

# Utah Wildlife Board Meeting

June 8, 2023, Eccles Wildlife Education Center  
1157 South Waterfowl Way, Farmington, Utah

The Board Meeting will stream live at <https://youtube.com/live/eJBk4neaZal>

Revised 6-6-2023

## AGENDA

**Thursday, June 8, 2023, 9:00 A.M.**

1. Approval of Agenda **ACTION**  
– Kevin Albrecht, Chairman
2. Approval of Minutes **ACTION**  
– Kevin Albrecht, Chairman
3. Old Business/Action Log **CONTINGENT**  
– Randy Dearth, Vice-Chairman
4. DWR Update **INFORMATIONAL**  
– J. Shirley, DWR Director
5. Legislative Statute Updates **INFORMATIONAL**  
– Kyle Maynard, Assistant Attorney General

### **Rules to be impacted by Legislative Actions**

**R657-5 – Taking Big Game**

**R657-10 – Taking Cougar**

**R657-11 – Taking Furbearer**

**R657-33 – Taking Bear**

**R657-37 – CWMU**

**R657-42 – Fees, Exchange, Surrenders, Refunds**

**R657-62 – Drawing Application Procedures**

**R657-67 – Utah Hunter Mentoring Program**

**R657-69 – Depredating Turkeys**

6. Wild Turkey Plan Revision and Recommendations – R657-54 **ACTION**  
– Heather Talley, Upland Game Coordinator
7. Upland Game Recommendations – R657-6 **ACTION**  
– Heather Talley, Upland Game Coordinator
8. Waterfowl Rule and Swan Hunt Recommendations – R657-9 **ACTION**  
– Heather Talley, Upland Game Coordinator
9. Live Game Birds Rule Amendments – R657-4 **ACTION**  
– Avery Cook, Upland Game Project Leader
10. Collection, Importation and Possession Rule Amendments – R657-3 **ACTION**  
– Charles Lyons, Asst. Attorney General

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|--|-------------------|
| 11. CWMU Variance Requests<br>– Chad Wilson, Private Lands/Public Wildlife Coordinator   | <b>ACTION</b>     |
| 12. Translocation Management Plan: Desert Tortoise<br>– Ann McLuckie, Wildlife Biologist | <b>ACTION</b>     |
| 13. LOA Advisory Committee Recommendations<br>– Covy Jones, Wildlife Section Chief       | <b>ACTION</b>     |
| 14. Election of Board Chair and Vice-Chair<br>– Kevin Albrecht, Chairman                 | <b>ACTION</b>     |
| 15. Other Business<br>– Kevin Albrecht, Chairman   | <b>CONTINGENT</b> |

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

**Wildlife Board Motions**

Following is a summary of Wildlife Board motions directing the Division to take action and the response to date:

Fall 2022 – Target Date – Progress on changes to statute for the poaching of a swan

**MOTION: I move that we ask the division to look into changing statute to reflect a 7-year waiting period for poaching a swan and have the division report back. This is to be placed on the action log.**

Motion made by: Karl Hirst  
Assigned to: Wyatt Bubak  
Action: Update given to the board on December 1, 2022  
Placed on Action Log: December 2, 2021

Fall 2022 – Target Date – Possibility of a 3-year season structure for Big Game seasons and hunter orange regulation reforms

**MOTION: I move that we ask the division to look into a 3-year season structure for big game season dates and the possibilities of hunter orange regulation reforms (including amount required, what other states allow etc.) This is to be placed on the action log.**

Motion made by: Bryce Thurgood  
Assigned to: Covy Jones and Wyatt Bubak  
Action: Update given to the board on December 1, 2022  
Placed on Action Log: December 2, 2021

Fall 2022 – Target Date – Possibility of issuing 2 pt. or smaller buck deer tags to youth hunters

**MOTION: I move that we direct the division through the action log, to look at issuing 2pt. or smaller buck deer tags to youth hunters. That in the four-year period, between 14-18, they would have the potential to be guaranteed at least one hunt for a 2pt. buck and that those tags would not take away from any of the other tag allotments but be in addition to the tags already issued. We would ask the division to look at the impact that it would have on licensing and the herds as well as future youth hunters. Kevin Albrecht included with the action log item that the addition of a survey be used to see what that need is.**

Motion made by: Karl Hirst  
Assigned to: Lindy Varney and Covy Jones  
Action: Under Study  
Placed on Action Log: January 4, 2022

Fall 2023 – Target Date – Youth Only deer permit program

**MOTION: I move that we ask the division to look into a Youth Only dedicated hunter type program, for youth ages 12-17 that would allow yearly participation with a harvest restriction (2 deer in a 3-year period). This is to be placed on the Action Log.**

Motion made by: Bryce Thurgood  
Assigned to: Lindy Varney, Covy Jones and Bryan Christensen  
Action: Under Study  
Placed on Action Log: June 2, 2022

Fall 2023 – Target Date – Special Use Permits on WMA’s – Guides and Outfitters – Nonconsumptive user fee

**MOTION:** I move that we ask the division to look into Guides and Outfitters obtaining special use permits on WMA’s and to look at implementing a fee for non-consumptive users. This is to be placed on the Action Log.

Motion made by: Randy Dearth  
Assigned to: Blair Stringham  
Action: Under Study  
Placed on Action Log: August 25, 2022

Fall 2024 – Target Date – Increase Trapping Fee for Non-residents

**MOTION:** I move that we ask the Division to look into a trap fee increase for non-residents for 2024. This is to be placed on the Action Log.

Motion made by: Karl Hirst  
Assigned to: Darren DeBloois  
Action: Under Study  
Placed on Action Log: January 3, 2023

Fall 2024 – Target Date – Mandatory Tooth Reporting

**MOTION:** I move that we ask the Division to look into mandatory tooth reporting. This is to be placed on the Action Log.

Motion made by: Karl Hirst  
Assigned to: Dax Mangus  
Action: Under study  
Placed on Action Log: May 4, 2023

Fall 2024 – Target Date – CWMU Recommendations Committee

**MOTION:** I move that we ask the division to form a CWMU Recommendations Committee to review the rule and bring recommendations back to the board in June 2024. The committee should consider if the rule is equitable for both the public and the private parties. It needs to be an incentive based program to encourage CWMU’s to fulfill antlerless harvest. Tools need to be in place to encourage CWMU operators and the division to obtain necessary harvest for unit objectives. The rule needs to address non-contiguous lands and set requirements for trade lands – land traded needs to be comparable to be fair to both the public and the operator. Trade lands need to be posted with a common sign such that the public can easily recognize it as such. If public tags increase or decrease then CWMU tags should do the same. This is to be placed on the Action Log.

Motion made by: Randy Dearth  
Assigned to: Chad Wilson  
Action: Under study  
Placed on Action Log: May 4, 2023

# Utah Wildlife Board Meeting

May 4, 2023, George S. and Dolores Doré Eccles Wildlife Education Center  
1157 South Waterfowl Way, Farmington, Utah

The meeting will stream live at <https://youtube.com/live/pp7z8bodnWw>

Revised April 4, 2023

## AGENDA

Thursday May 4, 2023, 9:00 am

- |   |                      |
|---|----------------------|
| 1. Approval of Agenda<br>– Kevin Albrecht, Chairman   | <b>ACTION</b>        |
| 2. Approval of Minutes<br>– Kevin Albrecht, Chairman  | <b>ACTION</b>        |
| 3. Old Business/Action Log<br>– Randy Dearth, Vice-Chair  | <b>CONTINGENT</b>    |
| 4. DWR Update<br>– J. Shirley, DWR Director   | <b>INFORMATIONAL</b> |
| 5. Buck Deer Permit Recommendations for 2023<br>– Dax Mangus, Big Game Coordinator                          | <b>ACTION</b>        |
| 6. Once-in-a-Lifetime Permit Recommendations for 2023<br>– Rusty Robinson, OIAL Species Coordinator         | <b>ACTION</b>        |
| 7. Bull Elk Permit Recommendations for 2023<br>– Dax Mangus, Big Game Coordinator                           | <b>ACTION</b>        |
| 8. Buck Pronghorn Permit Recommendations for 2023<br>– Dax Mangus, Big Game Coordinator                     | <b>ACTION</b>        |
| 9. Antlerless Permit Recommendations for 2023<br>– Dax Mangus, Big Game Coordinator                         | <b>ACTION</b>        |
| 10. 2023 CWMU Antlerless Permit Recommendations<br>– Chad Wilson, Private Lands/Public Wildlife Coordinator | <b>ACTION</b>        |
| 11. CWMU Rule Amendments<br>– Chad Wilson, Private Lands/Public Wildlife Coordinator                        | <b>ACTION</b>        |
| 12. Big Game Rule Amendments – R657-5<br>– Dax Mangus, Big Game Coordinator                                 | <b>ACTION</b>        |
| 13. Big Game Rule Amendments – Technology Committee Rec.<br>– Derrick Ewell, Wildlife Biologist             | <b>ACTION</b>        |
| 11. Other Business<br>– Kevin Albrecht, Chairman  | <b>CONTINGENT</b>    |

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### Wildlife Board Motions

Following is a summary of Wildlife Board motions directing the Division to take action and the response to date:

#### Fall 2022 – Target Date – Progress on changes to statute for the poaching of swan

**MOTION:** I move that we ask the Division to look into changing statute to reflect a 7-year waiting period for poaching swan, and have the Division report back. This is to be placed on the action log.

Motion made by: Karl Hirst  
Assigned to: Wyatt Bubak  
Action: Update given to the Board on December 1, 2022.  
Placed on Action Log: December 2, 2021

#### Fall 2022 – Target Date – Possibility of a 3-year season structure for Big Game seasons and hunter orange regulation reforms

**MOTION:** I move that we ask the Division to look into a 3-year season structure for big game season dates, and the possibilities of hunter orange regulation reforms (including amount required, what other states allow, etc.). This is to be placed on the action log.

Motion made by: Bryce Thurgood  
Assigned to: Covy Jones and Wyatt Bubak  
Action: Update give to the Board on December 1, 2022  
Placed on Action Log: December 2, 2021

#### Fall 2022 – Target Date – Possibility of issuing 2 pt. or smaller buck deer tags to youth hunters

**MOTION:** I move that we direct the division through the action log, to look at issuing 2pt. or smaller buck deer tags to youth hunters. That in the four-year period, between 14-18, they would have the potential to be guaranteed at least one hunt for a 2pt. buck and that those tags would not take away from any of the other tag allotments but be in addition to the tags already issued. We would ask the division to look at the impact that it would have on licensing and the herds as well as future youth hunters. Kevin Albrecht included with the action log item that the addition of a survey be used to see what that need is.

Motion made by: Karl Hirst  
Assigned to: Lindy Varney and Covy Jones  
Action: Under study  
Placed on Action Log: January 4, 2022

#### Fall 2023 – Target Date – Youth Only deer permit program

**MOTION:** I move that we ask the Division to look into a Youth Only dedicated hunter type program, for youth ages 12-17 that would allow yearly participation with a harvest restriction (2 deer in a 3-year period). This is to be placed on the Action Log.

Motion made by: Bryce Thurgood  
Assigned to: Lindy Varney, Covy Jones and Bryan Christensen  
Action: Under study  
Placed on Action Log: June 2, 2022

Fall 2023 – Target Date - Special Use Permits on WMA’s - Guides and Outfitters -  
Nonconsumptive user fee

**MOTION:** I move that we ask the division to look into Guides and Outfitters obtaining special use permits on WMA’s and to look at implementing a fee for non-consumptive users. This is to be placed on the Action Log

Motion made by: Randy Dearth  
Assigned to: Blair Stringham  
Action: Under study  
Placed on Action Log: August 25, 2022

Fall 2023 – Target Date - Guiding Document for the Selection of Committees

**MOTION:** I move that the Division formulate a guiding document for the formation of committees that would include final approval coming from the Wildlife Board. This is to be placed on the Action Log.

Motion made by: Wade Heaton  
Assigned to: Ashley Green  
Action: Under study  
Placed on Action Log: September 29, 2022

Fall 2024 – Target Date – Increase Trapping Fee for Non-residents

**MOTION:** I move that we ask the Division to look into a trap fee increase for non-residents for 2024. This is to be placed on the Action Log.

Motion made by: Karl Hirst  
Assigned to: Darren DeBloois  
Action: Under study  
Placed on Action Log: January 3, 2023

2024 – Target Date – Mandatory Tooth Reporting

**MOTION:** I move that we ask the Division to look into mandatory tooth reporting. This is to be placed on the Action Log.

Motion made by: Karl Hirst  
Assigned to: Dax Mangus  
Action: Under study  
Placed on Action Log: May 4, 2023

2024 – Target Date – CWMU Recommendations Committee

**MOTION:** I move that we ask the division to form a CWMU Recommendations Committee to review the rule and bring recommendations back to the board in June 2024. The committee should consider if the rule is equitable for both the public and the private parties. It needs to be an incentive based program to encourage CWMU’s to fulfill antlerless harvest. Tools need to be in place to encourage CWMU operators and the division to obtain necessary harvest for unit objectives. The rule needs to address non-contiguous lands and set requirements for trade lands – land traded needs to be comparable to be fair to both the public and the operator. Trade lands need to be posted

**with a common sign such that the public can easily recognize it as such. If public tags increase or decrease then CWMU tags should do the same. This is to be placed on the Action Log.**

Motion made by: Randy Dearth  
Assigned to: Chad Wilson  
Action: Under study  
Placed on Action Log: May 4, 2023

DRAFT



**Utah Wildlife Board Meeting**  
May 4, 2023 Eccles Wildlife Education Center  
1157 South Waterfowl Way, Farmington, Utah  
**Summary of Motions**

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

The following motion was made by Randy Dearth seconded by Gary Nielson and passed unanimously.

**MOTION: I move that we approve the agenda.**

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

The following motion was made by Karl Hirst, seconded by Wade Heaton and passed unanimously.

**MOTION: I move that we approve the minutes of the January 3, 2023 Wildlife Board Meeting and the April 11, 2023 Wildlife Board Work Session as submitted.**

3) Buck Deer Permit Recommendations for 2023 (**Action**)

The following motion was made by Bryce Thurgood, seconded by Karl Hirst and passed unanimously.

**MOTION: I move that we approve the permit numbers for General Season Buck Deer permits on the following units—Chalk Creek 2000, East Canyon 1700, Morgan-South Rich 1400, Kamas 1700, and Ogden 1900.**

The following motion was made by Randy Dearth, seconded by Wade Heaton and passed with the Chairman voting in favor to break the tie. Bryce Thurgood, Karl Hirst and Bret Selman opposed.

**MOTION: I move that we approve the permit numbers for the Central Region units as presented with the exception that Oquirrh-Stansbury be cut to 2000.**

The following motion was made by Wade Heaton, seconded by Gary Nielson and passed 5-1, with Karl Hirst opposed.

**MOTION: I move that we approve zero permit increases in the Southern Region, staying with the 2022 permit numbers, with the exception of Pine Valley going to 2300.**

The following motion was made by Karl Hirst, seconded by Bryce Thurgood and failed with the Chairman breaking the tie. Karl Hirst, Bryce Thurgood and Bret Selman voted in favor.

**MOTION: I move that we approve the permit numbers for the Southeastern Region as presented.**

The following motion was made by Wade Heaton, seconded by Rand Dearth and passed with the Chairman breaking the tie. Bryce Thurgood, Karl Hirst and Bret Selman opposed.

**MOTION: I move that we approve the permit numbers for the Southeastern Region as presented, with the exception that the La Sal, La Sal Mountains stay at 1200.**

The following motion was made by Randy Dearth, seconded by Wade Heaton and passed unanimously.

**MOTION: I move that we approve the permit numbers for the Northeastern Region as presented, with the exception of the Wasatch Mountains, East being changed to 4250.**

The following motion was made by Bryce Thurgood, seconded by Bret Selman and passed unanimously.

**MOTION: I move that we increase the Fillmore, Oak Creek LE permits by 5 and not the 11 as proposed by the Division.**

The following motion was made by Karl Hirst, seconded by Gary Nielson and passed unanimously.

**MOTION: I move that we approve the remaining permit numbers as presented by the Division.**

4) Once-in-a-Lifetime Permit Recommendations for 2023 (**Action**)

The following motion was made by Bryce Thurgood, seconded by Bret Selman and passed unanimously

**MOTION: I move that we accept the OIAL permit recommendations as presented by the Division.**

5) Bull Elk Permit Recommendations for 2023 (**Action**)

The following motion was made by Karl Hirst, seconded by Bryce Thurgood and passed unanimously.

**MOTION: I move that we ask the Division to look into mandatory tooth reporting. This is to be placed on the Action Log.**

The following motion was made by Randy Dearth, seconded by Gary Nielson and passed unanimously.

**MOTION: I move that we approve the permit recommendations as presented by the Division, including the additional 250 draw-only youth bull elk permits.**

6) Buck Pronghorn Permit Recommendations for 2023 (**Action**)

The following motion was made by Karl Hirst, seconded by Wade Heaton and passed unanimously.

**MOTION: I move that we accept the Buck Pronghorn permit recommendations as presented.**

7) Antlerless Permit Recommendations for 2023 (Action)

The following motion was made by Wade Heaton and later withdrawn.

**MOTION: I move that approve as presented by the Division, with the exception of the four increases, and that those stay at 2022 levels.**

The following motion was made by Bryce Thurgood, seconded by Bret Selman and passed 4-2, with Randy Dearth and Wade Heaton opposed.

**MOTION: I move that we approve the Antlerless permit recommendations as presented.**

8) 2023 CWMU Antlerless Permit Recommendations (Action)

The following motion was made by Wade Heaton and later withdrawn.

**MOTION: I move that we reduce the number of antlerless permits by 50% across the board for 2023.**

The following motion was made by Randy Dearth, seconded by Karl Hirst and passed unanimously.

**MOTION: I move that we ask the division to form a CWMU Recommendations Committee to review the rule and bring recommendations back to the board in June 2024. The committee should consider if the rule is equitable for both the public and the private parties. It needs to be an incentive based program to encourage CWMU's to fulfill antlerless harvest. Tools need to be in place to encourage CWMU operators and the division to obtain necessary harvest for unit objectives. The rule needs to address non-contiguous lands and set requirements for trade lands – land traded needs to be comparable to be fair to both the public and the operator. Trade lands need to be posted with a common sign such that the public can easily recognize it as such. If public tags increase or decrease then CWMU tags should do the same. This is to be placed on the Action Log.**

The following motion was made by Randy Dearth, seconded by Wade Heaton and passed 5-1, with Karl Hirst opposed.

**MOTION: I move that we approve the Summit Point request for 6 cow elk permits (3 public, 3 private).**

The following motion was made by Karl Hirst, seconded by Bryce Thurgood and passed unanimously with Bret Selman and Wade Heaton recusing.

**MOTION: I move that we approve the remainder as presented by the Division.**

9) CWMU Rule Amendments (Action)

The following motion was made by Karl Hirst, seconded by Randy Dearth and passed unanimously with Bret Selman and Wade Heaton recusing.

**MOTION: I move that we approve the CWMU rule amendments as presented by the Division.**

10) Big Game Rule Amendments – R657-5 (**Action**)

The following motion was made by Karl Hirst, seconded by Gary Nielson and passed unanimously.

**MOTION: I move that we approve the Big Game rule amendments as presented by the Division.**

11) Big Game Rule Amendments- Technology Committee Recommendations (**Action**)

The following motion was made by Karl Hirst, seconded by Randy Dearth and passed unanimously.

**MOTION: I move that we approve peep-mounted, single-lens clarifiers and verifiers for archery.**

The following motion was made by Bryce Thurgood, seconded by Bret Selman, amended by Wade Heaton, seconded by Bret Selman and passed 4-2, with Bryce Thurgood and Karl Hirst opposed.

**MOTION: I move that we approve the 2-way radio ban portion of the presentation.**

**AMENDED MOTION: to apply to restricted weapons and HAMS hunts specifically.**

The following motion was made by Bryce Thurgood, seconded by Wade Heaton and passed unanimously.

**MOTION: I move that we allow matchlock ignition and friction lock to be included in the restricted muzzleloader definition.**

The following motion was made by Karl Hirst, seconded by Gary Nielson and passed unanimously.

**MOTION: I move that we approve the remainder of the recommendations as presented by the Division.**

**Utah Wildlife Board Meeting**  
May 4, 2023 Eccles Wildlife Education Center  
1157 South Waterfowl Way, Farmington, Utah  
Attendance

**Wildlife Board**

Kevin Albrecht – Chair	Karl Hirst
Randy Dearth– Vice-Chair	Bryce Thurgood
J. Shirley – Exec Secretary	Gary Nielson
	Wade Heaton
	Bret Selman

**RAC Chairs**

Central – Brock McMillan  
Southern – Brayden Richmond  
Southeastern – L Kent Johnson  
Northeastern – Daniel Davis  
(virtual attendance)  
Northern – Justin Oliver

**Division Personnel**

Mike Canning	Seth Magers	
Justin Shannon	Mike Christensen	Covy Jones
Miles Hanberg	Staci Coons	Rusty Robinson
Chris Wood	Paige Wiren	Chad Wilson
Kevin Bunnell	Teresa Griffin	Brandon Baron
Ben Nadolski	Dax Mangus	Mark Martinez
Jason Vernon	Riley Peck	Wyatt Bubak
Kyle Maynard	Guy Wallace	Dallon Christensen
Brandon Baron	Jim Christensen	Sydney Lamb
Derrick Ewing	Lindy Varney	Brad Crompton
Kent Hersey	Xaela Walden	Mike Wardle

**Public Present**

Travis Murphy	Troy Justensen	Ryan Brown	Andy Monroe
Landon Corbridge	Angie Wonnacott	Cody Rhees	Tom Hatch
James Higley	Garth Jenson	Cory Rasmussen	Garth Carter
Angie Wonnecott	Kevin Norman	Daniel Anselman	

**Utah Wildlife Board Meeting**  
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1157 South Waterfowl Way, Farmington, Utah  
[https://youtu.be/aYbg\\_MlzxLk](https://youtu.be/aYbg_MlzxLk)

- 00:08:50** Chairman Albrecht called the meeting to order, and had the Board and RAC members introduce themselves. The Chairman recognized Director Shirley and the Chairman also expressed his appreciation for Utah’s public process.
- 00:10:52** **1) Approval of Agenda (Action)**  
The following motion was made by Randy Dearth, seconded by Gary Nielson and passed unanimously.  
**MOTION: I move that we approve the agenda as presented.**
- 00:11:20** **2) Approval of Minutes (Action)**  
The following motion was made by Karl Hirst, seconded by Wade Heaton and passed unanimously.  
**MOTION: I move that we approve the minutes of the January 3, 2023 Wildlife Board Meeting and the April 11, 2023 Wildlife Board Work Session as submitted.**
- 00:11:48** **3) Old Business/Action Log (Contingent)**  
There were no action log items to discuss at this time.
- 00:12:03** **4) DWR Update (Informational)**  
Director J. Shirley gave updates on how the severe winter impacted statewide staffing workload and efforts, as well as gave Aquatic, Administrative Services, Habitat, Law Enforcement Outreach and Wildlife section updates.  
Karl Hirst thanked the state agency that manages the Stateline Boat Ramp at Lake Powell.
- 00:23:55** **5) Buck Deer Permit Recommendations for 2023 (Action)**  
Big Game Coordinator Dax Mangus gave a presentation titled “Big Game Permit Recommendations 2023.”
- 00:43:26** **Board/RAC Questions**  
The Board asked about the comparative percentages of cuts in permit numbers in different units, and asked about hunter success in areas where there are a lot of private land holdings.  
The Board asked Dax to speak to the anecdotes received by board members from area farmers, cowboys and hunters who say that deer numbers have declined, and if on units where there was significant winter deer loss, if elk loss was similar in number.  
The RAC asked about the Division’s conservative approach to adjusting southern region deer permit numbers after assessing winter conditions.

**00:56:59 Public Comments**

Chairman Albrecht noted that during the in-person public comment segment of this agenda item, those who have filled out and turned in a comment card may speak for five minutes.

Director Shirley summarized the public comments received online.

**01:01:30 RAC Recommendation**

All RACs passed the permit recommendations with varying stipulations and opposition.

**01:07:27 Public Comments/Division Clarification**

Public comments were accepted at this time. The Division thanked the public for their comments, and stated the Division's commitment to working to increase statewide deer population.

Chairman Albrecht commented on the multiplicity of factors that affect mule deer mortality, and thanked the public who gave comments on this agenda item.

**01:38:42 Board Discussion**

The Board thanked the public and sportsman groups who gave feedback on this agenda item. Vice Chairman Dearth stated that he would support not increasing deer permit numbers in the southern region.

The Board thanked the Division for their collective statewide efforts responding to the extreme winter conditions, and for the work that has gone into making permit recommendations.

The Board commented on predator control practice on deer survival, and also on the social fallout the Board receives when permit numbers are increased after a significant impact on deer populations, such as the past winter.

The Board commented on the difference between buck to doe data and population data.

Former Wildlife Board member and legislature Tom Hatch commented on the scope of legislative authority in influencing wildlife management.

Dax Mangus commented on population estimates, and explained the difference between buck numbers data and concurrent herd population data.

The Board commented that this vote should reflect the social component of this agenda item, while a different board member stated that voting against permit increases should not be made out of fear.

The Board commented that Utah's wildlife is managed using a significant amount of scientific data.

The Northern RAC Chair noted a change since last year in Northern Region unit boundaries.

The Board expressed concern about adding hunters to landscapes that have fewer deer.

The Board discussed permit cuts in the Northern Region, asked the RAC chairman to share representation from his region on permit cut numbers or percentages, and shared permit cut numbers that the RAC received from the public.

The following motion was made by Bryce Thurgood, seconded by Karl Hirst and passed unanimously.

**MOTION: (Northern) I move that we approve the permit numbers for General Season Buck Deer permits on the following units – Chalk Creek 2000, East Canyon 1700, Morgan-South Rich 1400, Kamas 1700, and Ogden 1900.**

The Board suggested that the Division reward CWMU operators who curtail hunts on their units during the upcoming big game season with some kind of future benefit for sacrifices made this year. The Board also asked about the feasibility of reinstating points to hunters who might have a very low quality hunt experience because of big game winter loss.

Directory Shirley stated how the Division might respond.

Once submitted, an individual cannot withdraw an application, however if someone draws out, that person has the option of surrendering the drawn permit.

The Board asked if it could vote to reissue lost points.

Assistant Attorney General Kyle Maynard answered the question.

Lindy Varney asked if the Division could have time to analyze the impact of the request.

