned that we are making modifications after making a 3 year plan. I hope the board would not do that on a regular basis. I am a big supporter of falconry.

Neville- How does Dave feel about numbers generated by the falconers?

Olsen- The numbers are probably irrelevant but the 40 is something that will not have an impact. If this does occur, we would like those 40 permits to be distributed across those 4 areas that are hunted for sage grouse rather than statewide.

Gaskill- Would you be willing to amend your motion to allow the DWR to allocate the permits as they see fit?

Olsen- Yes.

Motion Carries: Unanimous

Item 11. The use of Game Birds in Dog Field Trials and Training- R657-46

Dave Olsen, Wildlife Program Coordinator

See Handout

RAC Questions

Gaskill- What two organizations did you work with?

Olsen- NABDA and Greater Utah Pointing Dog Club.

Motion

Motion: Gaskill- Move to accept the proposal.

Second: Neville

Motion Carries: Unanimous

Item 12. Statewide Sage-Grouse Management Plan

Jason Robinson, Project Leader

See Handout

RAC Questions

Fenimore- Lakes that are close to traveled roads. Has the working groups looked at reflector markers on fences to help birds avoid collisions? Is there any effort to try and preserve these areas that are near well traveled roads?

Robinson- Several local working groups have talked about the fence collision issue. I don't know if any working groups have gone out and actually done anything.

Fenimore- Potential sites where wind farms will not be disruptive?

Robinson- That will be handled in appendix 5.

Cowley- Is there going to be an attempt to put together a conservation agreement and strategy for this species? In your list of participants, I did not see the Fish and Wildlife Service in there. I am curious if they were invited and chose not to participate?

Robinson- The Fish and Wildlife Service was involved and meet on a regular basis with the committee. They were involved with review of the document. If greater sage-grouse end up becoming a listed species, this will serve as a starting point for recovery document.

Cowley- I understand that.

Selman- What do you know about candidate conservation agreements with assurances for these birds?

Robinson- We have a few within the state.

Selman- For Sage-Grouse?

Olsen- We don't have anything for sage-grouse but we do have conservation agreements being put together for a couple of other species in the aquatic group.

RAC Comments

Gaskill- No discussion of extinction. Compliment Jason for his work.

Motion

Motion: Gaskill- Accept the management plan as presented.

Second: Foutz

Motion Carries: Unanimous

Meeting Ends: 9:40 p.m.

Northern Regional Advisory Council Meeting Motions
Wednesday May 20, 2009
Brigham City Community Center

Review and Acceptance of April 28, 2009 Meeting Minutes

Motion: Cowley- Correction on Item. 4 Sensitive Species Program Updates. The minutes should read 1.6 Billion instead of 1.6 million. Accept the minutes as presented after the corrections.

Second: Fenimore

Motion Carries: Unanimous

Motion: Cowley- Change the order of the Agenda for Hunting and Fishing Accommodations for People with Disabilities R657-12 and License Agent Procedures R657-27.

Second: Neville

Motion Carries: Unanimous

Hunting and Fishing Accommodations for People with Disabilities R657-12

Motion: Cowley- Accept the wording change that has been presented and encourage the Division to monitor the COR's that have been issued.

Second: Gaskill

Motion Carries: Unanimous

License Agent Procedures R657-27

Motion: Fenimore-Approve the recommendations as presented.

Second: Bingham

Motion Carries: Unanimous

Upland Game Hunting Guide & Rule R657-06

Motion: Selman- Move to accept the proposal as presented and add 40 permits for the Falconry, which the DWR can allocate accordingly to the areas to be hunted.

Second: Bingham

Motion Carries: Unanimous

The use of Game Birds in Dog Field Trials and Training- R657-46

Motion: Gaskill- Move to accept the proposal.

Second: Neville

Motion Carries: Unanimous

Statewide Sage-Grouse Management Plan

Motion: Gaskill- Accept the management plan as presented.

Second: Foutz

Motion Carries: Unanimous

MOTIONS MATRIX
SOUTHEAST REGIONAL WILDLIFE ADVISORY COUNCIL
JOHN WESLEY POWELL MUSEUM IN GREEN RIVER
May 13, 2009

APPROVAL OF THE AGENDA

MOTION: to approve the agenda as written

PASSED: unanimously

APPROVAL OF THE MINUTES

MOTION: to approve the minutes of the April 28, 2009 meeting as amended.

PASSED: unanimously

UPLAND GAME HUNTING GUIDE & RULE R657-06

MOTION: to deny any and all recommendations for change to the Upland Game Hunting Guide and Rule, until its 3-year term had lapsed.

PASSED: unanimously

THE USE OF GAME BIRDS IN DOG FIELD TRIALS AND TRAINING R657-46

MOTION: to approve the Use of Game Birds in Dog Field Trials and Training Rule as presented.

PASSED: unanimously

STATEWIDE SAGE-GROUSE MANAGEMENT PLAN

MOTION: to accept the Statewide Sage-grouse Management Plan as presented.

PASSED: unanimously

HUNTING AND FISHING ACCOMMODATIONS FOR PEOPLE WITH DISABILITIES R-657-12

MOTION: to accept the rule as presented, except that all deer hunters be interviewed to determine hunter success and buck antler quality.

PASSED: unanimously

LICENSE AGENT PROCEDURES R-657-27

MOTION: to approve the License Agent Procedures Rule as presented.

PASSED: unanimously

SOUTHEASTERN REGIONAL ADVISORY COUNCIL MEETING SUMMARY
John Wesley Powell Museum in Green River
May 13, 2009
Commence at 6:30 p.m. Adjourn at 9:40 p.m.

RAC MEMBERS PRESENT:

Albrecht, Kevin	U.S. Forest Service
Bates, Bill	Regional Supervisor
Byrnes, Verd	At Large
Gilson, James	Sportsmen
Hatch, Jordan	Agriculture
Hoskisson, Wayne	Environmental
Maldonado, Walt	Sportsmen
Riddle, Pam	BLM
Sanslow, Terry	At Large

EXCUSED RAC MEMBERS:

Adams, Bruce	At Large
Kamala, Laura	Environmental
Sitterud, Drew	Elected Official

UNEXCUSED RAC MEMBERS:

Bayles, Lyle	At Large
Lewis, Kurt	Agriculture

UTAH WILDLIFE BOARD MEMBERS PRESENT:

DWR PERSONNEL PRESENT:

Bates, Bill
Birdsey, Paul
Crompton, Brad
Cushing, Drew
Hart, Justin
Johnson, Kenny
Kerstetter, Roger
Olsen, Dave
Robinson, Jason
Shannon, Justin
Stettler, Brent
Wilson, Roger

PUBLIC IN ATTENDANCE 4

CONDUCTING THE MEETING

-Terry Sanslow, Chairman

APPROVAL OF THE AGENDA

Questions from the RAC:

Questions from the Audience:

Comments from the Audience:

Comments/Discussion from the RAC:

MOTION by Wayne Hoskisson to approve the agenda as amended.

SECOND by Kevin Albrecht

PASSED unanimously

APPROVAL OF THE MINUTES

Questions from the RAC:

Bill Bates asked Brent Stettler if proposed changes had been made in last month's minutes. Brent answered that they had been.

Questions from the Audience:

Comments from the Audience:

Comments/Discussion from the RAC:

MOTION by Kevin Albrecht to approve the minutes of the April 28, 2009 meeting as amended.

SECOND by Verd Byrnes

PASSED unanimously

OLD BUSINESS

-Terry Sanslow, Chairman

Questions from the RAC:

Questions from the Audience:

Comments from the Audience:

Comments/Discussion from the RAC:

No new business was identified or discussed.

MOTION by N/A
SECOND by
PASSED:

REGIONAL UPDATE

-Bill Bates, Regional Supervisor

Questions from the RAC:

Questions from the Audience:

Comments from the Audience:

Comments/Discussion from the RAC:

Bill Bates presented framed wildlife prints to all retiring RAC members in attendance.

Bill then announced that two Wildlife Board vacancies had been filled by Jake Albrecht of the Southern Region and Bill Fenimore of the Northern Region.

Last of all, Bill introduced the region's new wildlife program manager, Justin Shannon.

After mention of Duck Fork cutthroat egg collection, Kevin Albrecht was asked for current snow and access conditions on the mountain, which he provided.

DWR wildlife biologist Brad Crompton invited RAC members to participate in a spring range assessment on Porphyry Bench in Carbon County on Saturday, May 23 at 9 a.m.

MOTION by N/A
SECOND by
PASSED:

AQUATIC INFORMATIONAL

-Roger Wilson, Wildlife Program Coordinator

Questions and Discussion from the RAC:

James Gilson asked if there were fresh water shrimp in Joes Valley Reservoir.

Roger Wilson said he didn't know. Paul Birdsey thought there were, but added that shrimp were prime feed for chubs and would never become prolific for that reason.

James Gilson asked how the new regulations affected stocking at Scofield Reservoir. Both Paul Birdsey and Roger Wilson explained that the same number of pounds of fish was being stocked, but that fingerling planters had been replaced by sub-catchable sized fish, which returned more fish to the creel.

James aired concern that the new slot regulations could prevent families from enjoying fish fries during reunions and other gatherings. Paul Birdsey conceded that he was also concerned, but added that he was asking for 80,000 sub-catchable rainbows this fall to improve the catch rate. Roger Wilson stated that Strawberry Reservoir regulations had proven very effective, and that the decision to stock sub-catchables had proven to be the best strategy for putting fish in the creel.

James asked if chubs were going to be removed this summer. Paul Birdsey replied that chubs would only be live-captured for the ponds at the Lee-Kay Center.

James asked for an update on the wiper situation for Joes Valley Reservoir. Paul Birdsey answered that he was waiting for approval from the U.S. Fish and Wildlife Service. James replied

that Sportsmen for Fish and Wildlife were willing to donate \$10,000 toward the stocking of tiger muskies in Joes Valley Reservoir. Paul indicated that the DWR was in the final stages of disease testing a source of tiger muskies, and thanked James for the financial contribution toward the tiger muskie introduction.