The Board furthered the discussion about compensating CWMU operators, and one of the board members noted that built into the application process, individuals are advised to contact operators prior to applying. A different board member said he thinks there will be many unhappy hunters throughout this big game hunting season.

The following motion was made by Randy Dearth, seconded by Wade Heaton and passed with the Chairman voting in favor to break the tie. Bryce Thurgood, Karl Hirst and Bret Selman opposed.

**MOTION: (Central) I move that we approve the permit numbers for the Central Region units as presented with the exception that Oquirrh-Stansbury be cut to 2000.**

The following motion was made by Wade Heaton, seconded by Gary Nielson and passed 5-1 with Karl Hirst opposed.

**MOTION: (Southern) I move that we approve zero permit increases in the Southern Region, staying with the 2022 permit numbers with the exception of Pine Valley going to 2300.**

Dax Mangus noted that the La Sal unit has a high prevalence of chronic wasting disease in that unit's deer population.

The Board asked how cases of chronic wasting disease increase.

The following motion was made by Karl Hirst, seconded by Bryce Thurgood and failed with the Chairman breaking the tie. Karl Hirst, Bryce Thurgood and Bret Selman in favor.

**MOTION: (Southeastern) I move that we approve the permit numbers**



**for the Southeastern Region as presented.**

The following motion was made by Wade Heaton, seconded by Randy Dearth and passed, with the Chairman breaking the tie. Bryce Thurgood, Karl Hirst and Bret Selman opposed.

**MOTION: (Southeastern) I move that we approve the permit numbers for the Southeastern Region as presented with the exception that the La Sal, La Sal Mountains stay at 1200.**

The following motion was made by Randy Dearth, seconded by Wade Heaton and passed unanimously.

**MOTION: (Northeastern) I move that we approve the permit numbers for the Northeastern Region as presented with the exception of the Wasatch Mountains, East being changed to 4250.**

The following motion was made by Bryce Thurgood, seconded by Bret Selman and passed unanimously.

The Board voiced support for the SFW's recommendation.

**MOTION: I move that we increase the Fillmore, Oak Creek LE permits by 5 and not the 11 as proposed by the division.**

The following motion was made by Karl Hirst, seconded by Gary Nielson and passed unanimously.

**MOTION: I move that we approve the remaining permit numbers as presented by the division.**

**03:06:53** LUNCH

**03:58:28** Director Shirley announced that division biologists will be doing neonate studies at the end of May and first of June and invited the Board, RACs or partners to join the efforts.

**03:59:32** **6) Once-in-a-Lifetime Permit Recommendations for 2023 (Action)**  
OIL Coordinator Rusty Robinson reviewed the OIL species' 2023 permit recommendation revisions.

**04:02:05** **Board/RAC Questions**  
There were no questions from the Board or RACs.

**04:02:17** **Public Comments**  
Director Shirley summarized the public comments received online.

**04:04:05** **RAC Recommendations**  
All RACs passed the recommendations with additional stipulations and requests to the Board.  
The Southern RAC made a suggestion regarding Expo permit allocation.  
Wildlife Section Chief Covy Jones explained how the Expo permit rule is written.

**04:10:16 Public Comments/Division Clarification**

Public comments were accepted at this time.

**04:14:08 Board Discussion/Questions**

The Board asked what number of permits would be affected by a proposed change to Expo permit allocation.

Chairman Albrecht mentioned that in the Southeastern Region when conditions were right and bison populations were increasing, accessing bison in the Book Cliffs is limited.

The Chairman asked the Board to ask the Division be cognizant of the issue when they can, but not to make a motion on it.

The following motion was made by Bryce Thurgood, seconded by Bret Selman and passed unanimously.

**MOTION: I move that we accept the OIAL permit recommendations as presented by the division.**

**04:20:54 7) Bull Elk Permit Recommendations for 2023 (Action)**

Big Game Coordinator Dax Magnus had no further clarifications or updates on the prerecorded presentation that was posted on the Division's website.

**04:21:50 Board/RAC Questions**

There were no questions from the Board or RACs.

**04:22:04 Public Comments**

Director Shirley summarized the public comments received online.

**04:23:32 RAC Recommendations**

All RACs passed the permit recommendations with varying stipulations and opposition.

**04:25:26 Public Comments/Division Clarification**

Public comments were accepted at this time. Dax answered questions about about harvest reporting. The Board suggested that all tooth harvest data reporting be mandatory, and asked if mandatory harvest reporting would negatively impact the Division's budget.

**04:26:29 Board Discussion/Questions**

The Board asked about mandatory harvest reporting, noted that some states require mandatory check-ins of any harvested animal, and asked if mandatory reporting would impact the Division's budget.

The following motion was made by Karl Hirst, seconded by Bryce Thurgood and passed unanimously

**MOTION: I move that we ask the Division to look into mandatory tooth reporting. This is to be placed on the Action Log.**

The following motion was made by Randy Dearth seconded by Gary Nielson and passed unanimously

**MOTION: I move that we approve the permit recommendations as presented by the Division, including the additional 250 draw-only youth bull elk permits.**

**04:38:04 8) Buck Pronghorn Permit Recommendations for 2023 (Action)**

Big Game Coordinator Dax Mangus summarized the pre-recorded presentation that was posted on the Division's website.

**04:39:07 Board/RAC Questions**

There were no questions from the Board or RACs.

**04:39:25 Public Comments**

Director Shirley summarized the public comments received online.

**04:40:18 RAC Questions**

Asked about the difference in permit recommendations between two different Southeastern Region units.

**04:41:18 RAC Recommendations**

All RACs accepted the Division's permit recommendations as presented

**04:42:15 Public Comments/Division Clarification**

Public comments were accepted at this time. No clarification was given at this time.

**04:43:06 Board Questions/Discussion**

The Board asked about permit cuts on a particular unit, and asked if the Division would be proposing permit cuts on CWMUs. The Board also noted that many CWMU operators voluntarily cut their permits. Chairman Albrecht stated that the Board could consider CWMU issues next year when the CWMU rule is reviewed.

The following motion was made by Karl Hirst, seconded by Wade Heaton and passed unanimously.

**MOTION: I move that we accept the Buck Pronghorn permit recommendations as presented.**

**04:47:50 9) Antlerless Permit Recommendations for 2023 (Action)**

Big Game Coordinator Dax Mangus did not have anything to add to the pre-recorded presentation that was posted on the Division's website.

**04:1: Board Questions/Discussion**

The Board asked about antlerless deer recommendations statewide and expressed concern about harvesting does outside of using doe harvest as a depredation

mitigation tool.

**04:52:23 Public Comments**

Director Shirley summarized the public comments received online.

**04:53:26 RAC Recommendations**

All RACs passed motions to accept the Division's recommendations as presented.

**04:54:32 Board Discussion**

The Board asked about CWMU permit reductions. The Board asked how many does harvested to address depredation are dispatched within city limits, and asked if sometimes mountain deer are harvested instead of targeted resident urban deer. The Board also asked about unit-specific boundaries. The Board argued that doe permit numbers should be conservative given the harsh and prolonged winter conditions.

The following motion was made by Wade Heaton and later withdrawn.

**MOTION: I move that we approve as presented by the Division, with the exception of the four increases, and that those stay at 2022 levels.**

The following motion was made by Bryce Thurgood, seconded by Bret Selman and passed 4-2, with Randy Dearth and Wade Heaton opposed.

**MOTION: I move that we approve the approve the Antlerless permit recommendations as presented.**

**05:08:29 Board Comment**

Chairman Albrecht shared a specific constituent's concern as a proxy

**05:11:02 10) 2023 CWMU Antlerless Permit Recommendations (Action)**

Private Lands Public Wildlife Coordinator Chad Wilson did not have anything to add to the pre-recorded presentation that was posted on the Division's website.

**05:11:51 Board/RAC Questions**

The Board asked about the reason behind some of the permit number recommendations. The Board argued that they should consistently vote to reduce permit numbers on all of this meeting's agenda items due to the severe winter weather.

The Board proposed a motion, however it was not carried forward due to meeting order protocol.

**05:18:30 RAC Recommendations**

All RACs passed the permit recommendations with varying stipulations and opposition.

**05:21:56 Public Comments**

Director Shirley summarized the public comments received online.

**05:22:55 Public Comments/Division Clarification**

Public comments were accepted at this time. It was stated that a CWMU variance will be addressed at the next scheduled Wildlife Board meeting.

**05:25:02 Board Discussion**

The following motion was made by Wade Heaton and later withdrawn.

**MOTION: I move that we reduce the number of antlerless permits by 50% across the board for 2023.**

The Board voiced the Northern RAC's concern about elk overpopulation, and asked when the CWMU rule changes are scheduled to be addressed in the public process.

The Northern RAC chairman asked the Board to consider what qualifies as "cooperation" from landowners in the Cooperative Wildlife Management Unit program.

The Board emphasized that CWMU rule amendments should be equitable for both the public and the CWMUs, that CWMUs should be incentivized to fulfill antlerless harvest, that non-contiguous lands issues should be addressed, that requirements for tradelands should be established, that tradelands need to be posted, and that if public permit numbers fluctuate up or down, then the CWMU permit numbers need to match those fluctuations.

The following motion was made by Randy Dearth, seconded by Karl Hirst and passed unanimously.

**MOTION: I move that we ask the division to form a CWMU Recommendations Committee to review the rule and bring recommendations back to the board in June 2024. The committee should consider if the rule is equitable for both the public and the private parties. It needs to be an incentive based program to encourage CWMU's to fulfill antlerless harvest. Tools need to be in place to encourage CWMU operators and the division to obtain necessary harvest for unit objectives. The rule needs to address non-contiguous lands and set requirements for trade lands – land traded needs to be comparable to be fair to both the public and the operator. Trade lands need to be posted with a common sign such that the public can easily recognize it as such. If public tags increase or decrease then CWMU tags should do the same. This is to be placed on the Action Log.**

Chairman Albrecht noted that the current CWMU rule is over 20 years old, and that changes to the rule will include improvements made possible with the advancement of technology over 20 years.

The Board asked if a CWMU Recommendations Committee could be assembled within 18 months.

The Board asked a question about the Summit Point CWMU.

The following motion was made by Randy Dearth, seconded by Wade Heaton and passed 5-1, with Karl Hirst opposed.

**MOTION: I move that we approve the Summit Point request for 6 cow**

**elk permits (3 public, 3 private).**

The following motion was made by Karl Hirst, seconded by Bryce Thurgood and passed unanimously with Bret Selman and Wade Heaton recusing.

**MOTION: I move that we approve the remainder as presented by the Division.**

**05:39:55 11) CWMU Rule Amendments(Action)**

Private Lands and Public Coordinator Chad Wilson explained that this agenda item was just a clarification of rule.

**05:40:55 Board/RAC Questions**

There were no questions from the Board or RAC chairs.

**05:41:06 Public Comments**

Director Shirley summarized the public comments received online.

**05:41:44 RAC Recommendations**

All RACs passed motions to accept the Division's recommendations as presented.

**05:42:20 Public Comments/Division Clarification**

Public comments were accepted at this time. No clarification was given at this time.

**05:44:27 Board Questions/Discussion**

The following motion was made by Karl Hirst, seconded by Randy Dearth and passed unanimously with Bret Selman and Wade Heaton recusing.

**MOTION: I move that we approve the CWMU rule amendments as presented by the Division.**

**05:45:15 12) Big Game Rule Amendments - R657-5 (Action)**

Big Game Coordinator Dax Mangus reviewed the Division's recommendations.

**05:46:26 Board/RAC Questions**

Board or asked if "inedible sale" includes the purchase of hides.

**05:47:12 Public Comments**

Director Shirley summarized the public comments received online.

**05:48:18 RAC Recommendations**

All RACs passed the Division's permit recommendations as presented.

**05:50:27 Public Comments/Division Clarification**

There were no public comments submitted on this agenda item at this time. No clarification was given at this time.

**05:50:32 Board Discussion**

The Board thanked the Division for the time spent addressing the proposed rule amendments.

The following motion was made by Karl Hirst, seconded by Gary Nielson and passed unanimously.

**MOTION: I move that we approve the Big Game rule amendments as presented by the Division.**

**05:53:28 13) Big Game Rule Amendments- Technology Committee Recommendations (Action)**

Gabe Patterson clarified the intent of the committee's recommending banning two-way communication. He also gave the definition of a "clarifier" tool in hunting.

**05:57:29 Board/RAC Questions**

Chairman Albrecht thanked the individuals who served on the Technology Committee.

The Board asked whether or not the rule would allow a clarifier, and stated that a significant element of voting on this agenda item will be voting on magnification.

The RAC stated that reading glasses technically magnify, however the function of what they do for the user is to clarify.

The Board asked if there is anything that currently prevents clarifiers on specific hunting tools.

**06:05:54 Public Comments**

Director Shirley summarized the public comments received online.

**06:08:48 RAC Recommendations**

All RACs passed the rule amendments with varying stipulations and opposition. In addition, the Southeastern RAC asked the Wildlife Board to put on the Action Log to have the Division look at ways to streamline agendas and processes to try and shorten meeting lengths.

**06:15:57 Public Comments/Division Clarification**

Public comments were accepted at this time. No clarification was given at this time.

**06:33:47 Board Questions/Discussion**

The Board asked how the discussions about two-way radios went and discussed how radios are used in hunting. The Board expressed frustration regarding the seeming arbitrariness of what technology is being suggested to restrict.

The Board argued for and against approving the recommendations.

Chairman Albrecht stated that these restrictions and bans will create a baseline for the future.

The Board shared that during a Technology Committee meeting, it was an outfitter who first suggested banning two-way communication for the take of a specific animal.

The Board continued to argue for and against approving the recommendations, and discussed how a two-way communication device ban would be enforced.

The following motion was made by Karl Hirst, seconded by Randy Dearth and passed unanimously.

**MOTION: I move that we approve peep-mounted, single-lens clarifiers and verifiers for archery.**

The following motion was made by Bryce Thurgood, seconded by Bret Selman, amended by Wade Heaton, seconded by Bret Selman and passed 4-2, with Bryce Thurgood and Karl Hirst opposed.

**MOTION: I move that we approve the 2-way radio ban portion of the presentation.**

**AMENDED MOTION: to apply to restricted weapons and HAMS hunts specifically.**

The following motion was made by Bryce Thurgood, seconded by Wade Heaton and passed unanimously.

**MOTION: I move that we allow matchlock ignition and friction lock to be included in the restricted muzzleloader definition.**

The following motion was made by Karl Hirst, seconded by Gary Nielson and passed unanimously.

**MOTION: I move that we approve the remainder of the recommendations as presented by the Division.**

**07:25:26 14) Other Business (Contingent)**

The Southeastern RAC chairman asked if the Board could address their region's motion requesting that the Board and Division try and shorten meeting length times.

**07:31:21 Meeting adjourned.**



**Regional Advisory Council Meeting  
Summary of Approved Motions**

Northeastern Region Advisory Council did not have a quorum present  
and any motions made are not reflected in the Summary of Motions.

**Wild Turkey Plan Revision and Recommendations-R657-54 (Action)**

CR MOTION: Accept the DWR's plan revisions and recommendations as presented.  
PASSES: 9-2

NR SR SER

MOTION: I move that we accept Wild Turkey Plan Revision and recommendations R657-54 as presented.

PASSES: Unanimous

**Upland Game Recommendations-R654-6 (Action)**

All Regions

MOTION: I move we accept Upland Game Recommendations R657-6 as presented.

PASSES: Unanimous

**Waterfowl Rule and Swan Hunt Recommendations-R657-9 (Action)**

CR MOTION: Direct DWR to revise the recommendation and come back with an administrative penalty which would include seizing the permit and the harvested animal.  
PASSES: Unanimous

MOTION: Accept the remainder of the DWR recommendations as presented.

PASSES: Unanimous

NR MOTION: I move to confiscate trumpeter swans without criminal penalty.  
PASSES: 10-2

SR MOTION: Move that we accept the Waterfowl Rule recommendations and the Swan hunt recommendations, but not make it illegal to take a Trumpeter Swan, but do make it illegal to possess one.

PASSES: Unanimous

SER MOTION: Move that we accept the Division's proposal with the exception that it is classified as an infraction rather than a misdemeanor for the take and that it'd be illegal to possess the bird after the 72 hour period.

PASSES: 7-2

**Live Game Bird Rule Amendments-R657-4 (Action)**

All Regions

MOTION: I move to accept Live Game Birds Rule Amendments R657-4 as presented.

PASSES: Unanimous

## **Collection, Importation and Possession Rule Amendments- R-657-3 (Action)**

All Regions

MOTION: I move we accept Collection, Importation and Possession Rule Amendments R-657-3 as presented.

PASSES: Unanimous

## **CWMU Variance Requests (Action)**

CR MOTION: Moves to not accept either variance requests  
PASSES: 6-3

NR MOTION: I move to accept the North Peaks request/variance, with the understanding that when the rule committee convenes, that the decision made by the committee would supersede this decision, if differences occur.  
PASSES: 9-2 with 1 abstention

MOTION: I move to accept the Avintaquin Canyon CWMU request as presented.  
PASSES: 9-2 with 1 abstention

SR MOTION: Move that we accept the Division's recommendations as presented with the contingency that if the CWMU rule revision does not allow this, it will not be grandfathered in.  
PASSES: 7-1

SER MOTION: Move that we accept the variance requests.  
PASSES: 7-2

## **Translocation Management Plan: Strategy for Moving Displaced Desert Tortoise in the Upper Virgin River Recovery Unit. (Action)**

SR MOTION: I move that we accept the Division's Translocation Management Plan: Strategy for Moving Displaced Desert Tortoise in the Upper Virgin River Recovery Unit as presented.  
PASSES: Unanimous

## Central Region RAC AGENDA – May 2023

1. Welcome, RAC Introductions and RAC Procedure  
- RAC Chair
2. Approval of Agenda and Minutes **ACTION**  
- RAC Chair
3. Wildlife Board Meeting Update **INFORMATIONAL**  
- RAC Chair
4. Regional Update **INFORMATIONAL**  
- DWR Regional Supervisor
5. Wild Turkey Plan Revision and Recommendations – R657-54 **ACTION**  
- Heather Talley, Upland Game Coordinator
6. Upland Game Recommendations – R657-6 **ACTION**  
- Heather Talley, Upland Game Coordinator
7. Waterfowl Rule and Swan Hunt Recommendations – R657-9 **ACTION**  
- Heather Talley, Upland Game Coordinator
8. Live Game Birds Rule Amendments – R657-4 **ACTION**  
- Avery Cook, Upland Game Project Leader
9. Collection, Importation and Possession Rule Amendments – R657-3 **ACTION**  
- Charles Lyons, Asst. Attorney General
10. CWMU Variance Requests **ACTION**  
- Chad Wilson, Private Lands/Public Wildlife Coordinator
11. Election of RAC Chair and Vice Chair **ACTION**  
- Regional Supervisors

### Regional Presentations Only

- SR      Translocation Management Plan: Strategy for Moving Displaced  
Desert Tortoises in the Upper Virgin River Recovery Unit **ACTION**  
Ann McLuckie, Wildlife Biologist
- SR      Parowan Front WMA HMP **INFORMATIONAL**  
Stan Gurley, SR Farm Bill Biologist

**Central Region RAC Meeting  
Summary of Motions  
May 16, 2023  
Springville, Utah**

1) Approval of Agenda

The following motion was made by Ken Strong, seconded by Eric Reid and passes unanimously.

**MOTION: To approve the agenda as presented.**

2) Approval of April 13, 2023 Central Region RAC Meeting Minutes

The following motion was made by Ken Strong, seconded by Eric Reid and passes unanimously.

**MOTION: To approve the minutes of the April 13th Central Region RAC meeting as transcribed.**

3) Wild Turkey Plan Revision and Recommendations – R657-54

The following motion was made by Ken Strong, seconded by Danny Potts and failed 2 in favor (Ken, Danny) and 9 opposed.

**MOTION: Accept the proposal for unlimited youth to get a tag for the limited turkey hunt, and if youth don't get a turkey during the youth hunt, they can hunt the general season.**

The following motion was made by Braden Sheppard, seconded by Eric Reid Potts and passed 9 in favor and 2 opposed (Ken, Danny)

**MOTION: Accept the DWR's plan revisions and recommendations**

4) Upland Game Recommendations - R657-6

The following motion was made by Mike Christensen, seconded by AJ Mower and passed unanimously.

**MOTION: Accept the DWR recommendations as presented**

5) Waterfowl Rule and Swan Hunt Recommendations - R657-9

The following motion was made by Braden Sheppard, seconded by Mike Christensen and passed unanimously.

**MOTION: Direct DWR to revise the recommendation and come back with an administrative penalty which would include seizing the**

**permit and the harvested animal.**

The following motion was made by Brock McMillan, seconded by Scott Jensen and passed unanimously.

**MOTION: Accept the remainder of the DWR recommendations as presented**

- 6) Live Game Birds Rule Amendments R657-4

The following motion was made by Eric Reid, seconded by AJ Mower and passed unanimously.

**MOTION: Accept the DWR recommendations as presented**

- 7) Collection, Importation and Possession Rule Amendments - R657-3

The following motion was made by Scott Jensen, seconded by Eric Reid and passed unanimously.

**MOTION: Accept the DWR recommendations as presented**

- 8) CWMU Variance Requests

The following motion was made by Scott Jensen, seconded by Ken Strong and passed 6 in favor and 3 opposed (AJ, Danny, Jim)

**MOTION: Moves to not accept either variance requests**

- 9) Election of RAC Chair and Vice Chair

Elections were held and Brock McMillan was elected as the RAC Chair and Mike Christensen was elected as the RAC Vice Chair.

## Central Region RAC Meeting

Attendance  
May 16, 2023  
Springville, Utah

### RAC Members

#### Attending

Brock McMillan – online  
Braden Sheppard -- online  
Eric Reid  
Josh Lenart – online  
Ken Strong  
Danny Potts -- online  
Scott Jensen -- online  
Ben Lowder – Vice chair  
Mike Christensen  
Jim Shuler – online  
Amos Murphy

#### Absent

Steve Lund  
Luke Decker

#### Wildlife Board

Karl Hirst -- online  
Gary Nielson -- online

#### DWR Personnel

Jason Vernon  
Matt Briggs  
Scott Root  
Blair Stringham  
Mike Christensen  
Jason Jones

Charles Lyons  
Avery Cook  
Heather Talley  
Chad Wilson -- online  
Dale Liechty  
Brynlee Jones

Total members of the public in attendance: 19

# Central Region RAC Meeting

May 16, 2023

Springville, Utah

<https://youtube.com/live/R1qaLNtGBK4>

<b>06:01:16</b>	Vice RAC Chair Ben Lowder called the meeting to order. He called the roll of RAC members and indicated which UDWR personnel were present on the broadcast. He explained the process of the presentations and that public comments will be taken during the meeting.
<b>06:06:16</b>	<b>1) Approval of Agenda (Action)</b> The following motion was made by Ken Strong, seconded by Eric Reid and passed unanimously. <b>MOTION: To approve the agenda as presented.</b>
<b>06:06:16</b>	<b>2) Approval of Minutes (Action)</b> The following motion was made by Ken Strong, seconded by Eric Reid and passed unanimously.. <b>MOTION: To approve the April 13, 2023 Central Region RAC minutes as transcribed.</b>
<b>06:07:05</b>	<b>3) Wildlife Board Meeting (Informational)</b> RAC Vice Chair Ben Lowder updated the RAC.
<b>06:16:17</b>	<b>4) DWR Update (Informational)</b> Jason Vernon updated the RAC on regional activities.
<b>06:31:45</b>	<b>5) Wild Turkey Plan Revision and Recommendations - R657-54</b> A pre-recorded presentation was provided online on the Division website prior to the meeting: <a href="https://wildlife.utah.gov/agendas-materials-minutes.html">https://wildlife.utah.gov/agendas-materials-minutes.html</a>
<b>06:34:02</b>	<b>RAC Questions</b> RAC members asked questions about the Pittman-Robertson Act not being applied to the new air gun recommendations, how the new proposed hunting areas will go through the approval process, turkey feeding laws, clarification on who is on the turkey committee and how it came together, how effective air guns are at killing turkeys, how airguns compare to a .22 rimfire, spring success rates and graphs, and how an extra turkey tag may affect populations and hunting success rates. <b>Public Questions</b> None
<b>06:54:52</b>	<b>Online Public Comments</b> Jason Vernon summarized public comments received from the online presentation. <b>Public Comments</b> Cody Rhees-Youth Hunter's Voice- One behalf of the youth, we wanted to request for

	<p>unlimited turkey tags for the youth during the limited entry season. In order to retain young hunters, they need to be given more opportunities. Only about 11% of license holders are youth</p> <p>Jon Harvey-Air Gunners of Utah- Helped make the original air gun bill. Requests that big game be allowed to hunt with air guns. Proposing a \$25 stamp to be placed on air guns so revenue comes into Utah.</p> <p>Conner Sheriff- Instead of hunting more turkeys, is it possible to work harder on relocation efforts and increase those efforts.</p> <p>Jordan Mattinson- Requests that more turkeys be relocated and fed instead of hunted in the fall.</p> <p>Trevor Palmer- Opposed to killing more turkeys in the fall. Would like to increase spring turkey tags instead.</p> <p>Angie Wonnacott- SFW- We support the recommendations made.</p> <p>Chuck Carpenter-Turkey Federation Biologist- We support the recommendations made for turkey tags and air guns. These tags will be beneficial for landowners in upkeep of their land and help with the number of hunters going onto their land.</p> <p>Cameron Brinkerhoff- Air guns would be beneficial in bringing in revenue to Utah so residents don't have to go out of state to hunt big game with them. Air guns are lethal enough to kill many different types of animals. Air guns will also increase the number of hunters in Utah. Broke down how the Pittman-Robertson tax works and where those funds go on gun sales.</p>
<p><b>07:17:31</b></p>	<p><b>RAC Discussion</b></p> <p>The RAC members discussed how many youth hunters would be added to the field if they made tags unlimited, how many youth hunters there currently are, how unlimited tags would affect each region, how the division can be more surgical in regards to hunt boundaries and regulations for the fall turkey hunt, and got some additional clarification on keeping turkey populations healthy.</p>
<p><b>07:29:01</b></p>	<p><b>Wild Turkey Plan Revision and Recommendations - R657-54</b></p> <p><b>MOTIONS</b></p> <p>The following motion was made by Ken Strong, seconded by Dan Potts. Motion Failed 9-2. Ken Strong and Dan Potts were in favor.</p> <p><b>MOTION: Accept the proposal to have youth get unlimited turkey tags for the limited entry fall turkey hunt, and if the youth don't harvest, they can hunt the general season.</b></p> <p>The following motion was made by Braden Sheppard, seconded by Eric Reid. Motion passes 9 in favor with 2 opposed. Opposed by Ken Strong and Josh Lenart</p> <p><b>MOTION: Accept the DWR's plan revisions and recommendations</b></p>



<b>07:43:29</b>	<b>6) Upland Game Recommendations - R657-6</b> A pre-recorded presentation was provided online on the Division website prior to the meeting: <a href="https://wildlife.utah.gov/agendas-materials-minutes.html">https://wildlife.utah.gov/agendas-materials-minutes.html</a>
<b>07:43:40</b>	<b>RAC Questions</b> RAC members asked about predator control plans to increase pheasant populations, the total number of youth grouse tags, how to increase depredation, and about sandhill crane hunting in Utah county. <b>Public Questions</b> None
<b>07:49:00</b>	<b>Online Public Comments</b> Jason Vernon summarized public comments received from the online presentation. <b>Public Comments</b> Cody Rhees – Youth Hunter Voice– Would like sharp tailed grouse permits to be made unlimited for youth instead of the current 15%.
<b>07:50:42</b>	<b>RAC Discussion</b> The RAC members discussed sharp tailed grouse permit numbers, sandhill crane hunting, health conditions, and population size of the sharp tail sage grouse, depredation plans, and habitat conditions.
<b>07:54:44</b>	<b>Upland Game Recommendations - R657-6</b> <b>MOTIONS</b> The following motion was made by Mike Christensen, seconded by AJ Mower and passed unanimously. <b>MOTION: To accept the DWR recommendations as presented.</b>
<b>07:56:17</b>	<b>7) Waterfowl Rule and Swan Hunt Recommendations - R657-9</b> A pre-recorded presentation was provided online on the Division website prior to the meeting: <a href="https://wildlife.utah.gov/agendas-materials-minutes.html">https://wildlife.utah.gov/agendas-materials-minutes.html</a>
<b>07:57:54</b>	<b>RAC Questions</b> RAC members asked questions regarding trumpeter swans being targeted by hunters vs being taken by mistake, recommended legal consequences of killing a trumpeter swan, season dates, current legal consequences for harvesting a trumpeter swan, how to create a way for law enforcement to confiscate a trumpeter swan that was killed illegally without the legal penalty, swan measurement protocol, location of most

	<p>trumpeter harvest during the hunt, how to tell a tundra swan apart from a trumpeter swan, and prior hunting boundaries</p> <p><b>Public Questions</b></p> <p>None</p>
<p><b>08:16:29</b></p>	<p><b>Online Public Comments</b></p> <p>Jason Vernon summarized public comments received from the online presentation.</p> <p><b>Public Comments</b></p> <p>Cody Rhees – Youth Hunter Voice – Not in favor of the trumpeter swan changes. Worried about the penalty for the youth if they cannot tell the difference. Would prefer another option</p> <p>Rob Spafford- Disagree that you can't tell the difference between the two swan species. If you can't tell the difference, you shouldn't be out hunting. People are targeting trumpeter swans and there should be a legal penalty. Strongly agree with the proposal.</p> <p>Peter Meyers- If you spend time in the field, you should be able to tell the difference easily. When birds are in range, it's easy to tell them apart. There are too many unethical hunters and it penalizes the honest hunters. Supports the proposal presented.</p> <p>Angie Wonnacot- SFW- supports the recommendations</p> <p>Ross McClintock- It's the responsibility of the hunter to be able to identify the animal they are hunting. There should be a clear rule and penalty for what happens when someone harvests a trumpeter swan. It shouldn't be up to law enforcement on a case by case basis. Support a warning first instead of a citation right away.</p>
<p><b>08:27:08</b></p>	<p><b>RAC Discussion</b></p> <p>RAC members discussed where they stand on the recommendations and the legal penalties, how the recommendations can be altered in regards to the legal penalty, taking a permit and the bird away instead of citing someone, how it's difficult to tell the swans apart due to it being a rare hunt, prior hunting boundaries and a split season, current penalties for taking a trumpeter swan, the harvest rates from 2019-2022, closing specific hunting areas, limitations in other states, and delaying hunting season dates to reduce the killing of the trumpeter swans.</p>
<p><b>08:44:12</b></p>	<p><b>Waterfowl Rule and Swan Hunt Recommendations - R657-9</b></p> <p><b>MOTIONS</b></p> <p>The following motion was made by Ben Sheppard, seconded by Mike Christensen and passed unanimously.</p> <p><b>MOTION: Direct DWR to revise the recommendation and come back with an administrative penalty which would include seizing the permit and the harvested animal.</b></p>

	<p>The following motion was made by Brock McMillan, seconded by Scott Jensen and passed unanimously.</p> <p><b>MOTION: Accept the remainder of the Division's recommendation as presented</b></p>
<b>08:57:30</b>	<p><b>8) Live Game Birds Rule Amendments - R657-4</b></p> <p>A pre-recorded presentation was provided online on the Division website prior to the meeting: <a href="https://wildlife.utah.gov/agendas-materials-minutes.html">https://wildlife.utah.gov/agendas-materials-minutes.html</a></p>
<b>08:58:48</b>	<p><b>RAC Questions</b></p> <p>RAC members asked what the legality was of keeping a Lady Amherst pheasant if it was found.</p> <p><b>Public Questions</b></p> <p>None</p>
<b>08:59:43</b>	<p><b>Online Public Comments</b></p> <p>Jason Vernon summarized public comments received from the online presentation.</p> <p><b>Public Comments</b></p> <p>None</p>
<b>09:00:16</b>	<p><b>RAC Discussion</b></p> <p>None</p>
<b>09:00:34</b>	<p><b>Live Game Birds Rule Amendments - R657-4</b></p> <p><b>MOTIONS</b></p> <p>The following motion was made by Eric Reid, seconded by AJ Mower and passed unanimously.</p> <p><b>MOTION: Accept the Division's recommendation as presented</b></p>
<b>09:01:37</b>	<p><b>9) Collection, Importation and Possession Rule Amendments - R657-3</b></p> <p>A pre-recorded presentation was provided online on the Division website prior to the meeting: <a href="https://wildlife.utah.gov/agendas-materials-minutes.html">https://wildlife.utah.gov/agendas-materials-minutes.html</a></p>
<b>09:03:53</b>	<p><b>RAC Questions</b></p> <p>RAC members asked about specific animal types that can be owned under this new law.</p>

	<b>Public Questions</b> None
<b>09:04:20</b>	<b>Online Public Comments</b> Jason Vernon summarized public comments received from the online presentation. <b>Public Comments</b> None
<b>09:05:01</b>	<b>RAC Discussion</b> RAC members thanked for the new changes that have been made and the clarity they bring.
<b>09:05:39</b>	<b>Collection, Importation and Possession Rule Amendments - R657-3</b> <b>MOTIONS</b>  The following motion was made by Scott Jensen, seconded by Eric Reid and passed unanimously. <b>MOTION: Accept the Division's recommendation as presented</b>
<b>09:06:57</b>	<b>10) CWMU Variance Requests</b> A pre-recorded presentation was provided online on the Division website prior to the meeting: <a href="https://wildlife.utah.gov/agendas-materials-minutes.html">https://wildlife.utah.gov/agendas-materials-minutes.html</a>
<b>09:10:04</b>	<b>RAC Questions</b> RAC members asked questions about the amount of land in the North Peaks CWMU and if public land is near it, how the land used to be a part of the Meadow Creek CWMU, how much land is being grandfathered in, the current CWMU code and what it states, maps and boundaries of the North Peak CWMU, if there is a way to keep public land from becoming part of the CWMU, the motion the wildlife board passed in regards to the CWMU renewal, and the amount of antlerless elk permits on the CWMU. <b>Public Questions</b> None
<b>09:21:29</b>	<b>Online Public Comments</b> Jason Vernon summarized public comments received from the online presentation. <b>Public Comments</b> Gary Webb- Operator of North Peak- Not asking for additional permits in the changes. Not looking to add public land to the CWMU, just private land. Already have gone

	<p>through the CWMU advisory committee. The private landowners they want to add have never had any issue on their land or have gotten in trouble previously. There are 8-12 CWMU with non-contiguous land that have gone through the approval process. The land they want to add is deeded private land.</p>
<b>09:27:46</b>	<p><b>RAC Discussion</b></p> <p>RAC members discussed the concern some of them have of adding land to the CWMU with the current code wording, how it may affect adding land in the CWMU's in the future, how the variance can be defined better, the possibility of revising the request and the variance code, public interest, boundary lines, the herd unit, and the support of the CWMU committee.</p>
<b>09:39:13</b>	<p><b>CWMU Variance Requests</b></p> <p><b>MOTIONS</b></p> <p>The following motion was made by Scott Jensen, seconded by Ken Strong and passed 6 in favor and 3 opposed. The opposed were AJ Mower, Danny Potts, and Jim Shuler.</p> <p><b>MOTION: Not accept either variance request.</b></p>
<b>09:44:57</b>	<p><b>11) Election of RAC Chair and Vice Chair</b></p>
<b>09:45:48</b>	<p><b>Election Nominations</b></p> <p>Chair nominations for Brock McMillan to remain the Chair. Brock is willing.</p> <p>Chair nominations for Mike Christensen to become the Chair. Mike is willing.</p> <p>Vice Chair nomination for Mike Christensen. Mike is willing.</p> <p>Vice Chair nomination for Scott Jensen. Scott removed himself from consideration.</p> <p><b>Election Results</b></p> <p>Vote of 7 in favor and 3 opposed for Brock McMillan to remain the Chair. Brock will remain the Chair of the RAC</p> <p>Unanimous vote for Mike Christensen to become the Vice Chair. Mike will become the Vice Chair.</p>
<b>09:54:04</b>	<p>Meeting Adjourned</p>

**RAC AGENDA**

**May 17, 2023**

The meeting will stream live at <https://youtube.com/live/exaBYGtPFSQ>

1. Welcome, RAC Introductions and RAC Procedure  
- RAC Chair
  2. Approval of Agenda and Minutes **ACTION**  
- RAC Chair
  3. Wildlife Board Meeting Update **INFORMATIONAL**  
- RAC Chair
  4. Regional Update **INFORMATIONAL**  
- DWR Regional Supervisor
  5. Wild Turkey Plan Revision and Recommendations for 2023 **ACTION**  
- Heather Talley, Upland Game Coordinator
  6. Upland Game Recommendations- R-657-6 **ACTION**  
- Heather Talley, Upland Game Coordinator
  7. Waterfowl Rule and Swan Hunt Recommendations- R-657-9 **ACTION**  
- Heather Talley, Upland Game Coordinator
  8. Live Game Birds Rule Amendments-R-657-4 **ACTION**  
- Avery Cook, Upland Game Project Leader
  9. Collection, Importation and Possession Rule Amendments- R657-3 **ACTION**  
- Charles Lyons, Asst. Attorney General
  10. CWMU Variance Requests **ACTION**  
- Chad Wilson, Private Lands/Public Wildlife Coordinator
  11. Election of RAC Chair and Vice Chair **ACTION**  
- Regional Supervisors
- Regional Presentations Only**
- SR Translocation Management Plan: Strategy for Moving Displaced Desert Tortoises in the Upper Virgin River Recovery Unit **ACTION**  
Ann McLuckie, Wildlife Biologist
  - SR Parawan Front WMA HMP **INFORMATIONAL**  
Stan Gurley, SR Farm Bill Biologist

## Meeting Locations

**CR RAC** – May 16th, 6:00 PM  
Wildlife Resources Conference Room  
1115 N. Main Street, Springville  
<https://youtube.com/live/R1qaLNtGBK4>

**SER RAC** – May 24th 6:30 PM  
John Wesley Powell Museum  
1765 E. Main St., Green River  
<https://youtube.com/live/dlckvjuZD6I>

**NR RAC** – May 17th 6:00 PM  
Weber County Commission Chambers  
2380 Washington Blvd. Suite #240, Ogden  
<https://youtube.com/live/exaBYGtPFSQ>

**NER RAC**- May 25<sup>th</sup> 6:30 PM  
Wildlife Resources NER Office  
318 N. Vernal Ave., Vernal  
[https://youtube.com/live/80\\_vfVTlz-0](https://youtube.com/live/80_vfVTlz-0)

**SR RAC** – May 23rd 6:00 PM  
DNR Richfield City Complex  
2031 Industrial Park Rd., Richfield  
<https://youtube.com/live/oRky3GPII8Q>

**Board Meeting**- June 8<sup>th</sup> 9:00 AM  
Eccles Education Center, Farmington  
<https://youtube.com/live/eJBk4neaZaI>

DRAFT

**Regional Advisory Council Meeting  
Summary of Motions**

- 1) Approval of Agenda and Minutes (**Action**)

The following motion was made by Ryan Brown seconded by Brad Buchanan and passed unanimous.

**MOTION: I move that we approve the Agenda and Minutes.**

- 2) Wild Turkey Plan Revision and Recommendations-R657-54 (**Action**)

The following motion was made by Randy Hutchison, seconded by Ryan Brown and passed unanimous.

**MOTION: I move that we accept Wild Turkey Plan Revision and Recommendations- R657-54 as presented.**

- 3) Upland Game Recommendations-R654-6 (**Action**)

The following motion was made by Brad Buchanan, seconded by Ryan Brown and passed unanimous.

**MOTION: I move we accept Upland Game Recommendations-R657-6 as presented.**

- 4) Waterfowl Rule and Swan Hunt Recommendations-R657-9 (**Action**)

The following motion was made by Randy Hutchison, seconded by Mike Laughter and passed For:10 Against: 2. Casey Snider-Believes this is a boundary issue and that a quota will still be reached with this approach Kevin McLeod- feels this solution kicks the problem down the road and wants to maintain the criminalization of trumpeter harvest

**MOTION: I move to confiscate trumpeter swans without criminal penalty.**

- 5) Live Game Bird Rule Amendments-R657-4 (**Action**)



The following motion was made by Randy Hutchison, seconded by Kevin McLeod and passed unanimous.

**MOTION: I move to accept Live Game Birds Rule Amendments- R657-4 as presented.**

\*\*\* Casey Snider left the meeting prior to the vote. \*\*\*

- 6) Collection, Importation and Possession Rule Amendments- R-657-3 (**Action**)

The following motion was made by Ryan seconded by Nikki Wayment and passed unanimous.

**MOTION: I move we accept Collection, Importation and Possession Rule Amendments R-657-3 as presented.**

- 7) CWMU Variance Requests (**Action**)

The following motion was made by Mike Laughter, seconded by Brad Buchanan and passed For: 9 Against: 2 Abstain: 1. Ryan Brown-Like the CWMU system, but tired of the exceptions. Want to wait until the process in November plays out. Randy Hutchison- This is an easy fix in November. Doesn't make sense for us to do it now.

**MOTION:** I move to accept the North Peaks request/variance, with the understanding that when the rule committee convenes, that the decision made by the committee would supersede this decision, if differences occur.

The following motion was made by Kevin McLeod, seconded by Mike Laughter and passed For: 9 Against 2 Abstain: 1. Same sentiments as last time.

**MOTION: I move to accept the Avintaquin Canyon CWMU request as presented.**

- 8) Election of RAC Chair and Vice Chair (**Action**)

**Chair-Brad Buchanan  
Vice-Chair-Ryan Brown**

**There were no other nominations for Chair or Vice-Chair**

**Northern Regional Advisory Council Meeting**  
May 17, 2023  
Attendance

**RAC Members**

Justin Oliver – Chair  
Kevin McLeod – Vice-Chair  
Ben Nadolski – Exec Secretary

Ryan Brown  
Brad Buchanan  
Jaimi Butler  
Paul Chase  
David Earl  
Randy Hutchison

Emily Jensco  
Matt Klar  
Mike Laughter  
Darren Parry  
Casey Snider  
Nikki Wayment

**Board Member**

**RAC Excused**  
Junior Goring

**Division Personnel**

Jodie Anderson  
Jim Christensen  
Chad Wilson  
Heather Talley  
Avery Cook  
Charles Lyons  
Jason Jones  
Blair Stringham

David Beveridge  
Sam Robertson  
Jordan Hastings  
Daniel Sallee  
Chad Cranney  
Daniel Olson  
Xaela Walden  
Wyatt Buback

**Regional Advisory County Meeting**  
May 17, 2023

**00:03:56**      **1) Chairman Justin Oliver called the meeting to order, welcomed the audience and reviewed the meeting procedures.**

**00:08:26**      **2) Approval of Agenda and Minutes (Action)**  
The following motion was made by Ryan Brown, seconded by Brad Buchanan and passed unanimous.

**MOTION: I move that we approve the Agenda and Minutes.**

**00:09:26**      **3) Update from past Wildlife Board Meeting by Ben Nadolski**  
Link on website to view.

**00:16:55**      **4) Regional Update - Ben Nadolski, Regional Supervisor (Informational)**  
Ben Nadolski updated the RAC on all regional activities.

**00:25:04**      **5) Wild Turkey Plan Revision and Recommendation- R-657-54 (Action)**  
Presentations could be viewed at <https://wildlife.utah.gov/agendas-materials-minutes.html>

Heather Talley gave an update on legislation that passed with air guns. Minimal requirements for the use of air rifles.

Justin Oliver commented about the Central Regions RAC meeting the night before. Some items brought up had gone through legislation and passed and would not be up for discussion this evening.

**00:27:36**      **Questions from RAC Members/Public**

Air rifle caliber criteria. Turkeys depredating on private property. Logic behind a person obtaining 3 turkey permits. Biggest take away from completing the Turkey Management Plan. Types of turkey depredation. Translocation of turkeys. Suitable habitat and types of wildlife turkeys may complete with. Survival rate of translocated turkeys.

### **Public Questions**

None

**00:41:57**

### **Electronic/ Public Comment Report by Ben Nadolski, Regional Supervisor**

Ben Nadolski summarized the public comments received from the online presentation.

### **Public Comment**

Cody Rhees-Youth Hunters Voice- Asked at the Central Region RAC for unlimited youth tags. Youth only represent 11 % of the license holder in the state. That was a big ask. The rule right now is 15%. Youth represent a bigger number than 15% on the Limited Entry Turkey draw. I talked with Heather and she has some studies that show youth really do need more than just a single event per events. We realize there is some opportunity for youth on fall hunts and maybe some of the spring hunts that are unlimited, but they are not the limited entry hunts. We reserve half of our limited entry big game tags for the highest point holders. I feel like that is unfair and not even reasonable. I know that more than 15% get the tags. Maybe we could go to 50% or more for the youth. Let's get the youth the tag for a limited entry hunt. They deserve it. Fall hunting management plan. I've heard this thrown around a couple of times, but maybe try to make a mentorship program of some kind that kids could get their hands on some of these tags and help some of the landowners target the offending birds. More days in the field, more opportunity, be successful.

Angie Wonnacott- Sportsman for Fish and Wildlife- One of the committee members of the Turkey Management Plan. Support the recommendation.

Chuck Carpenter- National Wild Turkey Federation, District Biologist- Support the recommendation. 3 tags in the fall season, landowners didn't want to allow three times more people on their property to deal with the turkey nuisance issue, whether that be real or perceived. We are trying to build a social tolerance and in turn that just builds the social carrying capacity of turkeys, because it really is an issue. So if we can help landowners out with bringing that down, they feel like their needs are being met. That is a bonus to turkeys in general. Heather and I talked about the 3 tags, you are

actually getting people more involved in hunting and putting more pressure on those fall birds. The average is 78% harvest on the first tag 16% on the second and 6% on the third. The other two tags aren't even really doing much.

Justin Oliver- In preparing for this meeting, I spoke with Heather. That is a good thing. I hope that people realize that Division employees are there to listen.

**00:49:32 RAC discussion/Division Clarification and Motions**

Kevin McLeod- Always a strong believer, if the kids go hunting, the dads go with them. That is the way it was with my youth. Sympathize with youth number of permits. Agree at least 15% should be increased for youth permits.

Heather Talley offered numbers regarding the percentage of permits youth and adults apply for. She also explained that if a youth draws a limited entry, they do get to hunt that unit for the limited entry, then they can hunt statewide for the three-day youth hunt and if they still don't harvest, they get to hunt statewide the month of May. She also talked about the research of R3. Always looking for youth mentorship opportunities and increase R3 efforts.

Ryan Brown- If my understanding is correct, you are saying it is not necessary to make unlimited youth limited entry tags available.

Heather Talley- There could be some negative biological implications if we just went unlimited and it likely would deter some people from putting in for a limited entry. Right now they still have to take the extra step to put in for a draw and we do not know what that would look if it's unlimited for all youth, that just have a hunting or combo license. We don't know how taking away that first step might impact the youth hunters. Might see a lot more people in the field. Making that limited entry hunt, no longer limited entry.

Justin Oliver- 15% was a minimum, there is room and the division could support having that number go up higher?

Heather Talley- The average statewide for limited entry is already above and beyond the 15%, We are already getting 20% of youth out there. For an R3 concern, if we are taking more permits away from the adults that are taking their youth hunting, they are not as interested. That could possibly have some negative effects. My recommendation

would be to target mentorship opportunities for the species that don't have draws, forest grouse, pheasants, chukar, quail and rabbit to get youth involved in that way.

Randy Hutchison- We have a general season hunt after and anybody can go buy a license.

Justin Oliver- I think the question is the quality and success rate of that, but I do agree. I would hope that we are getting the youth out. I want my kids to draw over me.

The following motion was made by Randy Hutchison, seconded by Ryan Brown and passed unanimous.

**MOTION: I move we accept Wild Turkey Plan Revision and Recommendations-R657-54 as presented.**

**00:57:58**      **6) Upland Game Recommendations-R657-6 (Action)**

Presentations could be viewed at <https://wildlife.utah.gov/agendas-materials-minutes.html>

Heather Talley- With air guns for rabbits and hares, we already covered that.

**00:58:21**      **Questions from RAC Members/Public**

Chukar hunt needs to be moved back. Birds are way too young. There are more applicants for sandhill crane hunts. Longer season dates for sandhill crane hunts.

**Public Questions**

Cody Rhees- On sharptail grouse, I looked at the data and it does say 15% for the youth. 696 permits issued last year. 56 youth applied, and only 40 youth drew.

Heather Talley- Total youth applications was 66 youth and 40 drew The total amount that drew including adults was 470.

**01:02:39**      **Electronic/ Public Comment Report by Ben Nadolski, Regional Supervisor**

Ben Nadolski summarized the public comments received from the online presentation.

Justin Oliver- Commented on the public disagreeing with the recommendations, but not making any comments as to why. The RAC can't help you if they do not know the reason.

### **Public Comment**

Cody Rhees- Youth Hunter Voice-15% permits need to go to youth. We can be better than that on the sharptail grouse.

### **01:03:53 RAC discussion/Division Clarification and Motions**

Jaimi Butler- Echo what had been previously said. I go through the public comments and see where the people agree or strongly disagree. It helps me so much to understand why. Please put comments.

The following motion was made by Brad Buchanan, seconded by Ryan Brown and passed unanimous.

**MOTION: I move we accept Upland Game Recommendations-R657-6 as presented.**

### **01:05:54 7) Waterfowl Rule and Swan Hunt Recommendations-R657-9 (Action)**

Presentations could be viewed at <https://wildlife.utah.gov/agendas-materials-minutes.html>

Jason Jones comments on what the Central Region recommended and voted on and correction to swan numbers on the presentation.

### **01:09:00 Questions from RAC Members/Public**

Decriminalize the taking of a trumpeter swan. Mandatory check-in. Moving swan hunt back to the old boundary. Habitat for the swans. Communication between the Division and US Fish and Wildlife. Feather data. Base assumption of confiscating rule. Targeting trumpeter swans. Tundra vs Trumpeter identification. Stable Isotope Testing. Swan population numbers. Base line requirement for training like Hunter Education. Eating

and taxidermying swans. Trumpeter Fly Away. Total swan take. Opening more areas to hunt Tundra Swans. Confiscating permits.

### **Public Questions**

Brett Perkes- How many years have we been hunting swans in Utah?

Jason Jones- Since 1967.

Brett Perkes- How many times have we closed the season prior to the prescribed season?

Jason Jones -2019.

Brett Perkes- What happened in 2019 to have caused that.

Jason Jones- Opened up Public Shooting Grounds and had in influx of trumpeter swans into the state.

Brett Perkes- Other states that hunt swans and if they have the same regulations on trumpeters that we do.?

Jason Jones- The states have different quotas and regulations. Montana, Nevada and Utah hunt swans. I think the quota in Nevada is still 10. Blair was able to bring our quota up to 20. Montana has a self-reporting system and they don't have a quota.

Brett Perkes-Penalty to kill a trumpeter it would be confiscated and put on a 5 year waiting period before you can apply again?

Jason Jones- The Central Region RAC suggested they would like us to take possession of the trumpeter swan, but not criminalize the take. We had a discussion today. We are exploring our codes and rules. We believe that's a possibility. The state could maintain ownership of the swan and make it not criminal.

Brett Perkes- Do you think that 5 years is sufficient or does it need to be longer or shorter?

Jason Jones- The Wildlife Board put in place the 5 year waiting period. If the Wildlife Board ended up passing this recommendation where we could take possession of the swan and there is a 5 year waiting period, which is a lot of accumulative type of disincentives to take a trumpeter.

Blair Stringham- Wildlife Section Chief- Just for a little clarification. Our current recommendation is it would be illegal to take a trumpeter swan. So not to make it illegal would be the Central Region RAC.

**01:38:45 Electronic/ Public Comment Report by Ben Nadolski, Regional Supervisor**

Ben Nadolski summarized the public comments received from the online presentation.



## Public Comment

Brett Perkes- Hunted swans for other 30 years. Never had an issue where I shot a trumpeter. Lean towards not making the harvesting a trumpeter a criminal act. I have talked with other swan hunters and asked them, in flight if they could identify the difference between a trumpeter and a tundra? Neither of them said confidently, "yes I can". I don't think it is that easy. There should be some penalties. There should be some loss of privilege. I asked the questions about the dates and when it's closed. I've noticed since 2019, the season closes earlier. We need to solve that. There are a lot of people being ripped off as far as their tag goes and opportunity to hunt. In reality, there isn't a swan to hunt until November in Utah. If it is closing on November 10<sup>th</sup> or 15<sup>th</sup>, you haven't had much time to go out. Let's pull back the boundary to where it was before.