Verd Byrnes asked how far back DWR records went as far as our tracking a possible source for the greenback cutthroat population that had been discovered in Beaver Creek of the LaSal Mountains. Roger Wilson said that records only indicated “cutthroat” and didn’t specify the sub-species or the source. Roger added that a similar problem was encountered in tracking Bonneville cutthroat trout sources and stocking. Verd indicated that he had helped stock cutthroat trout as a boy under the direction of a long-retired Moab game warden. Paul Birdsey surmised that the Beaver Creek irrigation diversion had probably protected the greenback sub-species from genetic dilution. Verd noted that Beaver Creek had dried up except for scattered pools two years earlier. Walt Maldonado asked if the DWR was fully funded for quagga mussel interdiction this year. Roger said that the legislature had granted a special appropriation and that we were fully funded. Walt mentioned an Idaho fish stamp that had helped them fund the interdiction program. Walt Maldonado then asked about the Hatt Ranch diversion dam and its impact on native and non-native fish. Paul Birdsey rehearsed a meeting that had taken place, attended by concerned parties. He talked about the erection of a downstream barrier that would prevent downstream movement by non-native species. The barrier would be built at the Division’s Chaffin Ranch. Walt asked about a possible reward system to penalize fish movers. Roger Wilson affirmed that we badly needed a multi-faceted reward and penalty program like the one that protects trophy big game. Roger added that illegal fish introductions are many times more serious than crimes involving the poaching of trophy big game.

Walt stated that non-native fish introductions into Sand Hole would be disastrous. Roger Wilson then thanked the state’s bass clubs for their help in preventing non-native fish expansion. Walt asked about the cost of a spear-fishing Certificate of Registration. Roger answered that it was \$20. Walt expressed relief. Walt then asked if the primary target species was carp. Roger answered that it was. Roger then introduced Michael Weyland, who represented Utah’s spear-fishermen’s Association. Michael presented a PowerPoint, emphasizing the positive impact spear-fishermen were making in removing carp from sport fisheries in the state. Michael Weyland urged the Division to place the image of a diver’s flag in the fishing guidebook, saying that most boaters don’t know what it means and could injure or kill a spear-fisherman by boating over the top of him. Verd Byrnes asked what spear-fishermen do with the dead carp. Mr. Weyland replied that carp were eaten, donated, buried or used for fertilizer.

Questions from the Audience:

Comments from the Audience:

Michael Weyland presented a PowerPoint, showing the RAC the positive impacts wrought to state fisheries by spear-fishermen.

MOTION by N/A. Information only.

SECOND by

PASSED:

UPLAND GAME HUNTING GUIDE AND RULE R657-06

-Dave Olsen, Wildlife Program Coordinator

Questions and Comment from the RAC:

James Gilson asked about the number of sage-grouse permits that would be available for the next hunting season. Dave Olsen replied that 1,100 two-bird permits were being allocated. James then asked how many applicants were expected. Dave answered that he was unsure. Last year, the computer system had crashed and we had lost that data. James complained about the number of application fees in place. Dave answered that drawings appeared to be the best way to handle permit allocations. We were forced to pay a drawing contractor for their service and needed to charge an application fee to cover this expense.

Walt Maldonado said that he had received negative feedback from Utah's falconers about the proposed drawing for sage-grouse. Dave Olsen responded that falconer representative, Todd Ballentine was present and would make a presentation about their complaint.

Walt Maldonado asked Dave if the Utah Chukar Association had complained about the proposal. Dave answered that they had not.

Wayne Hoskisson asked about the circumstances, leading to a change in the chukar season opener. In response to Wayne's question, Dave Olsen, Terry Sanslow and Walt Maldonado provided input. Apparently, there had been a problem about birds and hunters congregating around guzzler sites at the earlier opening date. Guzzlers and nearby vegetation had been damaged and birds had been over-harvested. The season opener was set back to address these problems.

Questions from the Audience:

Todd Ballentine asked about the disposition of youth grouse permits, if an insufficient number of youth applied. Dave Olsen replied that left-overs would be folded back into the general pool.

Duard Pederson expressed concern about the on-line drawing and the inability of some people to participate due to lack of ability or Internet availability. Dave Olsen replied that at all DWR offices, personnel are on-hand to assist the public in getting through the application process.

Wayne Hoskisson expressed concern about persons living in outlying communities. Bill Bates addressed Wayne's concern by saying that the Division had gone to a drawing on most things and that no complaints had been received from persons in outlying communities as had been expected.

Comments from the Audience:

Todd Ballentine, representing the Utah Falconer's Association, made a presentation to the RAC. The Falconer's Association contends that it deserves a limited allocation of sage-grouse permits, which would provide them with continued incentive to train their birds. Without the promise of a guaranteed permit, the sport of falconry would die from lack of incentive. Todd's 20 minute presentation was followed by many questions and comments from RAC members.

After a lengthy discussion, the issue was abruptly extinguished by James Gilson's assertion that any change to the Upland Game Hunting Guidebook and Rule was inappropriate, because of the fact that the Rule was in the second of its three year term. James' accusation was that the Division was not in the position to recommend changes, nor could it approve or deny any other special interest a change at this time. James' argument was convincing and well-taken by RAC members. James concluded with the following motion:

MOTION by James Gilson to deny any and all recommendations for change to the Upland Game Hunting Guide and Rule, until the 3-year term had lapsed.

SECOND by Pam Riddle

PASSED: unanimously

THE USE OF GAME BIRDS IN DOG FIELD TRIALS AND TRAINING R657-46

-Dave Olsen, Wildlife Program Coordinator

Questions and Comments from the RAC:

Jordan Hatch asked Dave Olsen if it would be appropriate for the RAC to vote for the changes requested in his presentation, after the RAC voted to deny changes to the Upland Game Hunting Guide and Rule. Dave explained that this presentation fell under a different rule and was a separate issue.

Walt Maldonado asked about the fee for a Certificate of Registration. Dave answered that the initial annual fee was \$75, followed by \$35 the next year. A \$10 amendment fee would be additionally charged for new areas.

Questions from the Audience:

Todd Ballentine asked about bird identification markers. Dave answered that pen-reared birds would wear a ribbon.

Comments from the Audience:

MOTION by James Gilson to accept the Use of Game Birds in Dog Field Trials and Training as presented.

SECOND by Walt Maldonado

PASSED: unanimously

STATEWIDE SAGE-GROUSE MANAGEMENT PLAN

-Jason Robinson, Project Leader

Questions and Comment from the RAC:

James Gilson asked Jason a number of questions about sage-grouse. Life history questions focused on breeding behavior and timing, nesting time period, brood-rearing, sex ratios, minimum population size, habitat affinity, etc. These questions were answered to James' satisfaction.

Verd Byrnes asked if the Gunnison strutting grounds in San Juan County were protected from cultivation. Jason indicated that negotiations were on-going.

Wayne Hoskisson spoke about his participation in sage-grouse research and his finding that brood-rearing habitat was the most critical limiting factor to sage-grouse populations. Jason expressed agreement and added that many other studies had come to the same conclusion.

Questions from the Audience:

Comments from the Audience:

MOTION by Pam Riddle to approve the Statewide Sage-grouse Management Plan as presented.

SECOND by Verd Byrnes

PASSED: unanimously

HUNTING AND FISHING ACCOMMODATIONS FOR PEOPLE WITH DISABILITIES
RULE R657-12

-Kenny Johnson, Wildlife Licensing Specialist

Questions and Comment from the RAC:

Terry Sanslow asked about the statewide number of CORs involved in this rule. Kenny answered there were about 300 at this time. Terry then asked how many fraudulent CORs had been discovered. Kenny estimated that less than 1% had been found to be fraudulent.

Verd Byrnes asked about the number of deer CORs. The answer was 100.

A discussion ensued about the ramifications to the resource, resulting from the issuance of 100 CORs to wheelchair-bound deer hunters. Discussion leaders included Verd Byrnes, James Gilson, and Kevin Albrecht. Primary issues included: 1) the experimental 2-day hunt during the November rut, 2) the potential for over-harvest of trophy class bucks, 3) the potential that does would be bred by inferior males, 4) the saturation of deer units by persons who accompany the permit holder, and 5) the unfairness of the advantage granted to chair-bound hunter.

James Gilson proposed that all deer permit holders be surveyed to evaluate the merits of the experiment. That seemed to satisfy the concerns of the other RAC members.

Questions from the Audience:

Comments from the Audience:

MOTION by James Gilson to approve proposed accommodation for people with disabilities with the inclusion that 100% of all deer hunters be surveyed to determine the merits of the 2-day experimental hunt.

SECOND by Pam Riddle

PASSED: unanimously

LICENSE AGENT PROCEDURES R657-27

-Kenny Johnson, Wildlife Licensing Specialist

Questions and Comments from the RAC:

Wayne Hoskisson asked about the placement of those sections not covered by change proposals.

Kenny Johnson indicated that they would slide up to fill the space vacated by deleted sections.

Wayne Hoskisson suggested that the six month minimum period that a license agent must serve in exchange for their receiving free DP equipment and/or financial support was far too short.

Kenny indicated that the Division does not provide financial incentives any more. Further, the DWR rarely provides more than a printer to a new license agent, because they almost always want to use their own equipment

Questions from the Audience:

Comments from the Audience:

MOTION by Kevin Albrecht to approve the License Agent Procedures Rule as presented.

SECOND by Verd Byrnes

PASSED: unanimously

ADJOURNMENT

Terry Sanslow adjourned the meeting at 9:41 p.m.

**Southern Regional Advisory Council Meeting
Millard High School
Fillmore, UT
May 12, 2009
7:00 p.m.**

REVIEW & ACCEPTANCE OF MINUTES AND AGENDA

MOTION: To accept minutes and agenda as submitted.

VOTE: Unanimous.