Kohle Perkes- If someone incidentally harvest a trumpeter and they know they are going to incur a 5 year ban, that is really going to disincentives them and to actually come forward with that bird. They could tag the bird at the refuge or at Public Shooting Grounds, go home and may not report they harvested a bird. That is impacting the federal issue where we are harvesting more trumpeters than necessary. There are people that just want the clout. They try to say something on social media, but they know there is going to be a ban. I'm dealing with a lot of issues on this and it is a little conflicting. I believe there are people that sot trumpeter's this year and did not report them. It probably would have closed earlier had they reported those trumpeters. Like my dad said, stepping back a little bit and reducing the area where we know the trumpeters are being harvested. I independently did a foyer request a couple months ago on swan harvest. I wanted to know why it keeps getting shut down earlier and where the swans are getting shot. In all of the Box Elder units, for the last four years were it is being closed, you have the Bear River Refuge, Box Elder County, private and couple of others. But then you have Public Shooting Grounds. In almost every one of those units over the last 4 years, the percentage of trumpeters as opposed to the percentage of total harvest is always higher. So there are more trumpeters being shot, compared to the total number of birds in aggregate in all of these Box Elder units. Is this a harvest goal or an opportunity hunt? Are we really going to concern ourselves with a number of swans being harvested opposed to shutting down some of these units where we know they are being harvested and we know this hunt is being closed earlier and earlier every single year. We know there are more trumpeters coming into Utah. I would say, go back to the old borders at a minimum, if not reducing it further south.

Angie Wonnacott-Sportsman for Fish and Wildlife- Support the Central Regions recommendation with the caveat the Division is able to go through with that.

Justin Oliver read Cody Rhees comments- Do not agree with the closure of trumpeter swans and essentially criminalizing the mistake of someone shooting the wrong species. Concerned about youth. Want to make sure there wasn't a penalty given for youth who take a trumpeter accidently.

01:47:52

### **RAC discussion/Division Clarification and Motions**

Kevin McLeod- I've sat in blinds and hunted waterfowl my whole life. I'm an avid waterfowl hunter. We take on a responsibility to be able to identify the animal that we are going to take. I don't have any trouble at all identifying a trumpeter vs a tundra. They don't even fly the same to me and they sure sound a lot different. If we decriminalize the taking of the trumpeter swan, we are just saying go ahead and do it and we are just going to take your permit. I don't feel good about that. I want to teach my kids and grandkids ethical hunting and how to identify what they are shooting at. Don't pull the trigger until you know.

Mike Laughter- I want to thank the Central Region RAC. I think that is a pretty good approach. I think the confiscation solves the boundary problem. I think for everybody. I think you are going to impact the whole group of swan hunters including those that are questionably targeting the trumpeter swans. So I want to thank the Central Region RAC thinking outside of the box and I appreciate the division for looking in to it to see if we can pull that off.

Justin Oliver- I would like the RAC to consider something. I do believe that in my opinion the confiscation may help. It's hard to know exactly what it will do, but I don't think it's going to hurt. I want the RAC to consider and maybe asking the division their opinion of a possible split or quota to say that with the beginning of the season, knowing there is a limit of 20 trumpeters that can be taken, propose if 10 trumpeters have been taken, there be a triggered mechanism to close the area on the old north boundary. It still gives an opportunity for people to be out, it will let us continue to offer the amount of permits that we have. As we get closer, if we see a high number of trumpeters being taken, we can close that boundary down. It may be a little complicated, but the two things could help provide more opportunity.

Mike Laughter- If I know the swan's going to be confiscated and I have to sit out five years, you could put me anywhere and I would be paying attention. With the fact of confiscation and the 5 year wait, allows people to keep shooting at Public Shooting Grounds and have a great time shooting tundra swans. If you crowd them all into one spot, it messes with the quality of the hunt for everyone.

Justin Oliver- But it does extend. It will have it open for some time. If we don't, they aren't going to have an opportunity anyway because it is going to be closed even sooner. We put a 5 year waiting period and it did nothing, I think it incentivized it even more. I

don't think they cared in my opinion.

Casey Snider- I appreciate the discussion. I think my big hang up on this whole thing is, we don't have data. I think the recommendation of the division is totally anecdotal. Ben, I appreciate the specifics of Facebook and a check. But the correlation doesn't equal causation. I'm certainly not defending people who knowingly break the rules. I just don't think we are going to fix the problem. Last year the Wildlife Board made the 5 year waiting period. Like Justin said, it happened even sooner. In my opinion, the only data point we can correlate to, is prior to 2019 we didn't have a problem and after 2019 we have had a problem every year. That is the influx point. It's not like in one year an entire population fundamentally shifted and we dumped a pile of trumpeter's in. I don't think that is a realistic biological expectation. But we did change the boundary. I'd be okay with a component of what Justin is recommending. I think is what will happen under a confiscating rule, we will still hit the trigger because Public is where is happens and we will have a lot of birds die and go to waste. I eat my swans and ducks. Some dude has got to be starving at the food bank before he is going to take a swan. You really need to know how to cook it if you are really have to eat it. I have a lot of problem with want and waste. That is my concern with confiscation.

Jaimi Butler- Are there tagging stations or do people take these into the Northern Region Office? Is there no enforcement on the ground if you are at the Public Shooting Grounds? Could that be incorporated in some way?

Justin Oliver- I can assure I have been checked multiple times.

Wyatt Bubak- Law Enforcement Section Chief- Whenever we identify a significant change in regulations, we try to dedicate more efforts to that. Looking at Law Enforcement last year, the Board created a 5 year waiting period, we had increased work effort last year compared to previous years and can certainly ensure that occurs this year as well. The short answer is yes.

Jaimi Butler- Do you think that is why numbers have gone up?

Wyatt- Bubak- No. We do measure swans in the field. I do not have that data, but a substantial number of them are measured at regional offices or Bear River Bird Refuge. If we put a percentage on the number of birds we are actually measuring in the field I assume are pretty low compared to the total numbers harvested.

Jaimi Butler- If I was to go out and shoot a trumpeter swan under this new rule, what would be the consequences?

Wyatt Bubak- It could range. It could be up to a Class B misdemeanor. \$190 -\$200 fine. We deal with accidental harvest all of the time. We deal with youth accidental harvest all the time. That isn't anything new to Law Enforcement. I feel like our officers do a phenomenal job weighing at each individual situation. I know that has been a concern presented. It is not one that I have, but I understand why that concerns there, but

enforcement of illegal harvest specifically by youth is nothing new to our officers. To say whether we issue a warning or a citation is all up in the air. But I feel confident that we make good judgement calls there.

Justin Oliver- Blair Stringham has some data that has come from Public Shooting Grounds.

Nikki Wayment- What does a public hunting ground mean? How is that different from the refuge or private land? Why is it so triggering?

Blair Stringham- Wildlife Migration Initiative Coordinator- We have names for all of our Waterfowl Management Areas. Public Shooting Grounds is a name for one of our areas we manage. It is totally confusing, so I totally understand why.

We have some data that we put together that wasn't available for the presentations. Kinds of ties a lot of these conversations together. Casey mentioned a lot of really good targeting information, but we do have some really good data showing the percentage of trumpeters and where they were shot based on the total number swans taken. The majority of our swans taken prior to 2019 were being taken on the Bear River Bird Refuge. It was about 34%. Harold Crane was 20%. As we opened up this northern area, we saw a lot of people move to Public Shooting Grounds because it is easily accessible and good place to hunt swans. I want to pull some of that data and look at the number of swans taken over the years and the percentage of trumpeters in that total number. Bear River Refuge for example you can see prior to 2019, the number of trumpeter swans there on average was pretty low, given the total number of swans that were taken. This shows 2015 through 2022. You can see prior to 2019, we took a lot of swans on the Bear River Refuge, but there was a very low percentage of those that were trumpeters. That 2019 year was really significant in the terms of the number of trumpeters that started to show up as well as the number of changes that were made at that time. Poor year to implement these changes. The Bear River Refuge in particular, the numbers of swans shot there continually goes down each year as more people start going to Public Shooting Grounds. The percentage of those that are trumpeters continues to increase. In 2021, you can see only 62 swans were shot there, but about 8% of those were trumpeters. The same holds true to other parts of Box Elder County. Those weren't huntable, but as soon as we did, a lot of people were able to shoot trumpeters. Public Shooting Grounds again, as soon as we opened it, it starts to increase as we see more trumpeter swans shot there. If you compare the numbers of Public Shooting Grounds and the Refuge, they are fairly comparable. Really about 2 to 3 percent of the swans shot, are going to be trumpeters. Are trumpeter swans just on Public or is it a bigger area? It really is a lot broader than Public Shooting Grounds. There are just a lot of trumpeter swans there in general. The distance between Bear River Refuge and Public is not very much.

Blair showed an aerial view between Public Shooting Grounds and the Bear River Refuge. Sometimes 20, 30 even 40, 000 swans within the circled area of the slide, would be the resting area. The swans would move North into Public Shooting Grounds

and they would move south. They would move east in to Box Elder County in all of the marshes.

Closing Public Shooting Grounds would reduce some of the trumpeter swan harvest, but it would be more than likely shifting the trumpeters to the Bear River Bird Refuge. More than likely would hit the quota again.

Over all goals of the Division was to prevent the swan season from closing early. We thought if we could make the trumpeter swan harvest illegal, we could stop people from being able to have that trophy status and discourage people from taking them. The second thing was maintaining swan hunting opportunity. We also manage the property specifically for waterfowl hunting. It is really hard to close this property down. Keep in mind we focused on the trumpeter component. There was a really good idea that came through the Central Region RAC. Now that we have researched it, I think we can make it happen as well.

Brad Buchanan- I don't like the presentation in percentages. 8% of 62 and 1.7% is the same number. It is four swans. I think we are overestimating what is going to happen if we shut down Public Shooting Grounds and we are going to over harvest more on Bear River Bird Refuge. We don't have the data to show that we did prior.

Blair Stringham- We do have a couple of years where it has been open on the areas. You're probably going to end shooting about the same.

Justin Oliver- This came up yesterday, but in the 20 trumpeter swan quota, what percentage of those was killed on Public Shooting Grounds?

Blair Stringham showed a slide of the trumpeter harvests from 2019 to 2022 and where they were harvested.

Randy Hutchison-When we opened up those Northern areas, there was also an increase of 750 tags. If you reduce the border, then you have people fighting over the hunting in a much smaller hunting area. You have to factor that in. You also can not leave the private property open if you reduce the boundaries. If you go back and you look, there is almost as many birds shot on the private clubs as there are on Public Shooting Grounds. There are far fewer hunters on those private hunting clubs.

Justin Oliver wanted the RAC to keep in mind the Division's proposal and the recommendation from the Central Region RAC as motions were being made.

The following motion was made by Randy Hutchison, seconded by Mike Laughter and passed For: 10 Against: 2. Casey Snider- It is a boundary issue and that a quota will still be reached with this approach. Kevin McLeod- Feels this solution kicks the problem down the road and wants to maintain the criminalization of trumpeter harvest

**MOTION: I move to confiscate trumpeter swans without criminal penalty.**

Justin Oliver comments he agrees with Casey Snider. This going to help, but it isn't going to fix the problem.

**02:24:43 8) Live Game Birds Rule Amendments- R657-4 (Action)**

Presentations could be viewed at <https://wildlife.utah.gov/agendas-materials-minutes.html>

Avery Cook gave a few updates or changes on a couple items from the presentation.

**02:26:03 Questions from RAC Members/Public**

Proposals benefit or help the spreading of disease. With the release of pheasants and chuckars, testing done between private and state agencies.

**Public Questions**

None

**02:29:09 Electronic/ Public Comment Report by Ben Nadolski, Regional Supervisor**

Ben Nadolski summarized the public comments received from the online presentation.

**Public Comment**

None

**02:29:42 RAC discussion/Division Clarification and Motions**

The following motion was made by Randy Hutchison, seconded by Kevin McLeod and passed unanimous.

**MOTION: I move we to accept Live Game Birds Rule Amendments- R657-4 as presented.**

\*\*\* Casey Snider left the meeting prior to the vote. \*\*\*

**02:30:50 9) Collection, Importation and Possession Rule Amendments-R657-3 (Action)**

Presentations could be viewed at <https://wildlife.utah.gov/agendas-materials-minutes.html>

Charles Lyons discusses changes that have come up from public comments and internally with Division staff.

**02:32:41 Questions from RAC Members/Public**

None

**Public Questions**

None

**02:33:07 Electronic/Public Comment Report by Ben Nadolski, Regional Supervisor**

Ben Nadolski summarized the public comments received from the online presentation.

**Public Comment**

None

**02:33:35 RAC discussion/Division Clarification and Motions**

None

The following motion was made by Ryan Brown, seconded by Nikki Wayment and passed unanimous.

**MOTION: I move we accept Collection, Importation and Possession Rule Amendments R-657-3 as presented.**

02:34:24

## 10) CWMU Variance Requests

Presentations could be viewed at <https://wildlife.utah.gov/agendas-materials-minutes.html>

Justin Oliver asks RAC members to remember what the request and what the variances are. They are there to discuss the variances and not the whole CWMU rule.

Chad Wilson-Private Lands/Public Wildlife Coordinator- Commented about the frustration and confusion with the variance. There was a misunderstanding between the public and what the trade land maps showed. Some public hunters thought they were hunting trade lands due to the Division's maps. Apologized to the public and the CWMU. It was never intended to be trade lands. Discusses North Peak CWMU looking to add two parcels of land that are noncontiguous. Chad gives additional information regarding the history of the CWMU, the acreages and the variances. Division's recommendation is for it to pass.

Jim Christensen- Northern Region Wildlife Manager-Apologized to the sportsmen and the CWMU for the clerical mapping error. Appreciated the sportsman that came forward and brought it to the Division's attention. Making the recommendations with the current statute rule and management plans that are in place.

02:40:58

## Questions from RAC Members/Public

Variance granted when part of the Meadow Creek CWMU. Maps were wrong, trade lands in the Grouse Creek. Public land the public can't use. Citations for trespass when land was marked as trade land. Public has already applied for permits thinking they can hunt this area. Trade lands have to be addressed. Difference between a variance and a request when it comes to CWMU boundaries. Non-contiguous property. Variances fit within the rule. Twin Peaks CWMU renewal.

### Public Questions

Travis Hobbs- Can anyone from the Division provide documentation the trade lands that are now correct? Did a biologist go out and approve those lands as tradelands? Are they fair and equitable trade lands?

Jim Christensen- We do not have a form. When the Division signs off on it, it means we agree with it. The biologist at the time rode up with the operator, looked at parcels and then agreed to put them through. We do discuss that as we go through the application process.

Travis Hobbs- The CWMU operator isn't just stating they are going to give these as trade lands and we are not just accepting those. There was verification from the biologist it was a fair and equitable trade for the public?



Jim Christensen- Yes.

Travis Hobbs- There is just no documentation?

Jim Christensen- Right.

Travis Hobbs- Question addressed to the Asst. Attorney General- Is this indeed a variance request or just a request? Wish someone could nail it down. It is very vague.

Charles Lyons- Asst. Attorney General- Chad previously did a good summarization where they are with it. But because it can fit under either or and because it is so vague, they prefer to going through the public process being just open with the whole thing under that request process.

Travis Hobbs- Why does the Division typically recommend to allow accessible public lands inside the boundaries of a CWMU? Why would we allow public lands to be included in a CWMU?

Chad Wilson- That actually goes back to code and state law under the CWMU. It says that there is three reasons why public land can be in a CWMU. 1) Make an enforceable boundary. 2) If it is completely surrounded. 3) Help us with our management. When we talk about public land and CWMU's, a lot of it is in Box Elder. To have elk populations out there, we needed a buy-in from landowners. Tonight we are talking about the variance. North Peaks will come back in November. That is when the recommendations will be made of that public land and the trade lands. Currently it meets state law. We are trying to follow state law.

Travis Hobbs- When did the Division first learn about the mapping error?

Chad Wilson-When it went to the CWMU Advisory Committee back in February.

Travis Hobbs- Why did it take until April 20<sup>th</sup> to take the lands off the online maps? We knew there was an error.

Chad Wilson- That is a frustration I share with you Travis. I sent out requests for that to be changed and for us to update it. I didn't have the capabilities of doing it myself. We did have turn over in that position. We lost our GIS person. So between that, it just took time. It wasn't from a lack of effort from my side. I kept trying to get them off until we could get them corrected. It took until April and I wish people had that accurate information. We need to own it as a Division and communicate better.

Travis Hobbs- Is there a hard date to have the trade lands maps back on line? The only resource we have is the Utah Hunt Planner.

Chad Wilson- I would say mid-June is when I really want to have it done.

Justin Oliver brought up a motion that had been made by the Wildlife Board a few weeks ago that passed, that an advisory committee would be given until June of 2025 to come up with a new CWMU rule. These are a lot of things we are hoping to be addressed.

03:00:06

**Electronic/ Public Comment Report by Ben Nadolski, Regional Supervisor**

Ben Nadolski summarized the public comments received from the online presentation.

**Public Comment**

Benji Eames- Mapping issues. Going to affect their hunt. CWMU operator is in a bad way due to the mapping issues. Jim and Chad, I hope we can at least go through our mapping at least once a year before the draws and figure that out before it gets to this point.

Travis Hobbs- Oppose this variance request. Have a hard time understanding how the Division can on one hand recommend to take quality land from the general public to make a clear and definable boundaries, and on the other hand recommend that we add two additional noncontiguous properties over a mile away from the boundary that do nothing but add confusion and do the exact opposite of making clear and definable boundaries. Truthfully believe these properties should have been in trade lands. If the original trade land maps had been accurate, I would have been in here screaming in 2019. Public has lost over 2,000 acres of prime public land and has received low quality land, that is 15 miles away and rabbit habit if best. Public is taking it in the shorts, in my opinion. Trade land maps are a giant error. Have to get this right. The mapping has got to be improved. Hope when the rule committee looks at this, they seriously require survey grade maps. Trade lands maps get back online soon.

Gary Webb- North Peaks CWMU Operator- Appreciate the Division and their apology. We were alerted in February at the same meeting Chad was. Our process started last year, wanting to put this land into our CWMU. It is the same landowner. It's within a mile and a half of the existing CWMU. It is the same deer herd. We are not asking for more permits. This is the kind of request that makes sense. This request falls within the current rule. Unfortunately there was an error on a map. The trade land issue can be heard in November. We had a biologist go out with us. We went through the whole process. In preparation for incorporating our land into our CWMU, we posted it last year so that as people passed through some on the roads that are open roads, they would know this is private land. Some had not been posted for a while because it had been in an elk CWMU and not on an interior border. We had no idea this land was showing on a trade land clickable map. We worked with Chad to get this changed. When the rule gets revisited and the noncontiguous land gets discussed, who knows what is going to come out of that. We stood at the Wildlife Board and supported it. As the rule stands today, this rule fits inside the rule. We are still trying to manage the resource. This is our deeded property. If we don't incorporate it into our property, nobody will be hunting it this year. It will be locked down until we can pull it into the CWMU.

**03:10:10 RAC discussion/Division Clarification and Motions**

Ryan Brown- Feel conflicted. Variance after variance, against it.

Justin Oliver- Have 2 CWMU's. Want to make sure who we are discussing.

David Earl- If it falls within the rule, that's the rule.

Justin Oliver- If we were aware of these issues, I do wish it would have been brought to light. There is a new element to it.

Ryan Brown- There is two ways this could have been handled. I do like the transparency of it.

Brad Buchanan- Have gone back and forth of this a number of times. Glad the rule is coming up for review. There are a lot of things that need to be addressed. I went back through and read what the rule states there. It isn't clear enough to say yes or no. Tend to fall on the side of supporting this one for North Peaks. I know there is some concern of setting a precedence. But it is not the only one that has noncontiguous acreage. We are not out of line.

Mike Laughter- 12 other CWMU's that have noncontiguous land. I would be more inclined to pass it. I too would like some definition. It will be flushed out in the rule committee. I don't think it is applicable to this specific scenario.

Justin Oliver- Public sentiment, this needs to be addressed. Identify a boundary. This is why our Wildlife Board was very adamant about making this an action item and task that a committee be put in place and present a rule in June of 2025.

Kevin McLeod- I would look what's the benefit to the public. Chad explained it that no one would be hunting this property if it is not included. This does give the opportunity for a public draw individual to hunt that property. There are some questions that need to be answered. They will be addressed and answered down the road. See no reason not to pass this request.

Randy Hutchison- Private property has every right to post their property. Can't see how we can give a nice clean boundary of public acres onto this and the throw in these other pieces that are a mile and half away. Against adding it. This is an easy fix. Just wait until November. This is one public hunter for 2,000 acres

The following motion was made by Mike Laughter, seconded by Brad Buchanan and passed For: 9 Against: 2 Abstain: 1. Ryan Brown-Like the CWMU system, but tired of the exceptions. Want to wait until the process in November plays out. Randy Hutchison- This is an easy fix in November. Doesn't make sense for us to

do it now.

**MOTION: I move to accept the North Peaks request/variance, with the understanding that when the rule committee convenes, that the decision made by the committee would supersede this decision, if differences occur.**

Ryan Brown- Multiple exposures to information is a proven instructional strategy.

Chad Wilson recapped the variance request for the Avantaquin CWMU located in the Northeast Region.

Justin Oliver- There was already one variance to the CWMU to meet the acreage required to become an elk CWMU. This does not pass the smell test as well as the other one to me.

Chad Wilson made a clarification in regards to the original presentation. The noncontiguous still does not get them to 10,000 acres needed. Even if they do not get the noncontiguous, they are still going to be an elk CWMU either way.

Randy Hutchison- We screwed up once, why should we screw up again. A variance on top of another variance. Still don't need it. We are going to give it to them anyway. Why do we have any rules?

Justin Oliver- Is there a high number of elk on this unit.

Chad Wilson- I am not in a good position to talk about elk density. They do a good job at taking care of the customers. They don't sell a tag on this one. They do Wounded Warriors charity type hunts. 9,477 acres right now.

Mike Laughter- The biologist supports this recommendation. They will make a case for them. It is usually a Division person that helps them make that recommendation.

Chad Wilson- Generally our recommendations for under acreage is not to approve it, but our biologist does speak to if it was an elk CWMU, how many tags would it be able to hold? It is four tags, 3 private and 1 public. The biologist does speak to that and we could support that amount of hunting.

Kevin McLeod- Does it meet rule if we approve it?

Chad Wilson- This is the same principle of is it a request or a variance. We bring it through as a variance because it doesn't fit and for transparency we wanted to take it through this public process. The rule says you can ask for a variance.

Justin Oliver- Is there multiple landowners?

Chad Wilson- The same controlling person over all of it.

Mike Laughter- It is 4 permits. This is why I support it.

Randy Hutchison- We are giving acceptations.

The following motion was made by Kevin McLeod, seconded Mike Laughter and passed For: 9 Against 2 Obstain:1 Same sentiments as last time.

**Motion: I move to approve the Avantiquin CWMU request as presented.**

**03:33:25**

**11) Election of RAC Chair and Vice Chair**

Selection for Chair- Brad Buchanan- Unanimous

Selection for Vice Chair- Ryan Brown- Unanimous

Ben expresses his appreciation to the outgoing RAC members.

**03:38:39**

**Motion to Adjourn**

**Southern Regional RAC Meeting**

**May 23, 2023 6:00 PM**

**DNR Richfield City Complex, Richfield, UT**

**RAC Members**

**Attending**

**Gene Boardman  
Craig Laub  
Austin Atkinson  
Riley Roberts  
Chad Utley (Virtual)  
Dan Fletcher  
Chuck Chamberlain  
Verland King**

**Absent**

**Tammy Pearson  
Bart Battista**

**Wildlife Board**

**Wade Heaton (Virtual)**

**Kevin Albrecht (Virtual)**

**DWR Personnel**

**Kevin Bunnell  
Phil Tuttle  
Paul Washburn  
Stan Gurley  
Mike Wardle  
Avery Cook (Virtual)  
Alyssa Jackson (Virtual)  
Jason Nicholes  
Kyle Christensen  
Morgan Hinton  
Jason Jones  
Julie Sabattis**

**Heather Talley  
Teresa Griffin  
Adam Kavalunas  
Ann McLuckie  
Emily Albrecht  
Denise Gilgen (Virtual)  
Vance Mumford  
Selena Yardley  
Gary Bezzant  
Shawn Stucki  
Lynn Zubeck  
Charles Lyons (Virtual)**

Public invited to join online: <https://youtube.com/live/oRkyGP118Q>

**Southern Region RAC Meeting**

**May 23, 2022**

**Richfield, Utah**

<https://youtube.com/live/oRky3GP118Q>

<b>06:02:24</b>	<b>1) RAC Chair Brayden Richmond</b> called the meeting to order. He called the roll of RAC members and indicated which UDWR personnel were present. He explained the process that there will be no live presentations or public comments taken during the meeting.
<b>06:05:20</b>	<b>RAC Questions and Discussion:</b>  <b>Verland King:</b> <ul style="list-style-type: none"><li>• Asked about the change in the way the RAC Minutes are taken and recorded. They are very brief.</li><li>• Believed the last minutes were incomplete and there were some comments that were left out as compared to what was talked about.</li><li>• The minutes may be skewed one way or another. In the past, the Minutes were typed word for word, rather than being edited the way they are now.</li><li>• Curious to see what the other RAC Members thoughts are.</li><li>• He brought this up because he talked about building of that road and that parking lot top of the hill at Bicknell Bottoms. That was the site of a battle during the Blackhawk Indian War. That was all left out. It was like the parking lot flooded and I mentioned that too, but it was a whole different parking lot. We mentioned it was culturally approved, we got there, but, it left everything else out.</li><li>• Felt Kevin's comment didn't make sense without the context of the historical Blackhawk War or the Battle of Red Lake. Felt this was important was left out of the new format.</li><li>• Concerned pertinent information may be left out or the information being skewed.</li><li>• Agreed to watch the future Minutes to see if things are being recorded correctly.</li></ul> <b>Kevin Bunnell:</b> <ul style="list-style-type: none"><li>• Explained that there was some inconsistency between how the different RAC were summarizing their Minutes. We standardized the way the Minutes were summarized using the format that was being used by other Regions. It is more of a summary. Our thought process was that the meeting is recorded and posted on YouTube and on our website.</li></ul>

- Are other RAC Members okay with the new format?
- Will ask that the Minutes include a little more detail, a happy medium. We'll review the Minutes for the next few months to see if everyone agrees with the format.
- Encouraged Verland to speak to Gary Bezzant regarding what has been happening with the cultural efforts since our last meeting and he could give you an update.

**Brayden Richmond:**

- Asked Verland if there was something in particular that was left out or was incomplete?
- Is there something in particular that wasn't conveyed correctly, because that would be an issue.
- We do have a Motion and a Second. You may want to make an Amended Motion to have that conversation added to the Minutes.
- Asked Gary Bezzant to provide an update to the project as it would be relevant to this conversation and meeting.