UPLAND GAME HUNTING GUIDE AND RULE R657-06

MOTION: To approve Upland Game R657-6 and additionally to recommend that the Wildlife Board put the recommendations of the Utah Falconers' Association on their action log, put together a working group, and after that make a proposal to the RACs regarding allowing additional Sage Grouse permits for Falconers.

VOTE: Unanimous.

THE USE OF GAME BIRDS IN DOG FIELD TRIALS AND TRAINING R657-46

MOTION: To accept Rule R657-46 as presented

VOTE: Unanimous.

STATEWIDE SAGE-GROUSE MANAGEMENT PLAN

MOTION: To accept the Statewide Sage Grouse Management Plan as presented.

VOTE: Unanimous.

HUNTING AND FISHING ACCOMMODATIONS FOR PEOPLE WITH DISABILITIES

MOTION: To accept R657-12 as presented.

VOTE: Unanimous.

LICENSE AGENT PROCEDURES

MOTION: To accept as presented.

VOTE: Unanimous

ELECTION OF SOUTHERN REGION RAC CHAIR AND VICE CHAIR POSITIONS

MOTION: To nominate Steve Flinders as chairperson.

VOTE: 7 in favor, 1 abstained

MOTION: To nominate Cordell Pearson as vice-chair.

VOTE: Unanimous.

**Southern Regional Advisory Council Meeting
 Millard High School
 Fillmore, UT
 May 12, 2009
 7:00 p.m.**

RAC Members Present	DWR Personnel Present	Wildlife Board Present	RAC Members Not Present
Chairman Jake Albrecht Rex Stanworth Paul Briggs Steve Dalton Steve Flinders Cordell Pearson Gary Hallows Clair Woodbury James Edwards	Douglas Messerly Giani Julander Teresa Bonzo Lynn Chamberlain Fred Pannunzio Sean Kelly Richard Hepworth Mike Ottenbacher Mike Hadley Kody Jones Roger Wilson Dave Olsen Jason Robinson Kenny Johnson Lynn Zubeck Drew Cushing Jim Lamb		Jack Hill Dell LeFevre Sam Carpenter

Jake Albrecht called the meeting to order at 7:00 pm. There were approximately 10 interested parties in attendance in addition to RAC members, Wildlife Board members and DWR employees.

Jake Albrecht: Okay, I'd like to welcome everyone to Fillmore tonight to our May, Southern RAC meeting. Before I get started I'd like to welcome Paul Neimeyer who's the chairman of the Wildlife Board. And also, we have Walt Donaldson here with us tonight from the Salt Lake City office. So we welcome him also. My name is Jake Albrecht. I represent the elected officials of the Southern RAC. And I'm going to start on my right and have our other RAC members introduce themselves.

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

Paul Briggs: Paul Briggs from Cedar City, representing BLM.

Steve Flinders: Steve Flinders from Beaver, representing Fishlake and Dixie National Forests.

Douglas Messerly: I'm Doug Messerly, regional supervisor with the Division of Wildlife Resources; myself and my staff act as executive secretary to this committee.

Clair Woodbury: I'm Clair Woodbury from Hurricane. I'm an at-large representative.

Gary Hallows: Gary Hallows from Loa, agriculture.

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

Jake Albrecht: Okay, before we get into our agenda items our presentation and how the meeting goes tonight. First of all we'll have a presentation by the DWR. Then we'll have questions from the RAC, questions from the Public, and then we'll have comments from the public. And that's these little cards right here. If you want to make some comments we need to have you fill one of them out. We'll give you three minutes if you're an individual, or we'll give you five minutes if you're representing a group. Then we'll have comments from the RAC, and then we'll have RAC discussion on the motion, clarify the motion, and then we'll have a vote. And that's how our meeting will go tonight. I haven't seen Tom Hatch come in yet; he also sits on the Wildlife Board. If he comes why we'll pick up on that. Okay, our first item tonight is a review and acceptance of our RAC meeting agenda. .

Review and Acceptance of Agenda and Minutes (action)

Jake Albrecht: Do we have a motion? Okay, we have a motion by Rex Stanworth to accept the RAC agenda. Do we have a second? Second by Paul Briggs. Any other discussion? Okay, all those in favor please say aye. Any against? Motion carries.

Motion to accept agenda made by Rex, seconded by Paul Briggs, motion carried unanimously

Jake Albrecht: Our second item is approval of last month's minutes. We have a motion by Gary Hallows to accept the minutes.

Steve Flinders: Second.

Jake Albrecht: And a second by Steve Flinders. Any other discussion? All in favor? Any against? Okay, motion carries also.

Motion to approve last month's minutes by Gary Hallows seconded by Steve Flinders, carried unanimously.

Jake Albrecht: Okay, our next item is the Wildlife Board Update; this is an informational item. Kind of what went on at the Wildlife Board meeting in Salt Lake City with reference to how we voted here in the Southern Region.

Wildlife Board Update: -Jake Albrecht, Chairman

- First of all on the antlerless deer hunt: On hunt number 114, which is the Monroe-Plateau- Sevier Valley, that was moved back to the original

boundary.

- On the Paunsagaunt unit-wide, that was to remain at 0 permits.
- On the Paunsagaunt Buckskin, there was 50 permits.
- Panguitch Lake Unit-wide, there was 0 permits.
- The Panguitch Lake, Summit, Paragonah, which called for 75, there was 50.
- On the Panguitch Lake Parowan Front, which called for 200, that motion was for 100 there.
- The Pine Valley, Enterprise, which called for 100, the motion was for 75
- The Pine Valley East on the B, which was 50, remained at 50.
- The Zion, which was at 100, was 0.
- The Zion, North West Zion remained at 50. That motion was made by Wildlife Board Member Hatch. And that passed through the Wildlife Board.
- The CWMU permits also went as pretty much approved through our unit, other than the Alton Unit. They decided to give those, we made a motion for 12 permits and they made a motion to make those depredation tags so that it would work with the DWR on that.
- The remainder of the elk permits, the big item was the 1,600 on the Fishlake and that was also approved.
- The remainder of the once-in-a-lifetime was approved.

Jake Albrecht: So with that I'm going to turn the time to Doug for a regional update.

Regional Update:

-Douglas Messerly, Regional Supervisor

Douglas Messerly: Thank you Mr. Chairman. Also at the Wildlife Board meeting the new board members were announced. Paul Neimeyer and Lee Howard's terms were expired on the Board and the Governor made his selection, subject to approval by the Senate. The new Wildlife Board members are Bill Fenamore, from the Ogden area and Jake Albrecht, from the Southern Region. So that will go into effect in the August meeting, I believe, of the Wildlife Board.

- June 6th is free fishing day throughout the state of Utah. There will be several clinics and kids events that will be sponsored during that time. Contact the Cedar City office if you would like more information about those or watch for flyers around town.
- On June 11th, the remaining permits go on sale over the counter. There are a few Northern Region deer tags left.
- The general season elk permits go on sale June 11th.
- The antlerless tag application period will be sometime in June. The proclamation has not yet been set and when it is on the street people can start applying. It will be online only again.
- June 20th the Division of Wildlife is sponsoring a condor day, California Condor Day at the Kolob overlook on Cedar Mountain. Contact the Cedar City office if you would like more information or if you would like to attend it. Lynn Chamberlain operates the event and he's been able to show the folks some condors and provide some good information about them in the past. So we encourage participation in that.

- There are some RAC members whose terms are expiring with this meeting, and we're still in the process of accruing some nomination forms for those positions. And I would encourage anyone in the audience, or anyone in the audience who knows someone that might be interested in serving on the RAC to apply. We will need a sportsman's representative, an agriculture representative, two non-consumptive representatives, and also an elected official representative, I guess if you're going to leave us and go to the Board, Jake. So we'll be recruiting for those positions and try to get that process through as quickly as possible.

Douglas Messerly: And with that, unless there's any questions Mr. Chairman, that's my presentation. I do stand corrected; they do have one more in June. The RAC terms expire at the end of June.

(Steve Dalton arrived during regional update.)

Jake Albrecht: Okay our first item tonight is by Roger Wilson, Aquatic, and this is an informational item only, informational, non-voting. So welcome Roger.

Aquatic Informational (informational)

9:30 to 31:46 of 2:33:31

-Roger Wilson, Wildlife Program Coordinator

(See attachment 1)

(Cordell Pearson arrived during Aquatic Informational presentation.)

Jake Albrecht: Thanks Roger. Richard, you're up.

Kolob Reservoir Management Plan (informational)

32:00 to 41:39 of 2:33:31

-Richard Hepworth, Aquatics Assistant Program Manager

(see attachment 1)

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

Questions from the RAC:

Rex Stanworth: I'll put this to Clair. Clair, give us your take on this. What do you think?

Clair Woodbury: Rex there was a lot of, like Richard said, a lot of evenings of discussion all winter, with some very diverse interests on that committee. And personally I was quite amazed at how well it came together. You know it could have been quite rancorous and it wasn't. We had some very willing people who wanted to find a long-term solution to Kolob. There are some concerns with the lack of use, especially by the youth up there who don't fish artificial only. And we just felt that this was a really good compromise to take care of the concerns of those people who like to use artificial only, and I'm one of those, along with the need of the public. This is a, it's kind of a unique lake. It's really the only high country alpine lake in Washington County of any size. The Washington County Water Conservancy District owns the water, which is the residents of Washington County. The land around it

is mostly all private. And it gets a tremendous use in the summer. But it hasn't seen much fishing use the last few years. It's, it just hasn't. And we wanted to get that use back and still preserve the quality, the nice size of fish that are up there now. I think this, we came to the conclusion that this is the best plan that would work.

Rex Stanworth: I've got one more question, if Richard wants to or Clair, I'd take your take; Roger and I have had discussions every year in regards to the slot limitations. He and I had a discussion about Strawberry last year with slot limitations. And it's nice that we can have a warm fuzzy feeling about turning fish back that are 15 to 22 inches long but it's not happening. The enforcement end of it isn't there. So I guess the question, I'll ask ya because I'm going to ask Roger the same thing about Strawberry; is that do we have enforcement there? I realize education is the key to it especially with youth. But do we have the enforcement necessary to take care of making sure that the slot limit stays in effect and that we don't lose those fish out?