**Craig Laub:**

- Verland, you brought that up, so obviously you read the whole Minutes and caught that. I read over my comments and didn't catch that.
- Appreciates what Verland has to say.

**Gary Bezzant, Habitat Manager DWR Southern Region:**

- Did not attend the previous RAC meeting and is not sure how much background was provided at that time.
- Prior to going in with the excavators we held consultations with the SHPO - State Historical Preservation Office and they returned a finding of no significance to use a BLM term, but saying that we were cleared to go in and do that. So, we began that work. As we began that work, we did find some things that were not related to the Blackhawk war. It was more of a garbage dump site type of a thing and there are things to learn from this. Archeologists are excited about this type of thing. We are in the middle of a discovery related to a project. So, we record that and we are in the process of this. The State Historical Preservation Office still has no concerns, it is a project that is still approved to continue.
- Subsequent to that, a next door neighbor has also complained and does not like the project idea. We have had some internal discussions and decided to back off from the project. At this time, we'd rather focus on the things that are happening in the marsh. We are not going forward with the project, we are going to put a fence there to keep people from driving in there. We've halted the project.



<b>06:14:48</b>	<p><b>2) Approval Of Agenda and Minutes</b> (Action)  <b>RAC Chair Brayden Richmond</b></p> <p>The following motion was made by Craig Laub, seconded by Dan Fletcher.  <b>MOTION:</b> I move that we approved the Agenda and Minutes as presented.</p> <p><b>Passed unanimously.</b></p>
<b>06:15:39</b>	<p><b>3) Wildlife Board Meeting Update</b> (Informational)  <b>RAC Chair Brayden Richmond</b></p>
<b>06:21:40</b>	<p><b>RAC Questions:</b></p> <p><b>Gene Boardman:</b></p> <ul style="list-style-type: none"> <li>• Do you know, before the Buck Deer motions were all made there was a big discussion. Basically it went that we'll forget about the biology, the social, there's a political element here and that is what directed the whole Buck Deer recommendations. Do you agree that's the way it went?</li> <li>• Afraid we took a beating on that – the whole State.</li> </ul> <p><b>Kevin Bunnell:</b></p> <ul style="list-style-type: none"> <li>• There were some comments made about that and had some influence. Doesn't know much more about that.</li> </ul> <p><b>Brayden Richmond:</b></p> <ul style="list-style-type: none"> <li>• You summarized it correctly.</li> <li>• Those types of comments were certainly made, but really has no opinion on the accuracy of those comments. But that was the discussion, yes.</li> </ul>
<b>06:24:08</b>	<p><b>4) DWR Update</b>  (Informational)  - <b>Kevin Bunnell, DWR Regional Supervisor</b> updated the RAC on all regional activities.</p>
<b>06:34:24</b>	<p><b>RAC Questions:</b></p> <p><b>Craig Laub:</b></p>

	<ul style="list-style-type: none"> <li>• I have a question about the fence that is being built around the South Indian Peaks area. Is it going to keep the horses out? Is that the plan?</li> </ul> <p><b>Kevin Bunnell:</b></p> <ul style="list-style-type: none"> <li>• Hopefully, it will keep the horses and cows out and the Elk in. That's the goal.</li> <li>• Elk Management meetings have gone really well, very positive. We've had Sportsmen, Farm Bureau and local grazers represented in each of those. Very productive.</li> <li>• Mike Wardle has done both of those on the Pahvant and the Beaver units. They've gone really well.</li> <li>• Introduced Shawn Stucki, the new Conservation Officer for Wayne County.</li> <li>• Introduced Morgan Hinton, the new Biologist for Wayne County.</li> <li>• DWR is very happy to welcome both of them.</li> </ul> <p><b>Chuck Chamberlain:</b></p> <ul style="list-style-type: none"> <li>• I have a question about the Elk Management Plan. You said two of them have been underway. Can you tell us about the flavor of those meetings and how they are going?</li> </ul>
<p><b>06:36:10</b></p>	<p><b>5) Wild Turkey Plan Revision and Recommendations – R657-54</b>  <b>- Heather Talley, Upland Game Coordinator</b> (Action)</p> <p>Presented her recommendations and answered questions. House Bill was passed to legalize Air Guns for the taking of wild Turkey in the Fall season only as well as Rabbit and Hare.</p>
<p><b>06:40:08</b></p>	<p><b>RAC Questions:</b></p> <p><b>Brayden Richmond:</b></p> <ul style="list-style-type: none"> <li>• Thank you Heather for the clarification on the Air Guns.</li> </ul> <p><b>Austin Atkinson:</b></p> <ul style="list-style-type: none"> <li>• How are the turkey numbers just in the Southern Region? Now that the hunt is almost over. What feedback have we had as RAC members?</li> <li>• Do we have many Fall hunts in the Southern Region?</li> </ul> <p><b>Heather Talley:</b></p> <ul style="list-style-type: none"> <li>• I can defer to the local Biologists for what they are seeing in their specific area. We assume that the total number of Toms taken in the Spring accounts for 10 % of the total population. Doing a total Turkey population is a bit retroactive. Generally, we will be able to see those numbers in June or July once the harvest results and</li> </ul>

	<p>numbers are fed into the current permit calculations for Spring and Fall.</p> <ul style="list-style-type: none"> <li>• Doesn't believe there was a lot of winter loss in the Southern Region.</li> <li>• Congratulated the Southern Region for winning the Translocation Award.</li> <li>• Very few, small targeted areas. Only two in the Southern Utah area. Depends on the damage that is occurring.</li> <li>• In answer to Gene's question. We did incorporate that into the new plan. We recognize turkeys are going to come onto private lands and do damage at night time and then travel very close to where private and public land intersect. We want to target the correct turkeys and have renamed this the Fall Management Harvest. We want to ensure this is a management tool to address depredation and damage and not just to provide hunting opportunities necessarily. We understand there is a public and private patchwork and we need to</li> </ul> <p><b>Gene Boardman:</b></p> <ul style="list-style-type: none"> <li>• I have a problem with the Fall hunts. More public land could be available so the public could enjoy it. Whereas, if it's all on private land, the public at large is pretty well cut out. It'd be better for the public if more public land is made available.</li> </ul>
<p><b>06:40:00</b></p>	<p><b>Public Questions: None.</b></p>
<p><b>06:45:07</b></p>	<p><b>Public Comments:</b></p> <p><b>Kevin Bunnell: Online Comments</b></p> <p>Question #1: Which best describes your position regarding the wild turkey management plan?</p> <ul style="list-style-type: none"> <li>• Strongly agree: 3 (75%)</li> <li>• Somewhat agree: 0 (0%)</li> <li>• Neither agree nor disagree: 0 (0%)</li> <li>• Somewhat disagree: 1 (25%)</li> <li>• Strongly disagree: 0 (0%)</li> <li>• Total votes: 4</li> <li>• Weighted average: <math>[(0 * 1) + (1 * 2) + (0 * 3) + (0 * 4) + (3 * 5)] / 4</math></li> <li>•</li> <li>• = 4.3</li> </ul>

	<p>Question #2: Which best describes your position regarding the turkey recommendations for 2023?</p> <ul style="list-style-type: none"> <li>• Strongly agree: 1 (33%)</li> <li>• Somewhat agree: 1 (33%)</li> <li>• Neither agree nor disagree: 0 (0%)</li> <li>• Somewhat disagree: 1 (33%)</li> <li>• Strongly disagree: 0 (0%)</li> <li>• Total votes: 3</li> <li>• Weighted average: <math>[(0 * 1) + (1 * 2) + (0 * 3) + (1 * 4) + (1 * 5)] / 3 = 3.7</math></li> </ul>
<p><b>06:46:47</b></p>	<p><b>RAC Discussion</b></p> <p><b>Brayden Richmond:</b></p> <ul style="list-style-type: none"> <li>• Any additional discussion or comments?</li> </ul>
<p><b>06:46:02</b></p>	<p>The following motion was made by Chuck Chamberlain, seconded by Riley Roberts.</p> <p><b>MOTION:</b> I move that we approved the Wild Turkey Plan revisions and recommendations as presented.</p> <p><b>Passed unanimously.</b></p>
<p><b>06:46:58</b></p>	<p><b>6) Upland Game Recommendations – R657-9</b> (Action)  <b>- Heather Talley, Upland Game Coordinator</b></p> <p>Presented her recommendations and answered questions.</p>
<p><b>06:47:16</b></p>	<p><b>RAC Questions:</b></p> <p><b>Austin Atkinson:</b></p> <ul style="list-style-type: none"> <li>• Live decoys and electronic calls. Are they currently legal?</li> <li>• And to clarify. Robotic decoy would be anything that moves electronically?</li> <li>• I'm not a Waterfowl, Upland Gamer type of hunter much. For Duck hunting, you can still use a decoy with flapping wings is that correct? That would be considered robotic, right?</li> </ul> <p><b>Heather Talley:</b></p> <ul style="list-style-type: none"> <li>• Not sure that they are legal, but doesn't think they are specifically listed as illegal either in rule. We wanted to make sure it was addressed in rule.</li> </ul>

	<ul style="list-style-type: none"> <li>• Yes, any machine looking turkey is how I interpret that.</li> <li>• Yes. And this was something that came up in the Technologies portion of our committee.</li> </ul>
<b>06:49:05</b>	<p><b>Public Questions:</b></p> <p><b>Bob Teagle:</b></p> <ul style="list-style-type: none"> <li>• Yes, I have a question. I didn't hear anything where you are working with the landowners to address trespass fees or special tags for those areas. Have you thought of any of those types of things?</li> <li>• Just opportunities for landowners to sell tags if they need the revenue.</li> <li>• I just hadn't heard anything about Turkeys, so I was curious. I have a wildlife background. I've lived here about five years, so I'm trying to learn.</li> <li>• Just a general comment, I appreciate what you guys do for wildlife.</li> <li>• One last question. Why do you have the Jeep Jamboree during hunting season?</li> </ul> <p><b>Heather Talley:</b></p> <ul style="list-style-type: none"> <li>• Yes, regarding Turkeys? For depredation? We do have some programs such as Walk in Access, CWMU's, LOA's. Those are some different programs we offer to landowners. We haven't reached out to landowners individually and asked them if they'd like to sponsor a Quail hunt or something to that effect. We always try to work with landowners through these types of programs.</li> </ul> <p><b>Kevin Bunnell:</b></p> <ul style="list-style-type: none"> <li>• I think the Jeep Jamboree is sponsored by the County. You might need to take it up with them.</li> </ul>
<b>06:52:38</b>	<p><b>Public Comments:</b></p> <p><b>Kevin Bunnell: Online Comments</b></p> <p>Question #3: Which best describes your position regarding the upland game recommendations for 2023–25?</p> <ul style="list-style-type: none"> <li>• Strongly agree: 2 (67%)</li> <li>• Somewhat agree: 0 (0%)</li> <li>• Neither agree nor disagree: 1 (33%)</li> <li>• Somewhat disagree: 0 (0%)</li> <li>• Strongly disagree: 0 (0%)</li> <li>• Total votes: 3</li> </ul>

	<ul style="list-style-type: none"> <li>• Weighted average: <math>[(0 * 1) + (0 * 2) + (1 * 3) + (0 * 4) + (2 * 5)] / 3 = 4.3</math></li> </ul>
<b>06:52:54</b>	<b>RAC Discussion : None.</b>
<b>06:53:08</b>	<p><b>MOTIONS:</b></p> <p>The following motion was made by Riley Roberts, seconded by Craig Laub.</p> <p><b>MOTION: I move that we accept the Division’s Upland Game recommendations as presented.</b></p> <p><b>Passed unanimously.</b></p>
<b>06:53:44</b>	<p><b>7) Waterfowl Rule and Swan Hunt Recommendations - R657-9</b> (Action) - <b>Jason Jones, Upland Game Coordinator</b></p> <p>Presented his recommendations and answered questions.</p> <p><b>Kevin Bunnell</b> clarified the names of properties mentioned in the presentation are marshes located in North East side of the Great Salt Lake.</p>
<b>06:57:21</b>	<p><b>RAC Questions:</b></p> <p><b>Brayden Richmond:</b></p> <ul style="list-style-type: none"> <li>• Clarified that the Division has not changed their recommendations since the presentation was sent out.</li> <li>• I have a question. What are the parameters around illegal? Do we have that spelled out?</li> <li>• Part of the problem is the hunter already has a picture of the Swan before it is seized.</li> <li>• Thank you Paul. That will really helps me in my discussion when we get there.</li> </ul> <p><b>Jason Jones:</b></p> <ul style="list-style-type: none"> <li>• We may need to get law enforcement up here. The Trumpeter is being harvested as a trophy, but in some cases it is an honest mistake.</li> </ul> <p><b>Kevin Bunnell:</b></p> <ul style="list-style-type: none"> <li>• Will you explain what the difference is between an Infraction and a Misdemeanor?</li> </ul>

- Can you give us some examples of when we would issue an Infraction, Misdemeanor and/or Felony?

**Paul Washburn:**

- Usually an Infraction will have a lot lower fines and is not going to go on someone's criminal record. I would guess an Officer would rely heavily on their discretion – a warning or Infraction, based on the difficulty in identifying this bird.
- For a lot of the violations, it's established in code and there is only one option. In this type of situation, there would be two levels – an Infraction or basically a rule violation. A Waterfowl rule violation would be the unintentional taking or a Misdemeanor if it was intentionally taken. In this case it may be difficult to differentiate what someone's intent may be.

**Verland King:**

- Are Trumpeters hard to tell apart from other swans?

**Jason Jones:**

- I hunt Waterfowl and I think it comes down to being patient and learning how to tell the difference between Swans. One is much larger than the other and they have different vocalizations. We are asking people to choose their shots, be certain before shooting.

**Austin Atkinson:**

- When you check in a Swan, if it's measured over a certain length it is marked as a Trumpeter regardless?
- Is it true it will be considered "Poached" if you shoot a Trumpeter?
- Poaching doesn't sound like an Infraction.
- Is an illegal take of an animal an Infraction?
- If 20 Swans are Trumpeters are legally taken, then the season is shut down?
- Do we have any data that out of the 20 that were taken last year, how many were taken accidentally rather than intentionally?

**Jason Jones:**

- No. 99% percent of birds measuring over 62 millimeters are Trumpeters. But we are going to use other characteristics to determine if it is a Trumpeter. And we are looking at reworking our Orientation Course.
- It will be considered illegal if this recommendation is passed.
- Yes, the season is shut down.
- No, we don't have data to show how many of the 20 were taken intentionally or accidentally.

**Paul Washburn:**

- We don't have a definition for poaching, that's a term that is used. It would be an illegal take of an animal just like an Elk, Deer or anything else you don't have a permit for.
- That could be written as a Big Game rule violation as an Infraction. If someone accidentally shoots a branched Bull on a Spike unit. That sometimes will be written as an Infraction rather than an illegal take based on the circumstances the Officer finds on the ground.

**Kevin Bunnell:**

- We have anecdotal evidence that people are targeting Trumpeters. We just don't know how prevalent it is in terms of the overall 20 that show 10 were taken purposely and 10 were taken accidentally.

**Craig Laub:**

- I watched the RAC comments in Northern Utah. Would an orientation like we have for Bears and other animals help?
- That may help.

**Jason Jones:**

- We do have an orientation course. We do need to look at the orientation course to see how good it is. That is part of receiving your permit is to complete the orientation course.

**Austin Atkinson:**

- Would there be any means in our rule where we could institute where you have a \$50.00 fine or fee - or something similar where you could pay and then have your privileges reinstated? If we confiscate the Trumpeter and we put a hold on your Customer ID where you can't participate or draw.
- Do we have to sell this 20 to? Why can't it be 100?
- How did Montana get rid of the quota?

**Jason Jones:**

- We have the Wildlife Board impose a five year waiting period. Right now if you harvest a Trumpeter Swan you can't draw out for five years.
- With all migratory birds we work within the framework of the Fish and Wildlife. Through the data we are collecting (feathers), we are hoping they are Rocky Mountain Trumpeters. It'll take several year of data for changes to be made.
- The data suggests they are only harvesting Rocky Mountain Trumpeters.



**Verland King:**

- By the time this hunt comes around, the juveniles are grown? Should be the same size as the other Swans?

**Jason Jones:**

- The interesting thing is the juveniles are the same size as the adults, but they aren't pure white. Which can be hard to tell when you're hunting and the sun's not bright. The same with other hunting, right?

**Austin Atkinson:**

- Is the DWR sponsoring the data collection or with Fish and Wildlife?

**Heather Talley:**

- From what I understand, it's Fish and Wildlife.

**Craig Laub:**

- Of the total number of Swans harvested, how many are the 20 Trumpeters?
- That's close enough for me. I just wondered if it was 1000 or 500 before it was closed. How people went home empty handed when it closed.
- It's a pretty low percentage to close it down then in his opinion.

**Jason Jones:**

- I don't have that data right in front of me. I believe there were 800 and something Swans harvested last year.
- It's a big issue in Northern Utah. People have family traditions and enjoy hunting. When the Swan hunt closes so early, people are very unhappy.
- And that's one reason we want people to stop targeting Trumpeter Swans.

**Kevin Bunnell:**

- Jason, how many Tundra Swan permits were issued last year?

**Jason Jones:**

- 2750 Tundra Swan permits were issued last year.

**Chuck Chamberlain:**

- What is your fear or feeling for illegal harvest of Trumpeter Swans? If we make it illegal, will we still be losing the same number of Trumpeters and then they'll be ditched somewhere?
- Those were some of the concerns I saw.

**Jason Jones:**

- I don't know, some of that will happen.
- It's harder to hide a Trumpeter and there are lots of eyes out there.

**Gene Boardman:**

- Do I understand right? Trumpeters are legal game in Idaho, there's no quota?
- What about in Idaho?

**Jason Jones:**

- There's no quota in Montana.

**Heather Talley:**

- I don't believe Idaho has a quota. But Nevada's is 10.
- Yeah, some years were 45% of the tags in Utah being filled.

**Jason Jones:**

- Heather's got the number of Swans taken from 2015 to now.

**Kevin Bunnell:**

- What's the range Jason?
- So, we are losing about 10%. Last year about 30% were harvested.

**Jason Jones:**

- About 40% of the tags were being filled until the hunt was being shut down.

**Riley Roberts:**

- So what is the process? You said Utah had 10 Trumpeter permits, then it was bumped up to 20. What is the process to get that number higher?
- So we are stuck with the numbers. Is the idea a scare tactic? Is that what we're talking about?
- Right, but the only ammunition we have is punitive?
- Is the Pacific Flyway the Judge and Jury over the decision or is it Fish and Wildlife?

**Jason Jones:**

- We have to provide them data. It may not work in our favor, we are hoping that it will. I would assume five to six years of data.
- A lot more people hunt and take Tundra Swan and an incidental take of Trumpeter Swans.

**Kevin Bunnell:**

- No matter what we have to provide them with the data.
- We are trying to preserve hunter opportunity.
- Yes, somewhat punitive.

**Heather Talley:**

- The analysis is going on right now. It will take until next Spring at the earliest to get the information. We would then still have to go through a Management study within the framework of the Pacific Flyway. So we're looking at a few years out from making a change in the quota, which is why we are addressing this now before there are more early closures.
- The Fish and Wildlife Services is the entity and we operate within the Pacific Flyway with Utah Waterfowl.

**Craig Laub:**

- What is the possibility of having both species in Utah? Or is it one or the other?
- There is a possibility that we'd have a subspecies. The Rocky Mountain and the Yellowstone.

**Jason Jones:**

- It's going to be Tundra Swan. The only other option is to show that we don't need an early closure.
- We'd still have a Tundra hunt, we just wouldn't have a closure due to Trumpeters.

**Kevin Bunnell:**

- I think the question is, when we get the results of the analysis is there a possibility that we'll have both the Rocky Mountain and Yellowstone?

**Jason Jones:**

- Yes, totally possible.

**Austin Atkinson:**

- Forgive my ignorance. A lot of this is happening because of the lawsuit?

**Jason Jones:**

- The lawsuit was brought on in the early, early 2000's by an Environmental Group. Subsequently, we've have to manage this by orientation courses, permits, measuring Swans, etc.

**Verland King:**

- So right now, you've got Swan hunts. And you've got a lot of Tundra Swans. When you reach 20 Trumpeters you shut it down. Is that how it works?
- If we make it illegal to kill a Trumpeter Swan do we shut down the hunt?

**Jason Jones:**

- Yes, that's how it works.
- We still have a quota.

**Kevin Bunnell:**

- We are required to by the Fish and Wildlife Services. We want to get completely through our Swan hunt without and early closure.
- We try to discourage them from taking them as a trophy.

**Dan Fletcher:**

- Since it's related to possession relative to law, how quickly will you have the orientation ready.

**Jason Jones:**

- We have an orientation now. We just want to make sure we are consistent.

**Riley Roberts:**

- Last year there were 2750 permits issued and 800 Swans harvested. Are the individuals applying aware of the quota beforehand?
- So, they understand the gamble?

**Jason Jones:**

- That's in the orientation course, yes.

**Brayden Richmond:**

- There is an orientation course. It is good, maybe it could be improved, but it is good.

**Kevin Bunnell:**

- We've had a Tundra hunt for a long time. There's always been a quota for Trumpeter Swans. For some reason, the last few years there are some hunters that think it's cool to purposely take Trumpeter Swans. Therefore, we are reaching the quota sooner and shutting down the hunt sooner. That's what's effecting everyone else and is a recent phenomenon.

	<p><b>Jason Jones:</b></p> <ul style="list-style-type: none"> <li>• Yes, partly due to social media and several Trumpeters Swans were collared and that's also a population that is targeted as well.</li> </ul> <p><b>Austin Atkinson:</b></p> <ul style="list-style-type: none"> <li>• Is the increase of Trumpeter take not related to the increase of Trumpeter Swan population at all?</li> </ul> <p><b>Jason Jones:</b></p> <ul style="list-style-type: none"> <li>• Yes, I'm sure it is. More are coming in and more are being taken.</li> <li>• We'll have more in the future.</li> </ul> <p><b>Austin Atkinson:</b></p> <ul style="list-style-type: none"> <li>• Do we have Trumpeter Swans at Quichipa yet?</li> </ul> <p><b>Teresa Griffin:</b></p> <ul style="list-style-type: none"> <li>• I have not seen them yet. Over by Panguitch though.</li> </ul> <p><b>Kevin Bunnell:</b></p> <ul style="list-style-type: none"> <li>• There are several on the Sevier River every year late in the Winter.</li> </ul>
<p><b>07:26:32</b></p>	<p><b>Public Questions: None.</b></p> <p><b>Troy Henry, Utah Farm Bureau.</b></p> <ul style="list-style-type: none"> <li>• We have three miles near the Panguitch Creek. Honestly, Waterfowl is one of the best things about it. Is there a way to make this less punitive if you make a mistake? Where you could do something like 8 hours of Dedicated Hunter service on habitat to have it expunged or not be charged? If you're not willing to do that then you've got an infraction? Something like that?</li> </ul> <p><b>Jason Jones:</b></p> <ul style="list-style-type: none"> <li>• The discussion revolved around "take" versus "possession".</li> </ul> <p><b>Kevin Bunnell:</b></p> <ul style="list-style-type: none"> <li>• This came out of the Central Region. To make it an Infraciton and not a Misdemeanor. Maybe it was the Northern Region.</li> </ul> <p><b>Paul Washburn:</b></p> <ul style="list-style-type: none"> <li>• Unless there is a violation, we really can't confiscate an animal or property from a hunter. It needs to be a criminal episode.</li> </ul> <p><b>Austin Atkinson:</b></p> <ul style="list-style-type: none"> <li>• If a guy checks a Bear in and there's a violation like a lactating Sow how do you take that it?</li> </ul>

	<p><b>Paul Washburn:</b></p> <ul style="list-style-type: none"> <li>• Unless we can prove that the Sow had young cubs with her when she was harvested, then we technically don't have a violation that we can prove in court.</li> </ul> <p><b>Brayden Richmond:</b></p> <ul style="list-style-type: none"> <li>• It's not illegal to take a lactating Sow, just a Sow with cubs.</li> </ul> <p><b>Craig Laub:</b></p> <ul style="list-style-type: none"> <li>• When I think about this situation with Trumpeter Swans I liken it to Bull Elk. If I take one I don't like I'm going to get in big trouble. What's the difference?</li> </ul> <p><b>Brayden Richmond:</b></p> <ul style="list-style-type: none"> <li>• This is a Tundra hunt, not a Trumpeter hunt. If you harvest a Trumpeter, that's illegal take. Then there's the discussion that an Infraction doesn't go on your record, a Misdemeanor does. In order to allow more people opportunity there needs to be something punitive. With an Infraction if doesn't go on your record, but you're still paying a fine. If it is an accident, law enforcement has the ability to give you an infraction. I would like to have this be an Infraction period- and never have it go to a Misdemeanor. I think we are doing this so we can keep the hunt open for the other 2000 people.</li> </ul>
<p><b>07:26:42</b></p>	<p><b>Public Comments:</b></p> <p><b>Kevin Bunnell: Online Comments</b>  People either really liked what we are doing or really disliked what we are doing.</p> <p>Question #4: Which best describes your position regarding the waterfowl rule and swan hunt recommendations?</p> <ul style="list-style-type: none"> <li>• Strongly agree: 3 (38%)</li> <li>• Somewhat agree: 0 (0%)</li> <li>• Neither agree nor disagree: 0 (0%)</li> <li>• Somewhat disagree: 1 (13%)</li> <li>• Strongly disagree: 4 (50%)</li> <li>• Total votes: 8</li> <li>• Weighted average: <math>[(4 * 1) + (1 * 2) + (0 * 3) + (0 * 4) + (3 * 5)] / 8 = 2.6</math></li> </ul>

**07:33:36**

**RAC Comments:**

**Riley Roberts:**

- Thank you for your patience over our ignorance. I have taught Hunter Education for a number of years in Utah. When we talk about Sportsmen, ethical violations and intent. Being a representative for Sportsmen, I would like to give us the benefit of the doubt. Unfortunately, over the last decade, I think we have come to think that if we can get away with it then we can. I like your comments Mr. Chairman. I would also recommend and support what the Northern and Central Region has done.

**Austin Atkinson:**

- What is the maximum fine for an Infraction rather than a Misdemeanor?

**Paul Washburn:**

- Typically, they will be around \$100.00 - \$150.00.

**Chad Utley:**

- I had the same question. What's the fine for an infraction. An infraction is equivalent to a speeding ticket. Unless you have a significant fine it would have much of a consequence.