Clair Woodbury: We have a size restriction there right now anyway. This is just a variation of it.

Roger Wilson: Well as far as the question related to law enforcement, yes. You know law enforcement is a real critical element. Public education works to a point. If you don't have enforcement people will slip into taking fish in the slot. We saw a little bit of that at Strawberry early last year. Our law enforcement staff, to their credit, responded and wrote a lot of tickets and shut it down. Weren't you fishing at Strawberry one time last year? Yeah, okay. And you yourself observed some illegal activity and I think you talked to one of our creel clerks. And you know we're not disputing that there's people that keep fish illegally. You know that does happen. The key point is though that the slot limit is working. It's producing the number of large cutthroat trout that we need to control chubs. In fact it may have worked a little too good; we've impacted some of our stock cutthroat and stock rainbows. The last few years some of our year class, our year classes have been subjected to extreme predation. We've seen some reductions in numbers. We've responded with a larger fish. We're putting a minimum 8-inch rainbow. We did it last year. We're doing it again this year. And we also worked to put a minimum 8-inch cutthroat in there. And you know there's something about that 8 inch. There's a magic line there. When they're greater than 8 inches it just improves the survival tremendously. It also increased our costs a great deal too. And we've had to work hard and we need to give credit to our hatchery guys too; they're doing a great job. They're working hard to give us those numbers. But we've seen some great results this year with 8 inch stocking of rainbows. Rainbows are coming back. We've had reports this spring of more rainbows being caught than cutthroat. And that hasn't been the case for probably ten years. So again, we're seeing, we have some fish that are probably taken out of there illegally. We have some that suffer post hooking mortality losses; certainly, you know that happens, that's part of the game. But we get enough that survive and we get enough of the bigger fish in there that we are seeing a very clear reduction in chubs. And in fact Strawberry in 2007, received a national award based on, it was recognized as the top quality management program in the whole country. So it is working. And given the right circumstances and the right protection these cutthroats can control chubs.

Jake Albrecht: Roger, while you're there, do we have any other questions for Roger? I have one. On the Beaver Creek, is that stream on the wild . . . and I forget the rest of the name of it, wild and scenic rivers list?

Roger Wilson: No. It's a small stream. It drains into La Sal Creek, which drains into Colorado into the Deloris System. And like I mentioned, I hope I made that clear, we're still trying to decide what to do

and what we have. And we're going to have to work with our Colorado partners. We're meeting with them next month to try to decide what to do. Again, they've uh, there was a fairly aggressive, well there was a controversy that occurred a couple of years ago with greenbacks. Colorado, the state of Colorado was moving fish they thought were greenbacks and new genetic tests verified they were Colorado Cutthroat. And so they've gone through a rigorous genetics program and looked all over the state. And it's interesting that the greenbacks seem to be fairly well distributed in the southern part of the range on the west slope of the Rockies in Colorado. So this is very consistent with what Colorado's finding. The key point that is adding some confusion, however, is that Colorado found, looking through their stocking records, there was one instance of greenback stocking on that side of the mountain in the Gunnison River. So that's complicating this whole discussion. The debate is are they naturally occurring fish in this area or are they not? And that's something we're going to have to work through. But right now the greenbacks are listed as threatened and we are responding to protect what we have until we decide to proceed.

Jake Albrecht: Thanks Roger. I've got one question for Richard, also. I noticed on your votes that on the alternate, was it three?

Richard Hepworth: Yes.

Jake Albrecht: Four out of your six members were good with that?

Richard Hepworth: Yes.

Jake Albrecht: And what were the concerns of the other two?

Richard Hepworth: It comes down to the bait restriction. It was the issue of whether we allow bait or we keep the gear restriction in place. And that day they were concerned, and they were concerned that their constituents that they were representing would not approve of removing a flies and artificial regulation. I guess part of it, the concerns that I heard from them, was it's one of the few reservoirs we have in the state where we, especially in the southern part of the state, where we have that type of a regulation. And they're afraid of losing that quality, and special place that they have at Kolob right now. And I can understand that in a way too. But I think we can maintain that without having a gear restriction, personally.

Jake Albrecht: Any other questions?

Richard Hepworth: I have one other comment that was just brought to my attention I ought to bring up.

Jake Albrecht: Okay, go ahead.

Richard Hepworth: The tributaries to Kolob, there will be no changes to the regulations in those. Those will remain as they always have, closed during the spawning season.

Questions from the public:

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

None.

Comments from the public:

Jake Albrecht: If not we will go to comment cards. The first one is Michael Wayland. He is representing Utah Spearfishing. You have five minutes.

Michael Weyland: Yeah, Michael Wayland with Atlantis Divers, representing, in general, spearfishers of Utah. I've got some handouts over there, and the RAC all have a copy of that. We object to having to

Jake Albrecht: Raise your mic up just a little bit and then we'll be able to hear you a little better. Thanks.

Michael Wayland: We object to have a requirement to obtain a permit to hunt rough fish, which coincidental with the uh, singling out for a COR to enjoy our sport. Other sports, just a small group gets together, they're not required to get a COR. All bodies, we feel that all bodies of water in the state of Utah that have rough fish in them, we should be able to go in there and help harvest those. We've had so many people over the years that have thanked us for taking out rough fish because they're messing up habitat etc, carp, and suckers specifically. And we've taken out tons of them. If you could bring up that PowerPoint now please. Uh, spearfishing. And just randomly click on it periodically. Um, these are photos of different fish that we've taken out, other than that one. Uh, that was the state record a few years ago. A fellow came in from Colorado and got that. There's my old state record, got busted very quickly. That's just a carp silhouette; that's basically what we see underwater. Everything's blurry, unless we have a crystal clear day; we're seeing shadows, etc. And sometimes it's difficult to identify what we're after; we're going by our shapes etc. Go ahead please. This is my wife and I after a day of spearfishing carp. He had the state record for almost ten minutes and then his buddy went ahead and cut another one. This is his buddy that's got the present state record. That same day I shot two good-sized carp. These are down at Yuba reservoir. As you can see we do take a few game fish. But our primary target is carp and suckers. Go ahead please. This young man, same thing, a carp. I don't know what he's got going on there, let's move on. Proud folks, you know, getting these big fish out of there. I call that twins. A young man down at Deer Creek reservoir. We travel all over. This is my grandson holding up a good-sized carp. This is Bruce Boyde and his son holding up, almost the record. Most of these fellows came out of Colorado; up, there um, the swim beach area of Flaming Gorge, just came in to shoot a bunch of carp. Mike McGuire, another fellow out of Colorado. He comes up regularly, harvesting carp, again. This is a carp shoot that we had off of Antelope Flat a few years ago. This one's not in Utah. This is Willow Beach, Arizona, where we got 1,400 pounds of carp that day. This is over at Starvation. As you can see there's a lot of big carp in there. This was shot up at Flaming Gorge. Bruce done a good job that day; the one is a mirror carp. Mike McGuire again with a good slew of carp. Deer Creek reservoir, 2,563 pounds, 319 carp. We had the local state parks guys come over, and they looked like they were going to give us citations initially until they looked and saw what we had. Go ahead. We did have a shoot down there a number of years ago; we filled two Ford F-250s full of carp, the beds. That was the state record sitting in an almost too small cooler. That's all his catch. Go on. This fellow, he goes out just about every evening and shoots him a carp or two. And I've never heard one of these guys, none of them brought a fish in for me to weigh, they're not evidently taking game fish, they're getting a kick out of just going out and shooting carp. Some of these folks don't even like fish. They just enjoy the sport of shooting carp. Go ahead. And we had a few competitions where we've issued trophies etc.

Um, we ask not to be penalized for harvesting, for the method we use for harvesting fish, especially the carp. And it's looking that way that just because we're using a speargun rather than a fishing rod we're being a little bit penalized there. You look at other sports, hunting with guns, archery, etc. they leave a hole. They leave a mess. And I think I'm done.

Jake Albrecht: Okay, thank you. Our next one is Bruce Boyd. He's from Salt Lake City. And this is representing spearfishing. Uh, no group so you've got three minutes.

Bruce Boyd: (See attachment 3) Well I'll make it short. I gave everybody our arguments on why we thought the spearfishing season should not be shortened at Fishlake. It sounds like that's already been passed so it's kind of academic at this point. I would ask that you would read that, just go over, it makes some good points. Part of the reason why Mike Wayland showed you all these carp pictures is because during our tournaments, our tournaments are actually geared towards taking carp. About 98 percent of all of the fish speared in all of the tournaments, and I'm talking about going all the way back to 1976, even at Fishlake, and from that point forward, first, second, and third place was based on most pounds. And most pounds is carps and suckers. So that was our contribution to these lakes and these fisheries, was to help control those fish within there; and at the same time less than, we take less than one percent of all of the game fish taken here in the state of Utah. So if you would just read over those arguments that we made for keeping that spearfishing season open I'd appreciate that. And I won't take up any more of your time.

Jake Albrecht: Okay, thank you. David Black, Southern Utah Anglers, Kolob Management Plan. Three minutes.