**Austin Atkinson:**

- I can't figure out how to get one. Is it a Trumpeter or a Tundra? I'm not an expert. I've taken the course and it's a hard decision. I don't want to criminalize kids for shooting a Swan that flies overhead. I like the possession thing because I think it could curb even a trophy photo issue. You took the 5 year ban out of rule if you shoot a Trumpeter. I feel the rule will totally be need to be rewritten.

**Kevin Bunnell:**

- We have a note from our Charles are you online?
- The other note I have is that a County Attorney could still charge it as a Misdemeanor if they say extenuating circumstances.

**Charles Lyons:**

- The minimum amount is \$100 per animal for Swan in statute.

**Paul Washburn:**

- Looking at recent data, violations are being fined at between \$100.00 to \$140.00.
- An Infraction will be decided by each Judge. We could try to make a higher bail recommendation, but the Judge may not agree with that.

**Gene Boardman:**

- I don't want to see anybody get an Infraction or Misdemeanor over an accidental situation. They take a Swan to the Conservation Officer to look them over and measure their beaks, it's hard to tell the difference. You take a kid from Southern Utah who has never seen a Swan and he applies for a Swan permit, it's a lot different from someone that draws a permit all the time.
- I don't want to see them punished for a mistake. I think taking the animal is enough. As far as if its confiscated there has to be a penalty.
- I was fishing with my grandkids and we ran into 4 conservation officers. I was tickled to death to show them our daily limits. My grandkids started spilling their guts. A fly fisherman offered a really nice fish to my grandkids and he took it. They explained why we couldn't have the fish. They took the fish, we didn't get a citation. I'm not sure how they split it between the four of them.
- Another situation. A young hunter took an Antelope that horns didn't quite make the cut. They did the right thing, they took the Antelope and gave him another tag. And no Infraction. I don't think there has to be an Infraction for the take.

**Paul Washburn:**

- If you see something on a warning, there's no due process for a person to get the property back. They don't get to go before a Judge to get their property back. We try to avoid that.

**Brayden Richmond:**

- It seems like we are lining up with the other Regions.

**Austin Atkinson:**

- A Swan needs to be checked in like Bears, Mountain Lions. Do you take possession of an animal when you physically grab it or after it's checked in then can you take possession.

**Paul Washburn:**

- When you harvest then animal you have possession. With the Swan, you could take some pictures and put them online. It would be the more long-term possession that becomes the problem.

**Charles Lyons:**



	<ul style="list-style-type: none"> <li>I wanted to share the discussion we had with the Central RAC. The definition of take includes possession. With the Swan, you have 72 hours to check it in. So, there is some leeway from the Wildlife Board and us in drafting this. So you can take it, harvest it, but you're not actually in possession of it until you've gone through the check in process. If you don't check it in that would still be a violation. With a Trumpeter, it's not that person's property until after they've checked it in. It's the property of the State until that point. They've still filled their tag and go on the 5 year waiting list.</li> </ul> <p><b>Austin Atkinson:</b></p> <ul style="list-style-type: none"> <li>Do they affix a seal or anything to verify that it's been checked in?</li> </ul> <p><b>Heather Talley:</b></p> <ul style="list-style-type: none"> <li>We do put a sticker on the back of the license so we can verify it's been checked in and we can call the person if we need additional information.</li> </ul> <p><b>Austin Atkinson:</b></p> <ul style="list-style-type: none"> <li>I just want to make sure that if a taxidermist gets a Swan he can verify it's been checked in.</li> </ul>
<b>07:49:13</b>	<p><b>MOTIONS:</b></p> <p>The following motion was made by Austin Atkinson, seconded by Riley Roberts.</p> <p><b>MOTION: I move that we accept the Waterfowl Rule recommendations and Swan hunt recommendations, but not make it illegal to take a Trumpeter Swan, but do make it illegal to possess one.</b></p> <p><b>Passed unanimously.</b></p>
<b>08:02:38</b>	<p><b>8) Live Game Birds Rule Amendments – R657-4 (Action)</b>  <b>- Avery Cook, Upland Game Project Leader</b></p> <p>Presented his recommendations and answered questions.</p>
<b>08:04:05</b>	<p><b>RAC Questions:</b>  <b>None.</b></p>
<b>08:04:23</b>	<p><b>Public Comments:</b></p> <p><b>Kevin Bunnell: Online Comments</b></p>

	<p>Question #5: Which best describes your position regarding the proposed revision to the pen-reared gamebird rules?</p> <ul style="list-style-type: none"> <li>• Strongly agree: 1 (100%)</li> <li>• Somewhat agree: 0 (0%)</li> <li>• Neither agree nor disagree: 0 (0%)</li> <li>• Somewhat disagree: 0 (0%)</li> <li>• Strongly disagree: 0 (0%)</li> <li>• Total votes: 1</li> <li>• Weighted average: <math display="block">\frac{[ (0 * 1) + (0 * 2) + (0 * 3) + (0 * 4) + (1 * 5) ]}{5}</math></li> </ul>
<p><b>08:04:30</b></p>	<p><b>RAC Discussion:</b>  <b>Austin Atkinson:</b> Appreciates the division cleaning up this language because there's a lot of states in the west that do not and it causes problems, not only for the public but for themselves.</p> <p><b>Craig Laub:</b> Knows a few places where the pheasants are released and has a concern that where they are released there are not enough birds to mix with. Concerned about the possibility of diseases being transmitted.</p>
<p><b>08:05:30</b></p>	<p><b>MOTIONS:</b>  The following motion was made by Riley Roberts, seconded by Craig Laub.</p> <p><b>MOTION: I move that we accept the Live Game Birds Rule Amendments recommendation as presented.</b></p> <p><b>Passed unanimously.</b></p>
<p><b>08:06:05</b></p>	<p><b>9) Collection, Importation and Possession Rule Amendments – R657-3</b>  - <b>Charles Lyons, Asst. Attorney General</b> (Action)  Presented his recommendations and answered questions.</p>
<p><b>08:08:06</b></p>	<p><b>RAC Questions:</b>  None.</p>
<p><b>08:08:12</b></p>	<p><b>Public Questions:</b>  None.</p>

<p><b>08:08:21</b></p>	<p><b>Public Comments:</b>  <b>Kevin Bunnell: Online Comments</b>  2 strongly agreed, 1 neutral.</p> <p>Question #6: Which best describes your position regarding the proposed changes to the animal collection, importation and possession rules?</p> <ul style="list-style-type: none"> <li>• Strongly agree: 2 (67%)</li> <li>• Somewhat agree: 0 (0%)</li> <li>• Neither agree nor disagree: 1 (33%)</li> <li>• Somewhat disagree: 0 (0%)</li> <li>• Strongly disagree: 0 (0%)</li> <li>• Total votes: 3</li> <li>• Weighted average: <math>[(0 * 1) + (0 * 2) + (1 * 3) + (0 * 4) + (2 * 5)] / 3 = 4.3</math></li> </ul>
<p><b>08:08:45</b></p>	<p><b>RAC Discussion:</b>  <b>Craig Laub:</b> Expresses that in agriculture they deal with a lot of weed problems that were brought from other countries and the importance of keeping spaces clean as possible to prevent a similar issue from occurring.</p>
<p><b>08:09:19</b></p>	<p><b>MOTIONS:</b>  The following motion was made by Craig Laub, seconded by Verland King.</p> <p><b>MOTION: I move that we accept the Collection, Importation and Possession Rule Amendment recommendations as presented.</b></p> <p><b>Passed unanimously.</b></p>
<p><b>08:09:45</b></p>	<p><b>10) CWMU Variance Requests</b> (Action)  - <b>Chad Wilson, Private Lands/Public Wildlife Coordinator</b></p> <p>Presented his recommendations and answered questions.</p>
<p><b>08:11:35</b></p>	<p><b>RAC Questions:</b>  <b>Austin Atkinson:</b> Wants Chad to explain briefly the definition of trade lands and if they have to be posted currently.</p> <ul style="list-style-type: none"> <li>• Does the North Peak CWMU have public land? And trade lands?</li> <li>• Are there public sportsman representation on the CWMU advisory committee?</li> <li>• Why does the North Peaks CWMU request this variance?</li> <li>• Would it be fair to say that the extended season dates is the main reason why they would like to add this land?</li> <li>• What is close by?</li> </ul>

	<ul style="list-style-type: none"> <li>• Can you define the definition of “close by”?</li> <li>• If we approve this now, will this come up again? And if it’s been taken away, what is the process?</li> </ul> <p><b>Chuck Chamberlain:</b></p> <ul style="list-style-type: none"> <li>• How many variance requests get denied?</li> <li>• What’s the percentage that gets approved?</li> </ul> <p><b>Craig Laub:</b></p> <ul style="list-style-type: none"> <li>• How much public land has been lost to make that continuous?</li> </ul> <p><b>Gene Boardman:</b></p> <ul style="list-style-type: none"> <li>• On the public land included, is the public able to access that in any way, at any time, anyhow?</li> </ul> <p><b>Verland King:</b></p> <ul style="list-style-type: none"> <li>• How does the DWR compare public land and trade land? Like, is the hunting good in there or is it just an acreage yard?</li> <li>• Who is taking the account?</li> </ul>
<b>08:23:56</b>	<p><b>Public Questions:</b> None.</p>
<b>08:24:02</b>	<p><b>Public Comments:</b> <b>Kevin Bunnell: Online Comments</b> 1 strongly agreed, 5 strongly disagreed.</p> <p>Question #7: Which best describes your position regarding the CWMU variance requests?</p> <ul style="list-style-type: none"> <li>• Strongly agree: 1 (17%)</li> <li>• Somewhat agree: 0 (0%)</li> <li>• Neither agree nor disagree: 0 (0%)</li> <li>• Somewhat disagree: 0 (0%)</li> <li>• Strongly disagree: 5 (83%)</li> <li>• Total votes: 6</li> <li>• Weighted average: <math>[(5 * 1) + (0 * 2) + (0 * 3) + (0 * 4) + (1 * 5)] / 6 = 1.7</math></li> </ul>

<p><b>08:24:37</b></p>	<p><b>RAC Discussion:</b>  <b>Gene Boardman:</b> There's 27,000 acres of continuous CWMU land. If there's one public deer tag given out this variance may help the public. They may be able to hunt on that land, including some public land. There has to be some financial advantage adding this to the CWMU and I don't think that's in the public interest.</p> <p><b>Austin Atkinson:</b> Expressed comments he's gotten regarding the concern that there are flaws in the CWMU rule as a whole, specifically with trade lands. Thinks that this motion the DWR needs to get their act together and there's some things that really need to be cleaned up.</p>
<p><b>08:27:45</b></p>	<p><b>MOTIONS:</b>  The following motion was made by Craig Laub, seconded by Verland King.</p> <p><b>MOTION: I move that we accept the Division's recommendations as presented with the contingency that if the CWMU rule revision does not allow this, it will not be grandfathered in.</b></p> <p><b>Passed 7 to 1 (Opposed: Gene Boardman)</b></p>
<p><b>08:30:00</b></p>	<p><b>Translocation Management Plan: Strategy for Moving Displaced Desert Tortoise in the Upper Virgin River Recovery Unit</b>  <b>-Ann McLuckie, Wildlife Biologist</b> (Action)</p> <p>Presented her recommendations and answered questions.</p> <p><b>SOUTHERN REGION PRESENTATION</b></p>
<p><b>08:30:55</b></p>	<p><b>RAC Questions:</b>  <b>Brayden Richmond:</b></p> <ul style="list-style-type: none"> <li>• Where is the opposition coming from in regards to recreation areas and shutting it down for recreation?</li> </ul>
<p><b>08:33:16</b></p>	<p><b>Public Questions:</b>  <b>Public:</b> Is any grazing being displaced by the translocation?</p>
<p><b>08:33:50</b></p>	<p><b>Public Comments:</b>  <b>Kevin Bunnell – Online Comments:</b>  1 strongly in favor.  Question #8: Which best describes your position regarding the translocation management plan for desert tortoises?</p> <ul style="list-style-type: none"> <li>• Strongly agree: 1 (100%)</li> <li>• Somewhat agree: 0 (0%)</li> <li>• Neither agree nor disagree: 0 (0%)</li> <li>• Somewhat disagree: 0 (0%)</li> </ul>

	<ul style="list-style-type: none"> <li>• Strongly disagree: 0 (0%)</li> <li>• Total votes: 1</li> <li>• Weighted average: <math>[(0 * 1) + (0 * 2) + (0 * 3) + (0 * 4) + (1 * 5)] / 1 = 5</math></li> </ul>
<b>08:34:05</b>	<b>RAC Discussion:</b>
<b>08:34:08</b>	<p><b>MOTIONS:</b></p> <p>The following motion was made by Chuck Chamberlain, seconded by Dan Fletcher.</p> <p><b>MOTION: I move that we accept the Translocation Management Plan: Strategy for Moving Displaced Desert Tortoise in the Upper Virgin River Recovery Unit recommendation as presented.</b></p> <p><b>Passed unanimously.</b></p>
<b>08:34:50</b>	<p><b>Parowan Front WMA HMP</b> (Informational)</p> <p><b>-Stan Gurley, Southern Region Farm Bill Biologist</b></p> <p>Presented his recommendations and answered questions.</p> <p><b>SOUTHERN REGION PRESENTATION</b></p>
<b>08:35:28</b>	<p><b>RAC Questions:</b></p> <p><b>Austin Atkinson:</b></p> <ul style="list-style-type: none"> <li>• How is the bitterbrush doing from dedicated hunters planting? Is it coming back and good for the deer?</li> <li>• The whole front has gotten more popular with recreational traffic, is there help on that from Iron County Sheriff or anyone else?</li> </ul> <p><b>Craig Laub:</b> Has had a concern brought to him that there would be a fence put in so a particular individual couldn't herd his sheep there. Asks Stan to verify that this will not be an issue.</p> <p><b>Gene Boardman:</b></p> <ul style="list-style-type: none"> <li>• Are there any projects or restorations right now up the canyon?</li> </ul> <p><b>Austin Atkinson:</b></p> <ul style="list-style-type: none"> <li>• Do we have any idea with the deep snow we've had, how highway mortality is?</li> </ul>

<p><b>08:41:35</b></p>	<p><b>Public Questions:</b> None.</p>
<p><b>08:41:45</b></p>	<p><b>11) Election of RAC Chair and Vice-Chair</b> (Action)  <b>- Kevin Bunnell, Regional Supervisor</b></p> <p><b>Austin Atkinson and Bart Battista were both suggested and possible RAC Chair.</b></p> <p><b>Austin and Bart both agreed to serve as the RAC Chair if elected.</b></p>
<p><b>08:46:17</b></p>	<p><b>RAC Discussion:</b></p> <p><b>Verland King:</b> Are we limited to only Austin and Bart? Would Riley accept the nomination as chair?</p> <p><b>Riley Roberts:</b> Not with Austin’s name in there.</p> <p><b>Verland King:</b> Relies on Austin a lot on issues and finds him invaluable as far as his understanding and the motions he makes. I appreciate him and the time he spends on these issues. I can’t get enough time to do that. It is obvious that he spends a lot of time on the material.</p> <p><b>Dan Fletcher:</b> Agrees that Austin is 95% of the time making the motions and definitely studies the issues and believes that he would make a great chairman but losing the ability to make a motion would be a great detriment to the Southern RAC.</p> <p><b>Gene Boardman:</b> Expresses that before we had Austin, we had Brayden and he had the same concern that it would limit him, but I don’t think it has. His opinions and the work he has done is greatly respected and think will work the same for Austin.</p> <p><b>Austin Atkinson:</b> Appreciates the comments from the RAC and looks up to each of them. Makes it a point to let the RAC members know he is happy to serve in any way and won’t stop asking questions, whether he is on the RAC or not. Is happy to be involved and supports what they choose.</p> <p><b>Brayden Richmond:</b> Thinks both Austin and Bart would do a great job as RAC Chair. Has a respect for Austin as well as Bart and thinks they do a great job.</p> <p><b>Riley Peck:</b> The process before was to make a verbal nomination then vote. Before that happens, he would like to tell Brayden he has done a phenomenal job and has been able to control and maintain meetings.</p>

	<p>There is a ton of respect for that. Meetings can be emotionally charged and it has been great to see Brayden be able to handle that in a professional way. Expresses that Gene is his hero and he talks about him more than he knows outside of RAC meetings.</p>
<p><b>08:54:43</b></p>	<p><b>MOTIONS:</b>  The following motion was made by Verland King, seconded by Craig Laub.</p> <p><b>MOTION: I move that we elect Austin Atkinson to be our new Southern Region RAC Chair and for Riley Roberts to continue to serve as the Vice Chair of the Southern Region.</b></p> <p><b>Passed unanimously.</b></p>
<p><b>08:56:15</b></p>	<p><b>Meeting adjourned.</b></p>
<p><b>08:56:17</b></p>	<p><b>12) Recognition of Departing RAC Members</b> (Informational)  <b>- Kevin Bunnell, Regional Supervisor</b></p> <p>Presented outgoing RAC members, Gene Boardman, Craig Laub, and Brayden Richmond, with their appreciation gifts.</p>





**RAC AGENDA**

**May 24, 2023**

The meeting was streamed live at <https://youtube.com/live/dlckvjuZD6I>

- |     |  |               |
|-----|--|---------------|
| 1.  | Welcome, RAC Introductions and RAC<br>- RAC Chair  | Procedure     |
| 2.  | Approval of Agenda and Minutes<br>- RAC Chair  | ACTION        |
| 3.  | Wildlife Board Meeting Update<br>- RAC Chair   | INFORMATIONAL |
| 4.  | Regional Update<br>- DWR Regional Supervisor   | INFORMATIONAL |
| 5.  | Wild Turkey Plan Revision and Recommendations – R657-54<br>- Heather Talley, Upland Game Coordinator       | ACTION        |
| 6.  | Upland Game Recommendations – R657-6<br>- Heather Talley, Upland Game Coordinator                          | ACTION        |
| 7.  | Waterfowl Rule and Swan Hunt Recommendations – R657-9<br>- Heather Talley, Upland Game Coordinator         | ACTION        |
| 8.  | Live Game Birds Rule Amendments – R657-4<br>- Avery Cook, Upland Game Project Leader                       | ACTION        |
| 9.  | Collection, Importation and Possession Rule Amendments – R657-3<br>- Charles Lyons, Asst. Attorney General | ACTION        |
| 10. | CWMU Variance Requests<br>- Chad Wilson, Private Lands/Public Wildlife Coordinator                         | ACTION        |
| 11. | Election of RAC Chair and Vice Chair<br>- Regional Supervisors   | ACTION        |

CR RAC – May 16th, 6:00 PM  
Wildlife Resources Conference Room 1115 N. Main Street, Springville  
<https://youtube.com/live/R1qaLNtGBK4>

NR RAC – May 17th, 6:00 PM  
Weber County Commission Chambers 2380 Washington Blvd. Suite #240, Ogden  
<https://youtube.com/live/exaBYGtPFSQ>

SR RAC – May 23rd, 6:00 PM  
DNR Richfield City Complex  
2031 Industrial Park Rd., Richfield  
<https://youtube.com/live/oRky3GPtI8Q>

SER RAC – May 24th, 6:30 PM  
John Wesley Powell Museum 1765 E. Main St., Green River  
<https://youtube.com/live/dlckvjuZD6I>

NER RAC – May 25th, 6:30 PM  
Wildlife Resources NER Office 318 North Vernal Ave., Vernal  
[https://youtube.com/live/80\\_vfVTlz-0](https://youtube.com/live/80_vfVTlz-0)

Board Meeting – June 8th, 9:00 AM  
Eccles Wildlife Education Center, Farmington  
<https://youtube.com/live/eJBk4neaZaI>

**Southeastern Regional Advisory Council Meeting**  
**May 24, 2023**  
**Summary of Motions**

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

The following motion was made by Eric Luke, seconded by Brad Richman and passed unanimously.

**MOTION: I make a motion to accept the Minutes.**

**2) Wild Turkey Plan Revision and Recommendations (Action)**

The following motion was made by Brad Richman, seconded by Charles Fischer and passed unanimously.

**MOTION: I move we approve the revisions and recommendations of the Division as stated.**

**3) Upland Game Recommendations (Action)**

The following motion was made by Charles Fischer, seconded by Brad Richman and passed unanimously.

**MOTION: I'll make a motion to accept the recommendations as presented.**

**4) Waterfowl Rule and Swan Hunt Recommendations (Action)**

The following motion was made by Eric Luke, seconded by Sunshine Brosi and passed 7-2.

**MOTION: I'll make a motion that we accept the Division's proposal with the exception that it is classified as an infraction rather than a misdemeanor for the take and that it'd be illegal to possess the bird after the 72-hour period.**

**5) Live Game Birds Rule Amendments (Action)**

The following motion was made by Charles Fischer, seconded by Brad Richman and passed unanimously.

**MOTION: I'll make a motion to accept the rule amendment as proposed.**

**6) Collection, Importation and Possession Rule Amendments (Action)**

The following motion was made by Brad Richman, seconded by Eric Luke and passed unanimously.

**MOTION: I move that we approve the recommendation on the collection, importation and possession rule amendments as presented by the Division.**

**7) CWMU Variance Requests (Action)**

The following motion was made by Charles Fischer, seconded by Dana Truman and passed 7-2.

**MOTION: I'll make a motion to accept the variance request.**

**8) Election of RAC Chair and Vice Chair (Action)**

The following motion was made by Brad Richman, seconded by Charles Fischer and passed unanimously.

**MOTION: I move that we accept the new chair and vice chair.**

**Southeastern Regional Advisory Council Meeting**

May 24, 2023

Attendance

**RAC Members**

Kent Johnson – Chair  
Scoot Flannery – Vice-Chair  
Guy Wallace – Exec Secretary

Eric Luke  
Dana Truman  
Darren Olsen  
Charles Fischer

Sunshine Brosi  
Lynn Sitterud  
Steve Duke

**Board Member**

Kevin Albrecht

**RAC Excused**

Kirk Player  
Joe Sacco

**Division Personnel**

JD Abbott  
Brad Crompton  
Brandon Behling

Guy Wallace  
TJ Cook  
Phil Tuttle

Heather Talley  
Jason Jones

## Regional Advisory County Meeting

April 19, 2023

Attendance

\*\*\*Technical difficulties at the beginning\*\*\*

**00:04:33** 1) Chairman Kent Johnson called the meeting to order, welcomed the audience and reviewed the meeting procedures.

**00:06:30** 2) **Approval of Minutes (Action)**

The following motion was made by Eric Luke, seconded by Brad Richman and passed unanimous.

**MOTION: I make a motion to accept the Minutes.**

**00:07:21** 3) **Wildlife Board Meeting update by Kent Johnson**

**00:18:24** 4) **Regional Update – Guy Wallace, Regional Wildlife Manager (Informational)**

Guy Wallace updated the RAC on all regional activities.

**00:25:15** **SER Habitat Update**

**00:33:09** 5) **Wild Turkey Plan Revision and Recommendations (Action)**

Presentations could be viewed at <https://wildlife.utah.gov/agendas-materials-minutes.html>

**00:38:07** **RAC discussion/Division Clarification and Motions**

The following motion was made by Brad Richman, seconded by Charles Fischer and passed unanimously.

**MOTION: I move we approve the revisions and recommendations of the Division as stated.**

- 00:46:58**      **6) Upland Game Recommendations (Action)**  
Presentations could be viewed at <https://wildlife.utah.gov/agendas-materials-minutes.html>
- 00:47:28**      **RAC discussion/Division Clarification and Motions**  
The following motion was made by Charles Fischer, seconded by Brad Richman and passed unanimously.
- MOTION: I'll make a motion to accept the recommendations as presented.**
- 00:49:28**      **7) Waterfowl Rule and Swan Hunt Recommendations (Action)**  
Presentations could be viewed at <https://wildlife.utah.gov/agendas-materials-minutes.html>
- 01:08:45**      **RAC discussion/Division Clarification and Motions**  
The following motion was made by Eric Luke, seconded by Sunshine Brosi and passed 7-2.
- 1:42:05**      **MOTION: I'll make a motion that we accept the Division's proposal with the exception that it is classified as an infraction rather than a misdemeanor for the take and that it'd be illegal to possess the bird after the 72-hour period.**
- 01:47:54**      **8) Live Game Birds Rule Amendments (Action)**  
Presentations could be viewed at <https://wildlife.utah.gov/agendas-materials-minutes.html>
- 1:51:18**      **RAC discussion/Division Clarification and Motions**  
The following motion was made by Charles Fischer, seconded by Brad Richman and passed unanimously.

**MOTION: I'll make a motion to accept the rule amendment as proposed.**

**01:56:18 9) Collection, Importation and Possession Rule Amendments (Action)**

Presentations could be viewed at <https://wildlife.utah.gov/agendas-materials-minutes.html>

**01:58:23 RAC discussion/Division Clarification and Motions**

The following motion was made by Brad Richman, seconded by Eric Luke and passed Unanimously.

**MOTION: I move that we approve the recommendation on the collection, importation and possession rule amendments as presented by the Division.**

**02:00:35 10) CWMU Variance Requests (Action)**

Presentations could be viewed at <https://wildlife.utah.gov/agendas-materials-minutes.html>

**02:02:00 RAC discussion/Division Clarification and Motions**

The following motion was made by Charles Fischer, seconded by Dana Truman and passed 7-2.

**MOTION: I'll make a motion to accept the variance request.**

**02:13:00 11) Election of RAC Chair and Vice Chair (Action)**

**02:18:50 RAC discussion/Division Clarification and Motions**

The following motion was made by Brad Richman, seconded by Charles Fischer and passed unanimously.

**MOTION: I move that we accept the new chair and vice chair.**



**02:20:00 Meeting adjourned**

DRAFT

**Northeastern Region RAC Meeting**

May 25, 2023

**RAC Members**

**Attending**

Brett Prevedel-chair  
Joe Arnold  
Daniel Davis  
Dan Abeyta  
Trevor Manning (Ute Tribe)  
Eric Major

**Absent**

Jeff Taniguchi  
Dusty Carpenter  
Ritchie Anderson  
Mike Smith  
Malarik Harrison  
Brad Horrocks  
Rebekah Jones

**Ute Tribe Present**

Trevor Manning-Tribe

**Wildlife Board Members Present**

Randy Dearth

**DWR Personnel Present**

Miles Hanberg  
Torrey Christophersen  
Tonya Selby  
Dallon Christensen  
Jason Jones  
Heather Talley  
Pat Rainbolt  
Phil Tuttle  
Randall Thacker  
Rose Fedelleck-Remote  
Rachel North  
Charles Lyons

**Northeast Region RAC Meeting**  
May 25, 2013  
Vernal, Utah  
**Summary of Motions**

**Approval of Agenda**

The following motion was made by Daniel Davis, seconded by Eric Major. Quorum not present.