David Black: Thank you. I am an officer in Southern Utah Anglers. One of the first points that we'd like to make is that we are in favor of the process, which you've just gone through. And we commend the RAC and the DWR for putting together an advisory committee to look at the Kolob Management Plan. And we would encourage you to continue that process in the future. I think, you can see there have been some very good things that have come out of the management plan that we do support. The fact that we do support the fact that there does need to be some changes made at Kolob to make it a better fishery. The management plan that's been put together has a number of triggers which we think are a very good idea and they are going to watch the reservoir for the next three years and that there could be some modifications made. However, we do not support the portion of the plan which encourages or which allows bait fishing. We think the mortality rate would be very high; especially the fish in the slot when those fish are caught with bait type lures. Also, we don't necessarily think that that's the key to having youth come back to the lake. We are very supportive of education, with working with the youth. Just a couple of weeks ago we helped sponsor and organize a kids fishing derby in St. George. We probably had around 600 kids show up. We gave away hundreds of dollars in fishing rods, fishing equipment. We work with scout groups. We teach at the high school, teach fly casting classes. We're very concerned about the youth and getting them into the sport of fishing. But we are opposed to the bait fishing at Kolob. I'm trying to think of a couple other things that we've brought up . . . But uh, you know that is one of the, it's a choice fishery and we want to keep it that way. And we've had bait fishing there in the past and we've seen what that can do. And we want to encourage staying with the artificial lures. We do support the slot. We support the triggers. We support the management plan with the exception of allowing bait fishing to come back.

Jake Albrecht: Thanks David. Greg Anderson, Southern Utah Anglers.

Greg Anderson: I was on the advisory committee and worked with a lot of great guys. And they had a lot of great ideas. You know there weren't any real heated arguments or anybody that got a big issue about it. I support everything that Dave was saying. A couple of the issues that I have on it, is I also own property up there so I'm doubly invested in it. But over the last three days, or four days I've fished Kolob, Panguitch, and Piute. And what I've seen up there is I've watched kids fishing all three areas. And one of the major things that I've seen was at Piute, the older people were fishing while the kids were running around, and when they caught a fish they would holler at the kid to come and pick up the rod and reel it in or net it, or something like that. And to me, you know with a ten year old grandson and an eight year old grandson, there's no way I can get them to sit still long enough to watch a fishing pole with bait on it. It's more or less the older guy's watching it and it's still, you know, it's they hook it and hand it to the kid. And you all know what I'm talking about. The other problem that I see is enforcement. Is uh, when you've got a slot, or May to September, of how many people will come back and say, well I thought it was before may, and then the other one would say oh I thought it was after September. So you know you're going to get the full season of people using bait and leaving their trash, you know, their bait box or worm cans, and Powerbait cans. I've seen it all over Piute and I've seen it all over Panguitch, but I've seen very few up there at Kolob. And where it is a pristine reservoir up there, where it's self-sustaining, basically to the most part, uh, you've got the reproduction and it's just such an isolated reservoir up there that I hate to see it turn back into a bait fishery like everything else in this state where you've got one unique reservoir. Our feeling is that it should be preserved the way it is. We accept the slot limit is fine. You know we don't have a problem with that. But you know the big enforcement problem and everything else with the trash I just see it as destroying a very pristine area. Thanks.

Jake Albrecht: Thanks Greg. Steve Cox. Since you organized this whole thing we'll give you five minutes too.

Steve Cox: Well first of all I want to thank you for the opportunity to be on the committee, working with the state. When I came to the committee we were asking for a statewide fishery. After meeting with the people, other anglers and different situations, I felt like that the way we come up with the plan covered all the bases. All the anglers, all the anglers are going to be able to keep doing what they were doing. Summer times you don't have the fly fisherman out, or the other anglers out at that time when they're there more in the spring and the fall. So I felt like we covered that area. I do, as a group, I did, for the group of people I did accept the plan the way it was wrote up. I felt like it covered the area that we needed to cover. It allowed the kids up there in the summer, allowed them to be able to go fishing. Maybe we'll get some families up there again because the families aren't there at this time. So I feel like we're gonna have it a family fishery again. And that was our main reason for this whole thing was, is for families. I do understand what the other groups, but it has worked on other waters so I don't see how it can't work on Kolob. So like again, I'd like to thank all of you for the opportunity to be able to speak to you all and thank you very much.

Jake Albrecht: Okay, that's all of our comment cards on fisheries. Do we have any comments from the RAC members?

RAC discussion:

Jake Albrecht: Rex.

Rex Stanworth: Roger, just a quick question and comment; for these folks on the spearfishing thing, obviously the decision was made and put to the board before there was ever much discussion. Is this going to surface again for us to consider? I mean these folks have brought, taken time to come down and thrown out some interesting items, whether it's right, wrong or indifferent. I'm just wondering as a RAC are we going to have a time to discuss those things?

Douglas Messerly: I can handle that if you'd like Roger. Rex, what happened was is that the Wildlife Board made an emergency change or backed up a change that was made by the Director of the Division of Wildlife, regarding the 2009 fishing regulations. So for 2009 Fishlake will be closed to spearfishing as was outlined. What we're considering here today are the 2010 fishing regulations. It will go into effect on January 1, 2010. So yes, the opportunity still exists to make changes for 2010.

Roger Wilson: Does that answer your question Rex, then?

Steve Flinders: When will we see this again as an action item?

Jake Albrecht: This is a September meeting.

Roger Wilson: I think we need to work through the next few months and uh, yeah. You know I think it's very possible. I think what I heard from the spearfishing interest is they would like more opportunities in other waters for something like carp. And maybe we can look at that. We did provide a lot of additional opportunity to spearfisherman, you know, just this last year. We extended the season. WE clarified the limits. As you might recall previously we had a separate spearfishing limit that was two fish, only one over 20. And then we had, after that was made we had other regulations come on some of these spearfishing waters that conflicted directly with that regulation. For instance, Deer Creek you couldn't keep a, you can only have one, no you couldn't keep any smallmouth over 12 inches, a regular angler, but a spearfisherman probably could have kept a 20 inch one because you can catch one over 20. And really he didn't have any length restriction in his regulations. So it was very difficult to understand what the process was. And I think we would resist any attempt to have a separate spearfishing limit. We want to standardize that. And as the spearfisherman pointed out they have a limited impact on our fisheries, that's true, it's very limited. They're low in numbers and it is more difficult to take a fish with a spearfishing technique than it is with anything. The issue we had last year was that the anglers perceived that the spearfisherman had an unfair advantage in shallow water when the lake trout are in spawning. And it raised quite an issue. I got a lot of complaints on that, and my phone was ringing off the hook. And I'm sure Mike's was too. There were a lot of anglers that felt that they'd spent a year, or they'd spent a lifetime trying to catch one of these trophy lake trout and they felt like these spearfisherman went up there and took one fairly easily. Which as I mentioned may or may not be true. I mean these guys; I know Bruce, sitting up here, does free-diving. He doesn't take air with him. So that's a difficult thing to go down and spear a fish without air. It's a little easier in shallow water, no doubt. But spearfishing is not, it's not an easy thing. I've done a little bit of it myself, and a lot of times a fish will see, as soon as you have them in your visibility range they're gone. So it's not easy. And that's one thing that anglers need to understand, that they don't necessarily have an unfair advantage.

Rex Stanworth: Okay. One last question for you. There was a notation from Mr. Wayland about putting something in our fishing regulations pertaining to a diver down flag. Do we have anything, and I know there is in the boating deal, but is there anything in the?

Roger Wilson: I think it's something that we could put in there as an informational thing. You know it's not in our statutes but it is in Park statues, and maybe just a friendly reminder. And I know they've had troubles with that. And I think part of that is the people that operate boats don't know what that is. They don't know a diver's down. It's probably something we ought to educate the anglers on, no doubt.

Jake Albrecht: Clair.

Clair Woodbury: I'm just going to address the Kolob issue. In listening to the Southern Utah Anglers, have you guys withdrawn your support of that last option? Okay, then I need to clarify on our voting, we were unanimous on that, on those third and fourth options. Our first vote, four to two, quite strongly was dealing with the statewide regulations with a slot limit. We compromised to go with the alternative, only as a gesture of good will to the fishing groups. But our first vote was to open it to uh, to the statewide regulations.

Richard Hepworth: Let me clarify really quick on that. That the first vote was to go with the slot limit with bait allowed year-round. That was the four to two vote. Is that right?

Clair Woodbury: Right. Like Panguitch, like Strawberry.

Richard Hepworth: Exactly. And then there was the compromise later with the um . . .

Clair Woodbury: To get the 6, 0, vote. But it sounds like they reneged on that.

Richard Hepworth: Yes.

Clair Woodbury: So let's go back to our first vote, which was four to two to go with the statewide.

Richard Hepworth: Right.

Clair Woodbury: With the slot limit.

Jake Albrecht: So are the meetings through then, with this working group?

Richard Hepworth: What's that?

Jake Albrecht: Is your meetings through with this working group?

Richard Hepworth: Yeah, we've finalized the document. And these are the proposals that we presented now. There can be more discussion over the next couple of months before this becomes an action item. But as of right now, you know, these are kind of what we're looking at for the future.

Jake Albrecht: Okay. As I mentioned, this is a September meeting for fisheries. So that will come back to this RAC in September. A lot of the questions are going to be answered again at our September meeting, especially probably with the spearfishing and the Kolob. And if you have a question, Greg, I could get to you in just a second. But make note of that in your notes. It would be my suggestion to keep these papers that were handed out so that when September comes around you've got a pretty good

idea of what's going on and what needs to be taken care of. Greg, do you have a question? Come to the mic so we can get you in the minutes.

Greg Anderson: I just wanted to mention on that last vote where it was 6-0, I was not there. And so it wasn't my vote that was cast. It was uh, I think somebody else with us was there, I think Neil was there representing. He was there but as far as, I wasn't there to do the last vote. And so my opinion on the no bait has not changed since day one. And it was a compromise because they wanted a unanimous decision on this regulation.

Rex Stanworth: Clair, my understanding from what you just said that with these gentlemen withdrawing their vote that now we would go back to a so-called statewide situation where bait could be used all year long for those people that want to use bait, is that what you just said?

Clair Woodbury: That was the first vote of the committee, on a 4 to 2 vote. Later, he's right, he wasn't there. It was a 5-0 vote and they said they would contact him to find out what his thoughts were. When it came out 6-0 I just assumed that they had contacted him.

Richard Hepworth: Yeah, it was a different representative that night.

Clair Woodbury: Is that what the 6-0 was? Okay, so it was a 5-0.