**MOTION: To approve the agenda as presented.**

**Approval of Minutes**

The following motion was made by Eric Major, seconded by Daniel Davis.

**MOTION: To approve the agenda as presented. Quorum not present**

**Wild Turkey Plan Revision and Recommendations-R657-54**

The following motion was made by Daniel Davis, seconded by Dan Abeyta. Quorum not present.

**MOTION: To accept as presented by the Division.**

**Upland Game Recommendations-R657-6**

The following motion was made by Eric Major seconded by Joe Arnold. Quorum not present

**MOTION: To accept as presented by the Division.**

**Waterfowl Rule and Swan Hunt Recommendations-R537-9**

The following motion was made by Daniel Davis and seconded by Dan Abeyta. Quorum not present

**MOTION: To impose a quota-based WMA swan hunt closure based on trumpeter harvest at 25% of the allowable trumpeter harvest objective and to impose an infraction to fall in line with the recommendation made by the Southeastern Region.**

The following motion was made by Daniel Davis and seconded by Joe Arnold. Quorum not present.

**MOTION: To accept as the remainder of the Waterfowl rules as presented by the Division.**

### **Live Game Birds Rule Amendments-R537-4**

The following motion was made by Eric Major and seconded by Dan Abeyta. Quorum not present.

**MOTION: To accept as presented by the Division.**

### **Collection, Importation, and Possession Rule Amendments-R537-3**

The following motion was made by Daniel Davis and seconded by Dan Abeyta  
And passed unanimously.

**MOTION: To accept as presented by the Division.**

### **CWMU Variance Requests**

The following motion was made by Daniel Davis and seconded by Joe Arnold. Quorum not present.

**MOTION: To not approve Avintaquin variance request as presented.**

The following motion was made by Joe Arnold and seconded by Dan Abeyta. Quorum not present.

**Motion: To not approve North Peaks variance request as presented.**

### **Election of RAC Chair / Vice-Chair**

The following motion was made by Daniel Davis and seconded by Joe Arnold.

**MOTION: To have Eric Major temporarily fill in the interim of RAC Chair for the August meeting.**

<b>06:36:</b>	RAC Chair Brett Prevedel called the meeting to order. RAC Members introduced themselves. Welcomed DWR employees and Board Member Randy Dearth.
<b>06:37:12</b>	<p><b><u>Approval of Agenda</u></b>                  The following motion was made by Daniel Davis, seconded by Eric Major                  A quorum wasn't present so a vote was not recorded.  <b>MOTION: To approve the agenda as presented.</b></p>
<b>6:37:35</b>	<p><b><u>Approval of Minutes</u></b>                  The following motion was made by Eric Major, seconded by Daniel Davis                  A quorum wasn't present so a vote was not recorded.  <b>MOTION: To approve the agenda as presented.</b></p>
<b>6:38:00</b>	<p><b>3) <u>Wildlife Board Meeting Update</u></b> (Informational)                  Daniel Davis updated the RAC.</p>
<b>6:44:50</b>	<p><b>4) <u>DWR Regional update</u></b> (Informational)                  Miles Hanberg updated the RAC on all regional activities.</p>
<b>6:55:04</b>	<p><b>5) <u>Wild Turkey Plan Revision and Recommendations-R657-54</u></b>                  Presented by Heather Talley-Upland Game Coordinator</p>
<b>6:58:18</b>	<p><b>RAC Questions &amp; comments</b>                  Wondering what the Air rifle Velocity is.</p>
<b>7:00:00</b>	<p><b>Public comments:</b>                  None</p>
<b>7:04:01</b>	<p><b>Online Public Comment</b>                  None</p>
<b>07:00:45</b>	<p>The following motion was made by Daniel Davis, seconded by Dan Abeyta  <b>5) MOTION: To accept as presented by the Division.</b>                  A quorum wasn't present so a vote was not recorded.</p>
<b>07:01:18</b>	<p><b>6) <u>Upland Game Recommendations-R657-6</u></b></p>

	<u>Presented by Heather Talley</u>
<b>7:01:45</b>	<p><b>RAC Questions and comments:</b></p> <p>What animals can you use an Air gun on</p> <p>Was there a 3 Year recommendation?</p> <p>Winter kill issues?</p> <p>Were Turkeys relocated to the region?</p>
<b>7:04:52</b>	<p>The following motion was made by Eric Major seconded by Joe Arnold                  A quorum wasn't present so a vote was not recorded.</p> <p><b>6) MOTION: To accept as presented by the Division.</b></p>
<b>7:05:21</b>	<p><b><u>7)Waterfowl Rule and Swan Hunt Recommendations-R537-9</u></b></p> <p>Presented by Trevor</p>
<b>7:11:00</b>	<p><b>RAC Comments &amp; Questions</b></p> <p>Can the State impose Fees and Infractions for incidental takes?</p> <p>Can the waiting period be extended?</p> <p>Has the Division considered closures on WMA's?</p> <p>Discussed possible closures.</p>
<b>7:31:01</b>	<p>What % of hunters are youth? 17%</p> <p>Can we change the quota and seasons on WMA's? How did other RACs vote?</p> <p>Discussion on Swan reporting and identifying Swans</p> <p>Is there an orientation for Swans?</p>
<b>7:25:00</b>	<p><b>Public online Comments</b></p> <p>One comment strongly disagrees-there are plenty of Swans.</p>
<b>7:46:59</b>	<p>7)The following motion was made by Daniel Davis and seconded by Eric Major                  A quorum wasn't present so a vote was not recorded</p> <p><b>MOTION: To impose a WMA Swan hunt closure based on Trumpeter harvest at 25% of the State objective and to impose an Infraction to fall in line with the recommendation made by the Southeastern Region.</b></p>
<b>8:01:00</b>	<p>7)The following motion was made by Daniel Davis and seconded by Joe Arnold                  A quorum wasn't present so a vote was not recorded</p> <p><b>MOTION: To accept the remainder of the Waterfowl rules as presented by the Division.</b></p>

7:56:30	<b>8) <u>Live Game Birds Rule Amendments-R537-4</u></b> Presented by Avery Cook
7:58:50	<b>RAC Comments</b> Field trials and falconry meets
7:59:55	<b>Online Comments</b> None
8:00:34	<b>8)</b> The following motion was made by Eric Major and seconded by Daniel Davis A quorum wasn't present so a vote was not recorded <b>MOTION: To accept as presented by the Division</b>
8:02:00	<b>9) <u>Collection, Importation, and Possession Rule Amendments-R537-3</u></b> Presented by Charles Lyons
8:04:12	<b>RAC Comments and questions</b> Is gathering dead heads included in this rule
8:39:01	<b>Online Public Comments</b> One strongly disagreed-no feed back
8:47:51	<b>Online Comments</b>
8:05:10	<b>9)</b> The following motion was made by Eric Major and seconded by Dan Abeyta A quorum wasn't present so a vote was not recorded <b>MOTION: To accept as presented by the Division</b>
8:05:30	<b>10) <u>CWMU Variance Rule</u></b> Presented by Chad Wilson
8:07:30	<b>RAC Comments and Questions</b> North Peak Road issues When was the non-continuous portion of a variance an option? Do CWMUs have to post their land? Could you explain Representation on the CWMU Advisory Board? When will CWMUs be up for renewal? Grandfathering in the public portion of CWMU? Daniel Davis-Public Trades Lands, I would like to see a distance of trade incorporated with that. RAC discussion about land variance
8:22:01	Public Online Comments

	<p>Strongly oppose/felt like sometimes better public lands were being traded for lower quality land</p> <p>Concerns about the road signing and fencing on CWMUs</p>
<b>8:35:07</b>	<p>10) The following motion was made by Daniel Davis and seconded by Joe Arnold</p> <p>A quorum wasn't present so a vote was not recorded</p> <p><b>MOTION: To not approve the Avintiquan variance request as presented.</b></p>
<b>8:42:00</b>	<p>10) The following motion was made by Joe Arnold and seconded by Dan Abeyta.</p> <p>A quorum wasn't present so a vote was not recorded</p> <p><b>MOTION: To not approve North Peaks variance request as presented.</b></p>
<b>8:37:27</b>	<p>Miles read nominations for RAC Chair</p> <p>Rebekah Jones</p> <p>Natasha Hadden</p> <p>Eric Major</p>
<b>8:47:27</b>	<p><b>11) <u>Election Of RAC Chair and Vice Chair-Interim</u></b></p> <p>The following motion was made by Daniel Davis and seconded by Joe Arnold.</p> <p><b>MOTION: To have Eric Major temporarily fill in the interim of RAC Chair for the August meeting.</b></p> <p>A quorum wasn't present so a vote was not recorded</p>
<b>8:48:12</b>	<p><b>Meeting adjourned</b></p>





SPENCER J. COX  
Governor

DIEDRE M. HENDERSON  
Lieutenant Governor

# State of Utah

## DEPARTMENT OF NATURAL RESOURCES

JOEL FERRY  
Executive Director

### Division of Wildlife Resources

J. SHIRLEY  
Division Director

## MEMORANDUM

TO: Wildlife Board and Regional Advisory Council Members

FROM: Kyle Maynard, Assistant Attorney General

DATE: May 31, 2023

**SUBJECT: Rule Amendments resulting from Legislative changes.**

There are two bills relevant to our rules HB447 and HB469, and the rules are as follows:

- **HB 447 Translocation Plans**
  - R657-69 Depredating Turkeys
- **HB 469 Wildlife Amendments**
  - Trail Cameras
    - R657-5: Big Game
    - R657-10: Taking Cougar
    - R657-33: Taking Bear
  - Cougars
    - R657-10: Taking Cougar
    - R657-11: Taking Furbearer
    - R657-42: Fees, Exchange, surrenders, refunds, and reallocation of wildlife documents
    - R657-62: Drawing Application Procedures
  - CWMUs
    - R657-37: Cooperative Wildlife Management Units Turkey and Big Game
- **HB 237 Hunting Mentor Program**
  - Mentor Program
    - R657-67



## **R657. Natural Resources, Wildlife Resources.**

### **R657-5. Taking Big Game.**

#### **R657-5-1. Purpose and Authority.**

- (1) Under authority of Sections 23-14-18 and 23-14-19, the Wildlife Board has established this rule for taking deer, elk, pronghorn, moose, bison, bighorn sheep, and Rocky Mountain goat.
- (2) Specific dates, areas, methods of take, requirements, and other administrative details which may change annually are published in the guidebook of the Wildlife Board for taking big game.

#### **R657-5-2. Definitions.**

- (1) Terms used in this rule are defined in Section 23-13-2.
- (2) In addition:
  - (a) "Antlerless deer" means a deer without antlers or with antlers five inches or shorter.
  - (b) "Antlerless elk" means an elk without antlers or with antlers five inches or shorter.
  - (c) [\[2\]](#) "Antlerless elk control permit<sup>[2]</sup>" means a permit allowing an individual to harvest an antlerless elk on an antlerless elk control unit.
  - (d) "Antlerless moose" means a moose with antlers shorter than its ears.
  - (e) "Arrow quiver" means a portable arrow case that completely encases all edges of the broadheads.
  - (f) "Buck deer" means a deer with antlers longer than five inches.
  - (g) "Buck pronghorn" means a pronghorn with horns longer than five inches.
  - (h) "Bull elk" means an elk with antlers longer than five inches.
  - (i) "Bull moose" means a moose with antlers longer than its ears.
  - (j) "Cow bison" means a female bison.
  - (k) "Doe pronghorn" means a pronghorn without horns or with horns five inches or shorter.
  - (l) "Draw-lock" means a mechanical device used to hold and support the draw weight of a conventional or compound bow at any increment of draw until released by the archer using a trigger mechanism and safety attached to the device.
  - (m) "Drone" means an autonomously controlled, aerial vehicle of any size or configuration that is capable of controlled flight without a human pilot aboard.
  - (n)
    - (i) [\[2\]](#) "Night Vision Device<sup>[2]</sup>" means any device that enhances visible or non-visible light, including but not limited to: night vision, thermal imaging, infrared imaging, or electronics that enhance the visible or non-visible light spectrum.
    - (ii) [\[2\]](#) "Night Vision Device<sup>[2]</sup>" does not include Trail Cameras as defined in Subsection (x).
  - (o) "Ewe" means a female bighorn sheep or any bighorn sheep younger than one year of age.
  - (p) "Hunter's choice" means either sex may be taken.
  - (q) "Immediate family member" means the landowner's or lessee's spouse, child, son-in-law, daughter-in-law, father, mother, father-in-law, mother-in-law, brother, sister, brother-in-law, sister-in-law, stepchild, grandchild, grandfather, and grandmother.
  - (r) "Limited entry hunt" means any hunt published in the hunt tables of the guidebook of the Wildlife Board for taking big game, which is identified as limited entry and does not include general or once-in-a-lifetime hunts.
  - (s) "Limited entry permit" means any permit obtained for a limited entry hunt by any means, including conservation permits, wildlife expo permits, sportsman permits, cooperative wildlife management unit permits and limited entry landowner permits.
  - (t) "Once-in-a-lifetime hunt" means any hunt published in the hunt tables of the guidebook of the Wildlife Board for taking big game, which is identified as once-in-a-lifetime, and does not include general or limited entry hunts.
  - (u) "Once-in-a-lifetime permit" means any permit obtained for a once-in-a-lifetime hunt by any means, including conservation permits, wildlife expo permits, sportsman permits, cooperative wildlife management unit permits and limited entry landowner permits.
  - (v) "Ram" means a male desert bighorn sheep or Rocky Mountain bighorn sheep older than one year of age.
  - (w) "Spike bull" means a bull elk which has at least one antler beam with no branching above the ears. Branched means a projection on an antler longer than one inch, measured from its base to its tip.
  - (x) [\[2\]](#) "Trail camera<sup>[2]</sup>" means a device that is not held or manually operated by a person and is ~~used to capture~~ [capable of capturing](#) images, video, or location data of wildlife using heat<sup>[3]</sup> or motion to trigger the device.

#### **R657-5-7. Prohibited Weapons.**

- (1) A person may not use any weapon or device to take big game other than those expressly permitted in this rule.
- (2) A person may not use:
  - (a) a firearm capable of being fired fully automatic;
  - (b) any light enhancement device or aiming device that casts a visible beam of light; or
  - (c) a firearm equipped with a computerized targeting system that marks a target, calculates a firing solution and automatically discharges the firearm at a point calculated most likely to hit the acquired target.
- (3) Nothing in this section shall be construed as prohibiting laser range finding devices or illuminated sight pins for archery equipment.
- (4) Use of specialized hunting technologies and equipment.
  - (a) A person may not use any night vision device to locate or attempt to locate a big game animal from 48 hours before any big game hunt in the area through 48 hours after any big game hunt ends in the area;

(b)(i) A person shall not place, maintain, or use ~~[any]~~a trail camera ~~[or non-handheld device capable of capturing image, video, location, time, or date data in the field to take, attempt to take, or aid in the take or attempted take of big game between July 31 and December 31]~~as prohibited in Utah Code 23-13-18;

(ii) Engage in the sale ~~or~~of purchase of trail camera or other non-handheld device media, including images, video, location, time or date data to take, aid in the take or attempted take of big game; or

(iii) Engage in the storage and sale or purchase of stored media, including images, video, location, time, or date data to take, aid in the take or attempted take of big game.

~~[(e) The prohibition on the use of trail cameras does not apply to:]~~

~~[(i) private landowners monitoring or protecting their property from trespass:]~~

~~[(ii) monitoring active agricultural operations:]~~

~~[(iii) to aid in the take of bear and cougar depredating livestock; and]~~

~~[(iv) municipalities participating in the Urban Deer Program.]~~

~~[(d) trail cameras and other non-handheld devices described in Subsection 5-7(4)(b)(i) on private property cannot be used to take, attempt to take, or aid in the take or attempted take of big game between July 31 and December 31.]~~

**KEY: wildlife, game laws, big game seasons**

Date of ~~[Enactment or]~~ Last ~~[Substantive Amendment]~~[Change: [March]February 14, [2022]2023

Notice of Continuation: September 8, 2020

Authorizing, and Implemented or Interpreted Law: 23-14-18; 23-14-19; 23-16-5; 23-16-~~6~~6;

## **R657. Natural Resources, Wildlife Resources.**

### **R657-10. Taking Cougar.**

#### **R657-10-1. Purpose and Authority.**

- (1) Under authority of Sections 23-14-18 and 23-14-19, the Wildlife Board has established this rule for taking and pursuing cougar.
- (2) Specific dates, areas, number of permits, limits, and other administrative details which may change annually are published in the guidebook of the Wildlife Board for taking cougar.

#### **R657-10-2. Definitions.**

- (1) Terms used in this rule are defined in Section 23-13-2.
- (2) In addition:
  - (a) "Canned hunt" means that a cougar is treed, cornered, held at bay or its ability to escape is otherwise restricted to allow a person who was not a member of the initial hunting party to arrive and take the cougar.
  - (b) ~~["Compensation[" means anything of economic value in excess of \$100 that is paid, loaned, granted, given, donated, or transferred to a dog handler for or in consideration of pursuing cougar for any purpose.~~
  - (c) "Cougar" means Puma concolor, commonly known as mountain lion, lion, puma, panther or catamount.
  - (d) ~~["Cougar pursuit permit" means a permit that authorizes a person to pursue cougar during designated seasons.]~~
  - ~~["Dog handler[" means the person in the field that is responsible for transporting, releasing, tracking, controlling, managing, training, commanding and retrieving the dogs involved in the pursuit. The owner of the dogs is presumed the dog handler when the owner is in the field during pursuit.~~
  - ~~["Evidence of sex" means the sex organs of a cougar, including a penis, scrotum or vulva.~~
  - ~~["Green pelt" means the untanned hide or skin of any cougar.~~
  - ~~["Harvest objective[" means an identified limit on the number of cougars that may be harvested during the season on a particular unit.~~
  - ~~["Harvest objective permit" means any permit that can be obtained without entering a drawing and is valid on all units during non-limited entry seasons. A person may use dogs to hunt cougars with this permit.]~~
  - ~~["(h) "Immediate family member[" means a livestock owner["s spouse, child, son-in-law, daughter-in-law, father, mother, father-in-law, mother-in-law, brother, sister, brother-in-law, sister-in-law, stepchild and grandchild.~~
  - ~~["Kitten" means a cougar that has obvious spots on its sides or its back or has obvious leg barring coloration.~~
  - ~~["Limited entry season" means any season listed in the hunt tables of the guidebook of the Wildlife Board for taking cougar, which is identified as limited entry and a person must draw a permit to hunt that season.]~~
  - ~~["Limited entry permit" means any permit obtained for a limited entry season by any means, including conservation permits and sportsman permits. Limited entry permits may only be used on the specific unit they are issued for during the limited entry season. Limited entry permits may be used on any unit open to cougar hunting once the limited entry season for which the permit is valid ends.]~~
  - ~~["(n) "Location of Harvest[" means the exact location that the cougar is killed. GPS coordinates are preferred.~~
  - ~~["(o) "Private lands[" means any lands that are not public lands, excluding Indian trust lands.~~
  - ~~["(p) "Public lands[" means any lands owned by the state, a political subdivision or independent entity of the state, or the United States, excluding Indian trust lands, that are open to the public for purposes of engaging in pursuit.~~
  - ~~["(q) "Pursue" means to chase, tree, corner or hold a cougar at bay.~~
  - ~~["(r) "Spot and stalk permit" means a cougar permit available over the counter for seasons and units designated by the Division Director as per Statute 23-16-10. A hunter who obtains this permit may not use dogs to take a cougar.]~~
  - ~~["(s) "Predator management unit" means a unit managed under direction of DWR WLAG 4 to reduce cougar densities. This type of unit does not have a limit on the number of cougars that may be harvested during the season.]~~
  - ~~["(t) "n "Trail Camera[" means a device that is not held or manually operated by a person and is used to capture images, video, or location data of wildlife using heat or motion to trigger the device.~~
  - ~~["(u) "Waiting period" means a specified period that a person who has obtained a cougar permit must wait before applying for any other limited entry cougar season.]~~
  - ~~["(v) "Written permission[" means written authorization from the owner or person in charge to enter upon private lands and must include:
    - (i) the name and signature of the owner or person in charge;
    - (ii) the address and phone number of the owner or person in charge;
    - (iii) the name of the dog handler given permission to enter the private lands;
    - (iv) a brief description of the pursuit activity authorized;
    - (v) the appropriate dates; and
    - (vi) a general description of the property.~~

#### **R657-10-3. ~~Permits~~License for Taking Cougar.**

- (1)~~(a) To harvest a cougar, a person must first obtain a valid limited entry cougar permit, harvest objective cougar permit, or spot and stalk permit, for the specified management units as provided in the guidebook of the Wildlife Board for taking cougar.]~~

~~[(b) Any]~~ Pursuant to Title 23, Chapter 19, any person who first obtains a ~~[limited entry cougar season permit, harvest objective cougar permit, or spot and stalk permit,]~~ valid hunting or combination license may hunt, pursue, or trap cougar during the ~~[season]~~ time period for which the ~~[permit]~~ license is valid.

~~[(2) A person may not apply for or obtain more than one cougar permit for the same season, except:]~~

~~[(a) as provided in Subsection R657-10-25(3);-~~

~~[(b) if the person is unsuccessful in the limited entry drawing, the person may purchase a harvest objective or spot and stalk permit; or]~~

~~[(c) a person may acquire and use a permit issued pursuant to Section 23-16-10 in addition to another lawfully acquired cougar permit.]~~

~~[(3) Any cougar permit purchased after the season opens is not valid until three days after the date of purchase.]~~

~~[(4) To obtain a cougar limited entry permit, harvest objective permit, spot and stalk permit, or pursuit permit, a person must possess a Utah hunting or combination license.]~~

#### **R657-10-4. [Permits for Pursuing Cougar.]**

~~[(1)(a) To pursue cougar without a limited entry, harvest objective permit, the dog handler must:]~~

~~[(i) obtain a valid cougar pursuit permit from a division office; or]~~

~~[(ii) possess the documentation and certifications required in Subsection R657-10-25(2) to pursue cougar for compensation.]~~

~~[(b) A cougar pursuit permit or exemption there from does not allow a person to kill a cougar.]~~

~~[(2) Residents and nonresidents may purchase cougar pursuit permits consistent with the requirements of this rule and the guidebooks of the Wildlife Board.]~~

~~[(3) To obtain a cougar pursuit permit, a person must possess a Utah hunting or combination license.]~~

#### **R657-10-5. Hunting Hours.**

(1) Except as provided in R657-11 – Taking Furbearers and Trapping. Cougar may be taken or pursued only between one-half hour before official sunrise through one-half hour after official sunset.

#### **R~~657-10-6~~657-10-5. Firearms, Archery Equipment, Crossbows, and Airguns.**

(1) A person may only use weapons identified in Sections R657-5-8 through R657-5-11.

#### **R~~657-10-7~~657-10-6. Traps and Trapping Devices.**

(1) Cougar may ~~[not]~~ be taken ~~[with a trap, snare or any other trapping device, except as authorized by the Division of Wildlife.]~~

~~[(2) Cougar accidentally caught in any]by trapping [device must be released unharmed, and must not be pursued or taken.]~~

~~[(3)(a) Authorization must be obtained from a division representative to remove the carcass of a cougar from any trapping device.]~~

~~[(b) The carcass shall remain the property of the state and must be surrendered to the division]~~ provided a person complies with all rules set forth in R657-11 – Taking Furbearers and Trapping.

#### **R~~657-10-8~~657-10-7. State Parks.**

(1) Hunting of wildlife is allowed within the boundaries of all state park areas except for those areas and hunts specifically closed by the Division of Parks and Recreation in Section R651-614-4.

(2) State laws regarding possession and discharge of dangerous weapons apply in state park areas open to hunting.

#### **R~~657-10-9~~657-10-8. Prohibited Methods.**

(1) Cougar may be taken or pursued only during open seasons and using methods prescribed in this rule, R657-11 – Taking Furbearer and Trapping, and the guidebook of the Wildlife Board for taking cougar. Otherwise, under the Wildlife Resources Code, it is unlawful for any person to pursue, possess, capture, kill, injure, drug, rope, trap, snare or in any way harm or transport cougar.

(2)(a) A person may not pursue a single cougar in repeated pursuits such that it renders the cougar physically unable to escape.

(b) After a cougar has been pursued, chased, treed, cornered or held at bay, a person may not, in any manner, restrict or hinder the animal's ability to escape if the person does not intend to harvest the cougar.

(c) A person must make reasonable efforts to call dogs off of a cougar that has been cornered or held at bay.

(3) A person may not engage in a canned hunt.

(4) A person may not take any wildlife from an airplane or any other airborne vehicle or device or any motorized terrestrial or aquatic vehicle, including snowmobiles and other recreational vehicles.

(5) Electronic locating equipment may not be used to locate cougars wearing electronic radio devices.

(6)(a) A person shall not place, maintain, or use any trail camera or non-handheld device capable of capturing image, video, location, time or date data in the field to take, attempt to take, or aid in the take or attempted take of cougar between July 31 and December 31[-];

- (b) Engage in the sale or purchase of trail camera or other non-handheld device media, including images, video, location, time, or date data to take, attempt to take, or aid in the take or attempted take of cougar; or
- (c) Engage in the storage and sale or purchase of stored media, including image, video, location, time or date data to take, attempt to take, or aid in the take or attempted take of cougar.
- (d) ~~the~~ The prohibition on the use of trail cameras does not apply to:
  - (i) private landowners monitoring or protecting their property from trespass;
  - (ii) monitoring active agricultural operations;
  - (iii) to aid in the take of bear and cougar depredating livestock; and
  - (iv) municipalities participating in the Urban Deer Program.
- (e) Trail cameras and other non-handheld devices described in Subsection (6)(a) on private property cannot be used to take, attempt to take, or aid in the take or attempted take of cougar between July 31 and December 31.

**R~~657-10-10~~657-10-9. Spotighting.**

(1) Except as provided in Section 23-13-17:

- (a) a person may not use or cast the rays of any spotlight, headlight or other artificial light to locate protected wildlife while having in possession a firearm or other weapon or device that could be used to take or injure protected wildlife; and
- (b) the use of a spotlight or other artificial light in a field, woodland or forest where protected wildlife are generally found is prima facie evidence of attempting to locate protected wildlife.

(2) The provisions of this section do not apply to<sup>2</sup>:

- ~~(a)~~ the use of the headlights of a motor vehicle or other artificial light in a usual manner where there is no attempt or intent to locate protected wildlife; or
- ~~(b) a person licensed to carry a concealed weapon in accordance with Title 53, Chapter 5, Part 7 of the Utah Code, provided the person is not utilizing the concealed weapon to hunt or take wildlife.~~

**R~~657-10-11~~657-10-10. Party Hunting.**

A person may not take a cougar for another person.