Richard Hepworth: It was, there was six people there. It was a full committee but it was a representative for Greg that was there.

Clair Woodbury: Someone substituted for him. Okay. But no, our first vote was 4 to 2 to go with the statewide, with the slot. And then we felt strongly about that but we also felt strongly it was worth compromising if that's what it took to open that lake back up to families during the summer.

Richard Hepworth: I'm sorry, let me make one more comment. I think what, what I've heard and what I think we can do is continue to work with some of these members of this group and see what we can come up with, because I have heard some controversy that we can continue to work with these guys before we come to the September meeting.

Jake Albrecht: Yeah, that's what I was wondering. If we've still got a little time maybe we could plug some differences in there and see what it came out. But I've got to know one other thing before we go on to the next subject. Is your dad's name Aldon Black?

David Black: Yes Sir.

Jake Albrecht: All right, thanks. Okay, our next agenda item is Upland Game Hunting Guide and Rule. This is an action item presented by Dave Olsen.

Upland Game Hunting Guide and Rule R657-06 (action)
-Dave Olsen, Wildlife Program Coordinator
(See attachment 1)

1:16:15 to 1:22:45 of 2:33:31

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

Questions from the RAC:

Rex Stanworth: Sure, I'll ask one question.

Jake Albrecht: Yes Rex.

Rex Stanworth: I think everybody here got proposals for the falconers. And you didn't mention anything about falconers so that's why I thought I'd ask one question. Are you, or are you of the opinion that we have X amount of permits and those permits could be given to whom ever draws them and they can hunt with them however they want?

Dave Olsen: That's essentially the way it's being recommended, yes in answer to that. And we are aware, we did deal and talked with the falconers and to their credit they have put together a good proposal defining their interests. And Todd Valentine, because of our three-year proclamation internally we weren't looking at changes, significant changes. And I think just the past hour discussion on changing management and getting those kinds of things implemented just on single water does show the complexity. And the falconers, I think they're going to give a little presentation too. Todd Valentine, their president, when I spoke to him and we discussed this, I encouraged him to bring that to the RACs and to the Board this year so that we could get it in the process and begin discussion it. And I know for several years, well this goes back quite a few years, there has been a change in the upland game coordinator position and I'm the third person in that since the changes began. So there has been a break in the continuity of the history of that but they discuss it with what was in place then, the upland game advisory committee, and it may be time to look at that again. So the Division, in a nutshell, does not support the falconer recommendation at this time, but we do, we encourage them to deal with us in the future and see what we can come up with.

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

Questions from the public:

None.

Jake Albrecht: Okay, we'll go to comment cards. We have two. The first one will be Shane Clark. We'll give you five minutes.

Comments from the public:

Shayne Clarke: Actually I've got three minutes. I'm representing an individual and Jared will take five. I've got 4 points that I want to cover. I am a falconer. Our issue is with the sage grouse. Hunting sage grouse has a rich tradition. It's one of the most challenging birds we hunt. You can knock a sage grouse down and it just gets up and smiles at you and takes off. And so it's kind of the pinnacle for a falconer to be able to hunt sage grouse. The challenge we have is we're a small enough group that moving this to a draw could essentially eliminate our opportunity to hunt sage grouse. The numbers just don't provide that opportunity for us. And we would ask you to consider, to treat us as a separate hunting group, similar to muzzle loading or perhaps archery. And ask for 40, two per season permits for falconry

hunting for sage grouse. And we believe that opportunity as I described does not equal harvest. We wish we could knock one down every time that we aimed at one with our falcons but that just doesn't happen. And the data that we have assembled, and you've got that in front of you, supports that this really is a zero impact on the sage grouse population. We appreciate your interest and your support of the Utah falconry. I've been a falconer for 20 years and we appreciate all that you've done for us. Thank you very much.

Jake Albrecht: Jared Tanner, five minutes.

Jared Tanner: Thank you. I'm Jared Tanner, vice president of Utah Falconer's Association. (See attachment 4): To go forward a little bit on what Shayne said, and research that you have in the background and the research that we've been studying with Jim Parish, and we've also been talking with Kenny Johnson, at the licensing division, shows that falconry is essentially zero impact on any resource out there. There's been extensive research, biological research done by the federal government to where they are actually going to get out of the falconry-licensing program all together. There is no impact, they have found that there's no impact whatsoever that the falconers have on the resources available. That is why we're asking to be considered as a separate group in this process. By going to a draw, like Shayne stated, it's going to eliminate the possibility of being able to hunt sage grouse effectively. To do that we have to train pointing dogs, and then we also have to train a falcon which has to have over and over experience in order to be able to be successful. This could take up to three years, sometimes. And you're also battling the other things, which are like eagles and other gun hunters that can kill your falcon. Then you're starting all over again. So if by chance a young falcon takes an early sage grouse, um, you know, or even two, that we're pretty much eliminated the rest of the season. That's why the RAC in the past has provided the falconers with the opportunity to get extra permits that are left over from the sales, which over time the sage grouse interest has grown and so that's eliminated that possibility. We're asking for us to be recognized as a separate group and able to purchase the two, two bird per season permit and then if there's any extra left over in our pool of 40 permits then we can show verification that we've actually harvested our limits and then we're able to purchase extra permits up to whatever's left over. This also enables the Division to acquire data that's essential, that hasn't been there in the past. So what we want to do is we want to work closer with the Division in this, in providing this resource. I know that Jim Parish, you're the Division's avian director, has worked extensively on trying to improve the quality of falconry in Utah. This being said, they require us to hunt with our birds, to hunt wild game with our birds. And with eliminating the possibility of being able to go out and provide quarry this eliminates being able to hunt properly as they want to with our birds. I'm guess that you guys all got this and read it over. Anybody? Um, so what I can do is just go down the points of, of, that we're proposing. On A: It says allocate a proportion of the permits to falconry community, which will not be a valid for gun hunting. This means that we are proposing that that falconer that gets it out of that group cannot go out with a gun and hunt sage grouse with a gun. It has to be with a falcon. So it's not taking anything away from the gun hunting, gun hunter's ability. The second one, we want to consider the number of permits, and biological data when we're considering this. Continue to allow one addition two-bird permit, which I just covered. Allow falconry sage grouse permits to be used in any open area across the state that's open for sage grouse hunting. This enables us to not dilute the pools of areas, which are popular sage grouse hunting areas. And then also, another thing is there's been a lot of confusion in the past with out of state residents that come here for national falconry tournaments and stuff like that, and which they don't understand that we have to draw out for, which is typically held in November. We ask that the one-bird, the five-day hunting license that they're allowed to take one bird. I know that my time's up but in the past there's been 600 people at those tournaments and only six,

fewer than ten have been taken any sage grouse at those times.

Jake Albrecht: Jared stay right there a second. So how many falconers are there here in Utah?

Jared Tanner: There's approximately 200 licensed falconers right now. And out of those falconers, twenty of them got permits last year. I was actually one that did not get a permit because of the Internet crash. So I wasn't able to actually hunt with my bird. That being said, my 4-year old bird died of lead poisoning this year, this last year. And so now I'm turning around and starting a whole another bird.

Jake Albrecht: So do you hunt any other upland game with your falcons or anything?

Jared Tanner: We do. We hunt as much as we can but the problem is that the pheasants have been completely depleted around the Wasatch Front area. Plus, the private property lines have, make it really difficult to fly a falcon because falcons don't recognize pheasant fences or private property. Chukar are very difficult, because their difficult terrain. On top of that they fly very low and don't give an adequate time for the falcon to come down out of it's pitch, out of the sky. Now that being said there's also hawking that involves the rabbits and such like that, but we're specifically talking about falconers, long winged falcons.

Jake Albrecht: Dave, has this ever been brought before the Wildlife Board or anything before? That you know of?

Dave Olsen: My continuity here, I'll probably have to rely on the falconers a little bit, but yes it has been discussed at RACs and at the Board meeting before. And that's where they, and at the upland game committee that was established a few years ago, all reviewed it and I guess, yielded at that time to allow falconers to have, to apply or purchase leftover permits. But now we don't have leftovers, so that's, that's their issue.

Jared Tanner: That's on page 3. Just what he said, the two limit would have a negative impact on falconry. In an attempt to mitigate that they, the RAC, agreed to have us be able to purchase extra permits because it was not brought to our attention until right before the RAC Boards.

RAC discussion and vote:

Jake Albrecht: So how many, how many permits are going to be allocated this year, Dave?

Dave Olsen: That hasn't, we don't get that all taken care of until here in the next couple of weeks. But last year there was about 1,120 permits for 2-birds each. So about 2,200 sage grouse could have been harvested. Harvest rates typically have been about one bird per hunter, so it's about a 50 to 70 percent success rate by gun hunters.

Jake Albrecht: So how many applicants were there a year ago?

Dave Olsen: Oh wow, I don't know that I know that.

Jake Albrecht: Was it like 4 to 1, 3 to 1?

Dave Olsen: I don't know. They weren't on an application. You just bought them online. And that's what crashed us. So they weren't really, there's no way of knowing how many would have put in or did put in for what was available.

Douglas Messerly: The process to date, since we started hunting sage grouse by permit only, has been first come first serve. So we've never had an application process in the past. And as the popularity grew, last year it kind of hit a fever pitch, and the day that they go on sale we have a crash at the office and they have a crash on the computer. And so we're proposing this year for the first time ever, to hold a drawing for these permits as directed by the Wildlife Board. And so we don't know about applicants, the number of applicants etc, because we've never had them before. But obviously there are more people that want them now than there are permits.

Dave Olsen: And I think some of that demand too is because of their status under the endangered species act and everybody's uncertain where they're headed. And so I think that has peaked some interest there.

Jake Albrecht: Okay, do we have any other comments from the RAC? Steve Flinders.

Steve Flinders: Just a follow up with the gentleman from the falconry club. Two hundred falconers?

Jared Tanner: Yeah, there's approximately two hundred falconers. And we're guessing about twenty-five, twenty-two to twenty-five of them try to get permits every year for sage grouse.

Steve Flinders: Have birds that could go after sage grouse.

Jared Tanner: That have birds that can hunt them, and dogs, because it's quite a process.

Steve Flinders: Oh yeah.

Jared Tanner: If you, if you look at the last phone survey that Utah did they, the falconers, they surveyed seven falconers out of that survey and zero of them had harvest. Also, Wyoming has about ten times the amount of falconers that visit that state and hunt; and they have a take of one per day. And they still say that the falconers have zero impact on that resource.

Jake Albrecht: Okay, any other comments from RAC members? Just looking at the information that I got, I'm wondering if it wouldn't be best if we uh, maybe part of the motion with Dave is maybe having a Wildlife Board look at this a little bit further over the next period of a year, whatever, and see what direction it would go or what would be the best for it. That would be my suggestion.

Steve Flinders: Jake, is that because you're not sure there's time to accommodate anything now? It's a three-year proclamation we're dealing with and so it would be quite a departure.

Jake Albrecht: Well I think the main reason for that is I would want some other questions asked and answered. And I'm not sure what those are but a lot of times before we dig into certain things when we deal with special permits and applications it seems like there's always something that comes back to haunt us. And if we took a little time to look at this and maybe get a working group between the two of them, maybe 40 is not enough or maybe it's too many. I'd like to know what, how many people are

actually going to be putting in for this because we're taking away opportunity for somebody else too.

Rex Stanworth: You're thinking of just a motion that just recommends a working group, put this together and as this plan comes up next year bring old jolly Dave back with a recommendation. Is that what you're thinking?

Jake Albrecht: Well I forget the term that I need Paul. Action log? Yeah, if we ask the Wildlife Board to put this on the action log and over a period of twelve months, eighteen months, whatever it takes with Dave and some of the others to see where it goes.

Rex Stanworth: I'll make a motion that we recommend to the Big Game Board that they put this on their action log, put together a working group, and hopefully bring back a proposal, after being reviewed by the DWR and the working group, to the RACs.

Jake Albrecht: And as part of your motion to approve the upland game?

Rex Stanworth: And to approve Dave's upland game.

Jake Albrecht: R-657-06.

Rex Stanworth: Absolutely. It was just coming out when you said that.

Steve Dalton: I'll second that.

Jake Albrecht: Okay, we have a motion by Rex and a second by Steve Dalton. Do we have any other discussion: All in favor of the motion please raise your right hand. Was that everyone? Any against? Okay, motion carries.

Rex Stanworth made the motion to approve Upland Game R657-6 and additionally to recommend that the Wildlife Board put the recommendations of the Utah Falconers' Association on their action log, put together a working group, and after that make a proposal to the RACs regarding allowing additional Sage Grouse permits for Falconers. Steve Dalton seconded. Motion carried unanimously.

Jake Albrecht: Okay, our next item is The Use of Game Birds in Dog Field Trials and Training. This also is an action item. Dave Olsen.

The use of Game Birds in Dog Field Trials and Training R657-46 (action) 1:41:49 to 1:43 of 2:33:31

-Dave Olsen, Wildlife Program Coordinator

(See attachment 1)

Jake Albrecht: Okay, any questions from the RAC?

Questions from the RAC:

None.

Jake Albrecht: 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:

Jake Albrecht: Motion to approve?

Steve Flinders: I'll make that motion, that we approve R657-46.

Jake Albrecht: Motion by Steve Flinders and a second by Clair Woodbury. All in favor right hand. Any against? Motion carries.

Steve Flinders made the motion to approve R657-46. Clair Woodbury seconded. Motion carried unanimously. (Gary Hallows was absent for vote.)

Jake Albrecht: Okay, Statewide Sage Grouse Management Plan. This is also an action item. Jason Robinson.

Statewide Sage-Grouse Management Plan (action)
-Jason Robinson, Project Leader
(See attachment 1)

1:44:16 to 1:53:20 of 2:33:31

Jake Albrecht: Okay, questions from the RAC?.

Questions from the RAC:

Jake Albrecht: What kind of loss do you have from eagles and things like that on some of these?

Jason Robinson: As far as actual bird numbers that are killed annually? Is that what you're asking? Generally survival rates for sage grouse once they reach adulthood is high compared to other game birds. Generally survival rates are 60 percent for adults. They're quite a bit higher for juveniles, chicks. But once they reach adulthood about sixty of them, 60 percent of the survive annually.

Jake Albrecht: Okay, one other question. If they decide to put this on the endangered species does your management plan, how does that work with those guys? And as far as maybe the fall hunts, would that

automatically go, probably, away?

Jason Robinson: As far as the plan goes this will act as the beginning of our recovery plan, which the Fish and Wildlife Service has for all the species that are under listing. And so this would give us, if it did go that direction, this would give us a great jumping off point to start with a recovery plan. As far as hunting goes that would be up to the Fish and Wildlife Service to determine whether or not hunting would still be allowed. In the 2005 decision on sage grouse listing hunting was listed as 17 of 19 possible threats to sage grouse populations. So the Fish and Wildlife Service views it as hunting is a low concern comparative to other threats.

Jake Albrecht: Any other question from the RAC? Do we have any questions from the public? Come on down to the mic and then it will get it into the minutes.

Questions from the public:

Jared Tanner: Jared Tanner, again. Thank you for this opportunity. I would ask that the falconry community be a part of this study and this board that they had on the first part of this presentation. We've worked extensively with Wyoming and we found that in some areas over 200 sage grouse per mile of barbwire fence are being killed by fence strikes. So we've done countless hours of community service in putting reflectors on those fences. And we've gone back and done GPS studies and found that that it virtually saves all 200 of those birds. And so effectively over the last few years we've saved thousands and thousands of sage grouse. This is one of the reasons that Wyoming says falconry has no impact whatsoever; they're actually a benefit to the sage grouse community.

Jake Albrecht: Dave, you'll take note of that and maybe consider on that list for whatever they want to do. But this is the question part and then we'll have some comment parts later. So if we have any other comments, why fill out a little comment card and we'll bring them up later. Do we have any other questions? Okay, these are questions not comments. And if you want to do a comment then we need a comment card. Question.

Shane Clark: I would like to ask that if the falconry committee can be a part of the conservation or recovery, which ever we end up with? If there's any way that we can help out in that way then we would like to do that. Is that still a question?

Jake Albrecht: That sounded like a question and I don't know where to lead it to.

Jason Robinson: I mentioned the 11 local working groups throughout the state, which might be a great avenue for the falconers to get involved and voice their opinion. We work quite regular and a lot with those folks and they meet on, usually three times to four times annually throughout the state.

Jake Albrecht: Did that answer your question? Okay, good. Okay, any other questions? Okay, we'll go to comments.

Comments from the public:

None.

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

RAC discussion and vote:

Paul Briggs: Mr. Chairman, I'd just like to comment that BLM is in support of the sage grouse management plan and we look forward to continuing to work with the Division and the other groups involved in developing appendix 5.

Jake Albrecht: Steve.

Steve Flinders: Ditto for the Forest Service. What we need from the falconers are birds trained to take ravens as a rigid plan.

Jake Albrecht: Any other comments from the RAC?

Steve Flinders: It's a great plan. I'll make a motion that we approve.

Jake Albrecht: Okay, a motion by Steve Flinders to approve the statewide Sage Grouse Management Plan. And a second by Gary Hallows. All in favor please raise your right hand. Any against? Motion carries.

Steve Flinders made the motion to approve the State-Wide Sage Grouse Management plan as presented. Gary hallows seconded. Motion carried unanimously.

Jake Albrecht: Thanks Jason. Our next item is Hunting and Fishing Accommodations for People with Disabilities. This also is an action item. Kenny Johnson.

Hunting and Fishing Accommodations for People with Disabilities R657-12 (action)
-Kenny Johnson, Wildlife Licensing Specialist 1:59:48 to 2:06:09 of 2:33:31
(See attachment 1)

Questions from the RAC:

Jake Albrecht: I was just looking through what I got from Staci today, and that part there wasn't there. So it was kind of new to me. Could you go back to that screen again? And we'll just leave it as discussion there. So that's what they requested in November- December at our RAC meeting. And then the next one, the next screen is what the Division's recommending.

Kenny Johnson: This is our recommendation, correct.

Jake Albrecht: So you're saying, continue discussion with these people through the 2010 permitted process.

Kenny Johnson: Yeah, we got a little bit of a late jump to do anything in '09 for limited entry provisions. So we'll keep that discussion alive. We'll continue to have that discussion and see how that might work. But for now we'll just keep it as a future . . .

Jake Albrecht: Okay, we're just going to leave that screen there. Have you guys got any questions?

Rex Stanworth: I've got one. For somebody that comes in and applies for one of these permits, specifically about the companion hunter, where it says he's required to be with that chair-bound hunter at all times. I think there's been some confusion that they could go out and hunt as long as this fellow was sitting in the car. They can go do the hunting and shoot whatever they could and then they go back and say gee you're the recipient of a very nice whatever.

Kenny Johnson: Right.

Rex Stanworth: Is there any specific instructions given to the companion as far as what that means?

Kenny Johnson: That's a fair question. You know he does have to follow the rules, specifically. And so I think that is tucked in as part of the section that you guys have. I would read that very literally that he has to be right there and be able to, I mean it even says in the rule that he has to have somebody that can help him recover the animal. And so to me that means they're hunting right there together and one of them isn't staying in camp and then, oh by the way you're a winner of a nice buck deer. I think to me when I read it it's literal that he's got to be right there with that, within a reasonable. . .

Rex Stanworth: An arms length or something, yeah.

Kenny Johnson: Yeah, within a reasonable distance of each other so that, . . . Yeah, it's not just an extra tag for the camp or whatever.

Rex Stanworth: I guess that would be my only concern is somehow explaining to both the wheel-bound hunter as well as his companion what the role of each of those are so that there is no confusion, because we've heard of those kind of things.

James Edwards: Rex, I think that's covered under that companion hunting on Item #4. It says the hunting or fishing companion must be accompanied by the blind, upper extremity disabled, or quadriplegic person at all times while hunting or fishing at the time of take and while transporting the protected wildlife. But to me that says they've got to be accompanied, side by side.

Rex Stanworth: I guess my thought was is that if they're, does that mean if they're in camp, one can be in camp, they are, I mean they're in company of each other.

Kenny Johnson: Right. Some discussion on what accompanied might mean. Well exactly.

James Edwards: But if I'm in Delta and you're in Fillmore and we're not in accompany. I think accompanies got to be closer than a mile or two, I would think. I mean my wife when she comes and accompanies me she's pretty dang close.

Kenny Johnson: I could say that our intent would definitely be for them to share that hunting experience. And I think, you know, as they're applying for these over the counter, you know in a lot of cases that would be the sentiment there is that they're going to share the actual experience of pursuing and hunting and taking an animal. So, for what that's worth.

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

Questions from the public:

None.

Jake Albrecht: Okay, we have one comment card. Justin Fuller. I need you to use this mic right here pal.

Comments from the public:

Justin Fuller: I just want to make a comment to have you guys consider on passing this action item. It does help out a lot of disabled hunters. It gives a better opportunity to take an animal. There's only about 130 people that participate in, that have a COR so far for general season deer. And as far as companionship hunting, I would never let anybody shoot my deer. I'd be the one shooting it. There's no way that anybody would be holding onto my gun because I'm the one that's hunting. But I think as far as the companionship is if I wound a deer and it goes over the hill then my dad can go finish it off if he needs to. But there's no way that I'm going to have him shoot my deer for me. I don't think anybody that I know of would ever let anybody do that. We also are talking about the November hunt, the 7th and 8th of November. We just think that it would give us a better opportunity to level the playing field to give us a better opportunity to harvest a deer. Because if the deer is not next to the road then we're not going to be able to get it anyways because we are only limited to hunting on the roads. So we're not going to be taking deer that are off the roads, several hundred yards, or even a mile off the road because we just can't get to them. And so uh, with the pressure that's like, well the pressure that's earlier in the, like before the, like during the spike elk hunt and the any bull hunt, we just figured that that time period wouldn't be very successful to us. But if we had in November just two days, like experimental to see, you know, how many people are going to participate and what our success rate is going to be, then we would look at it in the future and see if we can continue with it. And so I just strongly suggest that you guys would seriously pass this proposal. We took it to the, you guys in November. Obviously, the Wildlife Board said to come back to it, so we did. And so just thanks for your time, and uh, just please, consider passing the item.

Jake Albrecht: Okay, thanks Justin. That's all of our comment cards. So we'll go to comments from the RAC. And Rex I know you have one.

RAC discussion and vote:

Rex Stanworth: No, actually I got everything out at one time. So I'm good. I'll make a motion to approve R657-12, People with Disabilities provision.

Jake Albrecht: That's what I was hoping you'd do Rex. I've got a second by Steve Dalton. Do we have any other discussion? All in favor please raise your right hand. Any against? Motion carries.

Rex Stanworth made the motion to approve R657-12 as presented. Steve Dalton seconded. Motion carried unanimously.

Jake Albrecht: Okay, License Agent Procedures, this is an action item also. Kenny.

License Agent Procedures R657-27 (action)
-Kenny Johnson, Wildlife Licensing Specialist
(See attachment 1)

2:14:52 to 2:23:37 of 2:33:31

Jake Albrecht: Questions from the RAC.

Questions from the RAC:

Jake Albrecht: how many dollars do they have to come with on the bond? Does that depend on the store?

Kenny Johnson: In rule we can change that amount. We can have them, I think we say reasonable bond amount in there. Right now the standard is about 5,000. So it would cover a month or two sales for a smaller location but it wouldn't even dent what a big Wal-Mart would do.

Jake Albrecht: So do you change those for those bigger stores?

Kenny Johnson: We can.

Jake Albrecht: But you haven't?

Kenny Johnson: We haven't. No, right now there are probably each location, so 32 Wal-Marts or 36 Wal-Marts, they're probably each bonded for the 5,000, whatever that comes out to be mathematically. And the nice thing about the electronic system is the minute we know there's going to be issues we can deny access to it. In the old days when we were reporting manually we had to wait two or three months to figure out exactly what had been sold out there in the field. Now we actually tell them, we know real-time what's going through the system. And so it's far less of a concern. And honestly in the last six or seven years we haven't seen too many people actually exceed that bond amount. So we think it's adequate.

Jake Albrecht: In their agreement when they sign on, do they have to sign a paper that you will have electronic fund transfer that you can go in and do that at that time or is that a later option?

Kenny Johnson: Right now no. All we say is that you have to pay us for the previous month's license sales in an envelope postmarked before the 10th of the next month. So we don't talk about specifically how you have to pay. We just wanted with this rule to be able to say if somebody's struggling then we're going to require you to go to an electronic type of payment.

Jake Albrecht: Okay so if this passes through and goes through the Wildlife Board then in their agreement this will all be part of the structure so if you want to go into the EFT they either have to do it or else you can pull it at that time, is that right?

Kenny Johnson: I don't think we'd go to the point of mandating it. But this new rule would be quoted right in the application. So they would see that unilaterally we could do that.

Jake Albrecht: Any other questions? 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 or a motion and move on.

Comments from the public:

None.

RAC discussion and vote:

Rex Stanworth: I make a motion to approve R657-27 as presented.

Jake Albrecht: Okay, a motion by Rex and a second by Paul Briggs. Any other discussion? All in favor, right hand. None against so motion carries.

Rex Stanworth made the motion to approve R657-27 as presented. Paul Briggs seconded. Motion carried unanimously.

Jake Albrecht: Thank you very much. Okay, our next item is Chairman and Vice Chairman elections.

Chairman and Vice Chairman Elections (action)

-Jake Albrecht, Chairman

Jake Albrecht: I was just noting with Doug here that our next meeting is in July and I thought it was earlier than that. At 7 O'clock at the Triple C arena. So tonight is the last night of some RAC members here. We will have new ones at that time, is that right Doug? So . . . Anyway, we need to elect a new chairman and a vice chairman. And the other day in the Wildlife Board, Director Karpowitz noted that this is a 2-year term, and that's it and then it goes on to somebody else. Steve Flinders has been the vice chairman for the last. . . well amount of time that I've been here. I don't know whether he ever got to swing the gavel or not so maybe we ought to give Mr. Flinders a try and see if he wanted to be the chairman..

Steve Flinders: Thank heavens Jake never missed a meeting.

Rex Stanworth: Mr. Chairman I'd like to make a nomination of Steve Flinders for our RAC Chairman.

James Edwards: I'll second it.

Jake Albrecht: Now we can do this a couple of ways, and I'll definitely take Mr. Flinders as a motion and a second. And we'll also, if you want to identify any others that might be interested.

Steve Flinders: Review again whom we're losing.

Douglas Messerly: The following people have done their duty and performed very well and I appreciate them very much, I do want to say that. Jim Edwards's term is up. Gary Hollows' term is up. And Jack Hill's term is up as of this meeting. And Jake, of course is going to the Wildlife Board so we'll be replacing Jake shortly. So those are the people that are leaving the RAC at this time. We also have 2 non-consumptive seats that are open; Mike Small occupied the other one for a while. I haven't been able to find a candidate to take that position since Mike Small left. So we're actually light one position there. Two non-consumptives, one being Jack Hill, one being Mike Small. James Edwards, sportsman's rep. Gary Hallows, agriculture rep. And Jack Hill, again, non-consumptive. And Jake, government official.

Rex Stanworth: Mr. Chairman, I would suggest that nominations cease.

Steve Flinders: Not yet. We need to get his name on there too.

James Edwards. I'll second it.

Jake Albrecht: Okay, we have a motion and a second that nominations cease. So all in favor of Steve Flinders as chairman please raise your right hand. Any against? Congratulations Mr. Flinders.

Rex Stanworth made the motion to nominate Steve Flinders as Southern RAC Chair. James Edwards Seconded. Motion carried 7 in favor 0 opposed, Steve Flinders abstained.

Jake Albrecht: All right at this time we also need a vice chair. So anybody that would like to volunteer their name forward or think that they're interested, why do that. If not we'll just go to a nomination.

Cordell Pearson: I'll volunteer.

Jake Albrecht: You'd like to be the vice chair? Is that what you said Cordell? Was that a yes? Okay, anybody else that's interested? Okay, who made the motion for Cordell to be the vice chair then?

Gary Hallows: I did.

Jake Albrecht: Gary Hallows did. Clair seconded it. Any other discussion? Seeing none, all in favor? Okay, motion carries.

Gary Hallows made the motion to nominate Cordell Pearson as vice-chair. Clair Woodbury seconded. Motion carried unanimously.

Jake Albrecht: What this entails Steve is what we do here tonight plus a meeting in Salt Lake City once a month.

Steve Flinders: I've been to a few RACs.

Jake Albrecht: I think you have. And I'll bet you've been to a few Wildlife Board. So, congratulations.

Rex Stanworth: Mr. Chairman, I've got one question. In our packet we were told about the meeting in

August. And I assume that, is that for every RAC member or is that just for the incoming RAC members?

Jake Albrecht: It is for everybody, and that is August 19, 2009, 9:00 AM to 5:00 PM. And I think we had a good turnout from our Southern RAC the last time they held that. I think we were number one again. I think Gary was the only one that wasn't there.

Other Business

-Jake Albrecht, Chairman

Jake Albrecht: Okay, I have no further business, so a motion to adjourn. And a second by Steve Dalton. All in favor.

Rex Stanworth made the motion to adjourn. Steve Dalton seconded. Motion carried unanimously.

Jake Albrecht: Okay, our next meeting is in July at the Triple C Arena, July 28th, 7:00 PM. I'll see some of you there.

Meeting adjourned 10:35pm