**R~~657-10-12~~657-10-11. Use of Dogs.**

(1) Dogs may be used to take or pursue cougar only during open seasons as provided in the guidebook of the Wildlife Board for taking cougar.

(2) A dog handler may pursue cougar provided he or she possesses:

- (a) a valid ~~cougar permit~~ hunting or combination license issued to the dog handler; or  
~~(b) a valid cougar pursuit permit; or~~

~~(c)~~

- (b) the documentation and certifications required in Subsection R657-10-25(2) to pursue cougar for compensation.

(3) When dogs are used in the pursuit of a cougar, the licensed hunter intending to take the cougar must be present when the dogs are released and must continuously participate in the hunt thereafter until the hunt is completed.

(4) When dogs are used to take a cougar and there is not an open pursuit season, the dog handler must have:

- (a) a valid ~~cougar permit~~ hunting or combination license issued to the dog handler~~[-for the unit being hunted;]~~  
~~(b)(i) a valid cougar pursuit permit;~~ and

~~(ii)~~ (b) be accompanied, as provided in Subsection (3), by a hunter possessing a cougar permit for the area; or

(c)(i) the documentation and certifications required in Subsection R657-10-25(2) to pursue cougar for compensation; and

(ii) be accompanied, as provided in Subsection (3), by a paying client possessing a ~~valid cougar permit for the area~~ hunting or combination license.

(5) A dog handler may pursue cougar under:

- (a) a ~~cougar pursuit permit only~~ valid hunting or combination license during the season and in the areas designated by the Wildlife Board in the guidebook open to pursuit;

~~(b) a valid cougar permit only during the season and in the area designated by the Wildlife Board in the guidebook for that permit; or~~

~~(c)~~ the pursuit for compensation provisions in this rule only during the seasons and in the areas designated by the Wildlife Board in the guidebook open to pursuit.

(6) (a) An individual may not:

- (i) release into the field more than the maximum number of dogs allowed in a single pursuit;
  - (ii) pursue a cougar with more than the maximum number of dogs allowed in a single pursuit, regardless of whether the individual owns or controls the dogs encountered in the field; or
  - (iii) harvest a cougar that was pursued using more than the allowable maximum number of dogs.
- (b) An individual may not pursue or take a cougar using more than 16 dogs in a single pursuit.

- (c) The maximum number of dogs allowed in a single pursuit is cumulative across all members of a hunting party, even if multiple members of the hunting party possess authorization to use dogs to pursue cougar.
- (7)(a) A dog handler pursuing cougar may retrieve dogs that separate from the pack, provided the dog handler:
- (i) takes reasonable steps to keep the pack together before and during pursuit;
  - (ii) separates from the [\[permit\]license](#) holder exclusively to retrieve stray dogs and does not attempt to actively pursue cougar during the retrieval process; and
  - (iii) immediately releases any cougar incidentally treed or held at bay by the stray dogs.
- (b) Dogs that separate from the pack continue to count towards the maximum number of dogs allowable in pursuit.
- (c) A dog handler retrieving stray dogs under this subsection must still possess the documentation initially required to use dogs to pursue cougar as provided in this rule.

**R~~657-10-13~~657-10-12. Tagging Requirements.**

~~[(1) The carcass of a cougar must be tagged with a temporary possession tag before the carcass is moved from or the hunter leaves the site of kill as provided in Section 23-20-30.]~~

~~[(2) A person may not hunt or pursue a cougar after any of the notches have been removed from the tag or the tag has been detached from the permit.]~~

~~[(3) The temporary possession tag:]~~

~~[(a) must remain attached to the pelt or unskinned carcass until the permanent possession tag is attached; and]~~

~~[(b) is only valid for 48 hours after the date of kill.]~~

~~[(4)]~~

(1) A person may not possess a cougar pelt or unskinned carcass without a valid permanent possession tag affixed to the pelt or unskinned carcass. This provision does not apply to a person in possession of a properly tagged carcass or pelt within 48 hours after the kill, provided the person was issued and is in possession of a valid [\[permit\]hunting or combination license](#).

**R~~657-10-14~~657-10-13. Evidence of Sex and Age.**

- (1) Evidence of sex must remain attached to the carcass or pelt of each cougar until a permanent tag has been attached by the division.
- (2) The pelt and skull must be presented to the division in an unfrozen condition to allow the division to gather management data.
- (3) It is mandatory that a tooth (PM1) be removed by the division at the time of permanent tagging to be used for aging purposes.
- (4) The division may seize any pelt not accompanied by its skull or not having sufficient evidence of biological sex designation attached.

**R~~657-10-15~~657-10-14. Permanent Tag.**

(1)(a) Each cougar must be taken by the [\[permit\]license](#) holder to a conservation officer or division office within 48 hours after the date of kill to have a permanent possession tag affixed to the pelt or unskinned carcass and for the removal of a tooth.

(b) After regular business hours, on weekends, or on holidays, a conservation officer may be reached by contacting the local police dispatch office.

(2) A person may not possess a green pelt after the 48-hour check-in period, or ship a green pelt out of Utah, or present a green pelt to a taxidermist if the green pelt does not have a permanent possession tag attached.

(3) The location of harvest and a tooth sample must be provided to the division during the check-in process.

**R~~657-10-16~~657-10-15. Transporting Cougar.**

~~[Cougar that have been legally taken may be transported by the permit holder provided the cougar is properly tagged and the permittee possesses the appropriate permit]~~

~~(1) Within 48 hours of legally harvesting a cougar, a person may be transport the cougar if they possess a valid license..~~

~~(2) A person transporting a cougar beyond 48 hours after legal harvesting a cougar, they must possess a valid license and a permanent possession tag described in R657-10-13.~~

**R~~657-10-17~~657-10-16. Exporting Cougar from Utah.**

(1) A person may export a legally taken cougar or its parts if that person has a valid [\[permit\]license](#) and the cougar is properly tagged with a permanent possession tag.

(2) A person may not ship or cause to be shipped from Utah, a cougar pelt without first obtaining a shipping permit issued by an authorized division representative.

**R~~657-10-18~~657-10-17. Donating.**

(1) A person may donate protected wildlife or their parts to another person as provided in Section 23-20-9.

(2) A green pelt of any cougar donated to another person must have a permanent possession tag affixed.

(3) The written statement of donation must be retained with the pelt.

**R~~657-10-19~~657-10-18. Purchasing or Selling.**

- (1) Legally obtained, tanned cougar hides may be purchased or sold.
- (2) A person may not purchase, sell, offer for sale, or barter a tooth, claw, paw, or skull of any cougar.

**R~~657-10-20~~657-10-19. Waste of Wildlife.**

- (1) A person may not waste or permit to be wasted or spoiled any protected wildlife or their parts.
- (2) The skinned carcass of a cougar may be left in the field and does not constitute waste of wildlife.

**R~~657-10-21~~657-10-20. Livestock Depredation and Human Health and Safety.**

- (1) If a cougar is harassing, chasing, disturbing, harming, attacking or killing livestock, or has committed such an act within the past 96 hours:
  - (a) in depredation cases, the livestock owner, an immediate family member or an employee of the owner on a regular payroll, and not hired specifically to take cougar, may kill the cougar;
  - (b) a landowner or livestock owner may notify the division of the depredation or human health and safety concerns, who shall authorize a local hunter to take the offending cougar or notify a USDA, Wildlife Services specialist; or
  - (c) the livestock owner may notify a USDA, Wildlife Services specialist of the depredation who may take the depredating cougar.
- (2) Depredating cougar may be taken at any time by a USDA, Wildlife Services specialist, supervised by the Wildlife Services program, while acting in the performance of the person's assigned duties and in accordance with procedures approved by the division.
- (3)(a) A depredating cougar may be taken by those persons authorized in Subsection (1)(a) with:
  - (i) any weapon authorized for taking cougar; or
  - (ii) with the use of traps or snares~~[-only with written authorization from the director of the division and subject to each condition and restriction set out in the written authorization.]~~~~[(b) The option in Subsection (3)(a)(ii) may only be authorized in the case of a chronic depredation situation where numerous livestock have been killed by a depredating cougar and must be verified by Wildlife Services or division personnel].~~
  - (4)(a) The division may issue depredation permits to take cougar on specified private lands and public land grazing allotments with a chronic depredation situation where numerous livestock have been killed by cougar.~~[(b) The division may:]~~
    - (i) issue one or more depredation permits to the affected livestock owner or a designee, provided the livestock owner does not receive monetary consideration from the designee for the opportunity to use the depredation permit;
    - (ii) determine the legal weapons and methods of take allowed; and
    - (iii) specify the area and season that the permit is valid.
- ~~[(5)(a) Any cougar taken under Subsection (1)(a) or (4)(a) shall remain the property of the state and must be reported to a division office or employee within 96 hours.~~
- (b) The division may issue a cougar damage permit to a person who has killed a depredating cougar under Subsection (1)(a) that authorizes the person to keep the carcass.
- (c) A person that takes a cougar under Subsection (1)(a) or (4)(a) may acquire and use a ~~[limited entry permit or harvest objective cougar permit]~~ hunting or combination license in the same year.~~[(d) Notwithstanding Subsections (5)(b) and (5)(c), a person may retain no more than one cougar annually taken with a cougar depredation permit.]~~~~[(6)(a) A hunter interested in taking depredating cougar as provided in Subsection (1)(b) may contact the division.]~~~~[(b) Hunters will be contacted by the division to take depredating cougar as needed.]~~

**R~~657-10-22~~657-10-21. Survey.**

Each permittee license holder who is contacted for a survey about their cougar hunting experience should participate in the survey regardless of success. Participation in the survey helps the division evaluate population trends, harvest success and collect other valuable information.

**R~~657-10-23~~657-10-22. Taking Cougar.**

- ~~[(1)(a) For each permit issued, a person may only take one cougar during the season and from the area specified on the permit.]~~
- ~~[(b) A limited entry permit may be obtained by following the application procedures provided in this rule and the guidebook of the Wildlife Board for taking cougar.]~~
- ~~[(c) A harvest objective permit may be purchased on a first come, first served basis as provided in guidebook of the Wildlife Board for taking cougar.]~~
- ~~[(2)]~~
- (1) A person may not:
  - (a) take or pursue a female cougar with a kitten; or
  - (b) repeatedly pursue, chase, tree, corner, or hold at bay, the same cougar during the same day after the cougar has been released.



~~[(3)2] Any cougar may be taken during the prescribed seasons, except a kitten or any cougar accompanied by one or more kittens.~~

~~[(4)3] A person may not take a cougar wearing a radio or gps collar on any unit identified in the guidebook of the Wildlife Board for taking cougar as being closed to the take of collared animals.~~

~~[(5) The division may authorize a hunter who has obtained a valid cougar permit to take cougar in a specified area of the state in the interest of protecting wildlife from depredation.]~~

~~[(6) Season dates, closed areas, harvest objective areas, predator management units, and limited entry season areas are published in the guidebook of the Wildlife Board for taking cougar.]~~

~~[(7)(a) A person who obtains a limited entry cougar permit may hunt on all open units after the end date of the limited entry season. Limited entry season dates are provided in the guidebook of the Wildlife Board for taking cougar.]~~

~~[(b) A person who obtains a limited entry cougar permit and chooses to hunt on any open unit after the transition date is subject to all harvest objective unit closure requirements provided in Section R657-10-29.]~~

#### ~~[R657-10-24. Extended and Preseason Hunts.]~~

~~[(1) An extended or preseason hunt may be authorized by the division on selected cougar management units to control depredation or nuisance problems.]~~

#### ~~[R657-10-25. Cougar Pursuit.]~~

~~[(1)(a) Except as provided in Subsection R657-10-3(1)(b) and Subsection (2), cougar may be pursued only by persons who have obtained a cougar pursuit permit.]~~

~~[(b) The cougar pursuit permit does not allow a person to:]~~

~~[(i) kill a cougar; or]~~

~~[(ii) pursue cougar for compensation.]~~

~~[(c) A person may pursue cougar for compensation only as provided in Subsection (2).]~~

~~[(d) To obtain a cougar pursuit permit, a person must possess a Utah hunting or combination license.]~~

~~[(2)(a) A person may pursue cougar on public lands for compensation, provided the dog handler:]~~

~~[(i) receives compensation from a client or customer to pursue cougar;]~~

~~[(ii) is a licensed hunting guide or outfitter under Title 58, Chapter 79, Hunting Guides and Outfitters Registration Act and authorized to pursue cougar;]~~

~~[(iii) possesses on the person the Utah hunting guide or outfitter license;]~~

~~[(iv) possesses on the person all permits and authorizations required by the applicable public lands managing authority to pursue cougar for compensation; and]~~

~~[(v) is accompanied by the client or customer at all times during pursuit.]~~

~~[(b) A person may pursue cougar on private lands for compensation, provided the dog handler:]~~

~~[(i) receives compensation from a client or customer to pursue cougar;]~~

~~[(ii) is accompanied by the client or customer at all times during pursuit; and]~~

~~[(iii) possesses on the person written permission from all private landowners on whose property pursuit takes place.]~~

~~[(e) A person who is an employee or agent of the Division of Wildlife Services may pursue cougar on public lands and private lands while acting within the scope of their employment.]~~

~~[(3) A pursuit permit is not required to pursue cougar under Subsection (2).]~~

~~[(4)(a) A person pursuing cougar for compensation under Subsections (2)(a) and (2)(b) shall comply with all other requirements and restrictions in statute, rule and the guidebooks of the Wildlife Board regulating the pursuit and take of cougar.]~~

~~[(b) Any violation of, or failure to comply with Title 23, Wildlife Resources Code of Utah, this rule, or the guidebooks of the Wildlife Board may be grounds for suspension of the privilege to pursue cougar for compensation under this subsection, as determined by a division hearing officer.]~~

~~[(5) A cougar pursuit permit authorizes the holder to pursue cougar with dogs on any unit open to pursuing cougar during the seasons and under the conditions prescribed by the Wildlife Board in guidebook.]~~

~~[(6) A person may not:]~~

~~[(a) take or pursue a female cougar with a kitten;]~~

~~[(b) repeatedly pursue, chase, tree, corner or hold at bay, the same cougar during the same day;]~~

~~[(c) If eligible, a person who has obtained a cougar pursuit permit may also obtain a limited entry season permit, harvest objective cougar permit, or spot and stalk permit.]~~

~~[(7) Cougar may be pursued on any units open to cougar hunting during the dates provided in the guidebook of the Wildlife Board for taking cougar.]~~

~~[(8) A cougar pursuit permit is valid on a calendar year basis.]~~

~~[(9) A person must possess a valid hunting or combination license to obtain a cougar pursuit permit.]~~

#### ~~[R657-10-26. Limited Entry Cougar Permit Application Information.]~~

~~[(1) Limited entry cougar permits are issued pursuant to R657-62-24.]~~

#### ~~[R657-10-27. Harvest Objective Permit General Information.]~~

~~[(1) Harvest objective permits are valid only for open harvest objective management units or predator management units and for the specified seasons published in the guidebook of the Wildlife Board for taking cougar.]~~  
~~[(2) Harvest objective permits are not valid in a specified management unit after the harvest objective has been met for that unit.]~~

**~~[R657-10-28. Harvest Objective Permit Sales.]~~**

~~[(1) Harvest objective permits are available on a first come, first served basis beginning on the date published in the guidebook of the Wildlife Board for taking cougar.]~~  
~~[(2) Any cougar permit purchased after the season opens is not valid until three days after the date of purchase unless specifically authorized by the division.]~~  
~~[————(3) A person must possess a valid hunting or combination license to obtain a Harvest objective permit.]~~

**~~[R657-10-29. Units with Harvest Objective Closures.]~~**

~~[(1) To hunt in a unit with a harvest objective, a hunter must visit the division's website to verify that the harvest objective unit is still open. The website will be updated each day by 12 noon. Updates become effective the following day 30 minutes before official sunrise.]~~  
~~[(2) Units with harvest objective are open to hunting until:]~~  
~~[(a) the harvest objective for that unit is met and the division closes the unit; or]~~  
~~[(b) the end of the hunting season as provided in the guidebook of the Wildlife Board for taking cougar.]~~  
~~[(3) Upon closure of a unit with a harvest objective, a hunter may not take or pursue cougar except as provided in Section R657-10-25.]~~

**~~[R657-10-30. Harvest Objective Unit Reporting.]~~**

~~[(1) Any person taking a cougar on a unit with a harvest objective must report to the division, within 48 hours, the location of harvest and have a permanent tag affixed pursuant to Section R657-10-15.]~~  
~~[(2) Failure to accurately report the correct unit where the cougar was killed is unlawful.]~~  
~~[(3) Any conviction for failure to accurately report, or aiding or assisting in the failure to accurately report as required in Subsection (1) shall be considered probable cause evidence of a knowing, intentional or reckless violation for purposes of permit suspension.]~~

**~~[R657-10-31]~~**

**R657-10-23. Wildlife Management Areas.**

(1) A person may not use motor vehicles on division-owned wildlife management areas closed to motor vehicle use during the winter without first obtaining written authorization from the appropriate division regional office.  
(2) The division may, in its sole discretion, authorize limited motor vehicle access to its wildlife management areas closed to such use during the winter provided:  
(a) the person seeking access ~~[possesses]~~ to retrieve a ~~[valid-]~~ cougar ~~[permit for]~~ in the area;  
(b) motor vehicle access is necessary to effectively ~~[utilize the]~~ hunt or pursue a cougar ~~[-permit]~~; and  
(c) motor vehicle access will not interfere with wintering wildlife or wildlife habitat.

**~~[R657-10-32. Poaching-Reported Reward Permits.]~~**

~~[————(1) Cougar poaching-reported reward permits are issued pursuant to Rule R657-51 Poaching-Reported Reward Permits.]~~

**KEY: wildlife, cougar, game laws**

**Date of** ~~[Enactment or]~~ **Last** ~~[Substantive Amendment]~~ Change: May 2, 2022

**Notice of Continuation:** July 2, 2021

**Authorizing, and Implemented or Interpreted Law:** 23-14-18; 23-14-19

**R657. Natural Resources, Wildlife Resources.**

**R657-10. Taking Cougar.**

**R657-10-1. Purpose and Authority.**

- (1) Under authority of Sections 23-14-18 and 23-14-19, the Wildlife Board has established this rule for taking and pursuing cougar.
- (2) Specific dates, areas, number of permits, limits, and other administrative details which may change annually are published in the guidebook of the Wildlife Board for taking cougar.

**R657-10-9. Prohibited Methods.**

- (1) Cougar may be taken or pursued only during open seasons and using methods prescribed in this rule and the guidebook of the Wildlife Board for taking cougar. Otherwise, under the Wildlife Resources Code, it is unlawful for any person to pursue, possess, capture, kill, injure, drug, rope, trap, snare or in any way harm or transport cougar.
- (2)(a) A person may not pursue a single cougar in repeated pursuits such that it renders the cougar physically unable to escape.
- (b) After a cougar has been pursued, chased, treed, cornered or held at bay, a person may not, in any manner, restrict or hinder the animal's ability to escape.
- (c) A person must make reasonable efforts to call dogs off of a cougar that has been cornered or held at bay.
- (3) A person may not engage in a canned hunt.
- (4) A person may not take any wildlife from an airplane or any other airborne vehicle or device or any motorized terrestrial or aquatic vehicle, including snowmobiles and other recreational vehicles.
- (5) Electronic locating equipment may not be used to locate cougars wearing electronic radio devices.
- (6)(a) A person shall not place, maintain, or use a trail camera as prohibited in Utah Code 23-13-18;
- (b) Engage in the sale or purchase of trail camera or other non-handheld device media, including images, video, location, time, or date data to take, attempt to take, or aid in the take or attempted take of cougar; or
- (c) Engage in the storage and sale or purchase of stored media, including image, video, location, time or date data to take, attempt to take, or aid in the take or attempted take of cougar.

**KEY: wildlife, cougar, game laws**

**Date of Last Change: May 2, 2022**

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**Authorizing, and Implemented or Interpreted Law: 23-14-18; 23-14-19**

## **R657. Natural Resources, Wildlife Resources.[]**

### **R657-11. Taking Furbearers and Trapping.**

#### **R657-11-1. Purpose and Authority.**

- (1) Under authority of Sections 23-14-18 and 23-14-19, the Wildlife Board has established this rule for taking furbearers and trapping.
- (2) Specific dates, areas, number of permits, limits, and other administrative details which may change annually are published in the guidebook of the Wildlife Board for taking furbearers.
- (3) Take of coyotes and raccoons is regulated by the Department of Agriculture and Food pursuant to Title 4, Chapter 23, Agricultural and Wildlife Damage Prevention Act. The division, through the Wildlife Board, is charged in Sections 23-14-1 and 23-14-18 to conserve protected wildlife and establish regulations considered necessary to accomplish that directive, including regulating the means by which protected wildlife may be taken. The trapping device use regulations in this rule concerning coyotes and raccoons are intended solely to minimize take of nontargeted protected wildlife, maximize potential for successful release of nontargeted protected wildlife, detect illegal trap sets targeting protected wildlife, and protect compliant trappers from criminal liability otherwise applicable to taking nontargeted protected wildlife in a trapping device.

#### **R657-11-3. License, Permit and Tag Requirements.**

- (1) A person who has a valid furbearer license may take furbearers during the established furbearer seasons published in the guidebook of the Wildlife Board for taking furbearers.
- (2) A person who has a valid furbearer license and valid bobcat permits may take a bobcat during the established bobcat season published in the guidebook of the Wildlife Board for taking furbearers.
- (3) A person who has a valid furbearer license and valid marten trapping permit may take marten during the established marten season published in the guidebook of the Wildlife Board for taking furbearers.
- (4) A person who has a valid trap registration license may use a trapping device to take furbearers, [cougars](#), coyotes, or raccoons, as authorized in the Wildlife Code, this rule and the guidebooks of the Wildlife Board.
- (5) Any license, permit, or tag that is mutilated or otherwise made illegible is invalid and may not be used for taking or possessing furbearers.

#### **R657-11-8. Trap Registration Numbers.**

- (1)(a) Except as provided in Subsection (1)(a)(ii), a person must possess a valid trap registration license before using any trapping device to take a furbearer, coyote, or raccoon.
  - (i) A trap registration license is required in addition to any other license, permit, or tag required by this rule to take a furbearer.
  - (ii) A trap registration license is not required for trapping a coyote, or raccoon when the trapping device is set within 600 feet of a building or structure occupied or utilized by humans or domestic livestock, provided the trapping device is set with the landowner's or lessee's permission.
- (b) To obtain a trap registration license, a person must:
  - (i) provide the following information when requested by the division:
    - (A) full name;
    - (B) complete home address;
    - (C) email address;
    - (D) phone number;
    - (E) date of birth; and
    - (F) any other information requested by the division; and
  - (ii) pay a \$10 license fee.
- (c) The division may deny issuing a trap registration license if the applicant;
  - (i) is subject to an administrative or judicial order suspending any hunting, trapping or fishing privilege;
  - (ii) has violated any provision in Title 23 of the Utah Code, or rules or guidebooks of the Wildlife Board; or
  - (iii) fails to pay the one-time \$10 license fee.
- (d) The division may suspend a trap registration license, as provided in Sections 23-19-9, 23-25-5, and 23-25-6.
- (e) The trap registration license must be carried on the person of the individual it is issued to while setting, checking or moving trapping devices.
- (f) A trap registration license shall include a unique trap registration number printed on its face that is permanently assigned to the licensee.
  - (2)(a) Each trapping device used to take a furbearer, [cougar](#), coyote, or raccoon-must be permanently, legibly, and indelibly marked or tagged with the trap registration number of the owner.
  - (b) A trap registration number is not required on a trapping device set within 600 feet of a building or structure occupied or utilized by humans or domestic livestock, provided the trapping device is set:
    - (i) to capture a coyote or raccoon; and
    - (ii) with the landowner's or lessee's permission.
  - (3) No more than one trap registration number may be on a single trapping device.
  - (4) Each individual is issued only one trap registration number.

- (5) Except as provided in R657-11-9, a person may not take a furbearer, coyote, or raccoon with any trapping device marked with the trap registration number of another person.
- (6) A person may not lend, transfer, sell, give, or assign a trap registration license or trap registration number to another person or entity.
- (7) Any person who has obtained a trap registration number must notify the division within 30 days of any:
  - (a) change in address: or
  - (b) theft of trapping devices.

#### **R657-11-9. Trapping Devices.**

- (1) Any foothold traps used to take a furbearer, [cougar](#), coyote, or raccoon must have spacers on the jaws which leave an opening of at least 3/16 of an inch when the jaws are closed, except:
  - (a) rubber-padded jaw traps,
  - (b) traps with jaw spreads less than 4.25 inches, and
  - (c) traps that are completely submerged under water when set.
- (2)(a) Any cable devices (i.e snares), used to take a furbearer, [cougar](#), coyote, or raccoon, except those set in water or with a loop size less than 3 inches in diameter, must be equipped with a breakaway lock device that will release when any force greater than 300 lbs. is applied to the loop.
  - (b) Breakaway cable devices must be fastened to an immovable object solidly secured to the ground.
  - (c) The use of drags is prohibited.
- (3) On the middle section of the Provo River, between Jordanelle Dam and Deer Creek Reservoir, the Green River, between Flaming Gorge Dam and the Utah Colorado state line; the Colorado River, between the Utah Colorado state line and Lake Powell; and the Escalante River, between Escalante and Lake Powell, trapping for a furbearer, coyote, or raccoon within 600 yards of either side of these rivers, including their tributaries from the confluences upstream 1/2 mile, is restricted to the following devices:
  - (a) Nonlethal-set foot hold traps with a jaw spread less than 5 1/8 inches, and nonlethal-set padded foot hold traps. Drowning sets with these traps are prohibited.
  - (b) Body-gripping, killing-type traps with body-gripping area less than 30 square inches.
  - (c) Nonlethal dry land cable devices equipped with a stop-lock device that prevents it from closing to less than a six-inch diameter.
  - (d) Size 330, body-gripping, killing-type traps modified by replacing the standard V-trigger assembly with one top side parallel trigger assembly, with the trigger placed within one inch of the side, or butted against the vertical turn in the Canadian bend.
- (4) A person may not disturb or remove any trapping device, except:
  - (a) the owner of the trapping device;
  - (b) peace officers in the performance of their duties;
  - (c) the landowner where the trapping device is set;
  - (d) the owner of a domestic pet caught in the device may disturb the device to remove the domestic pet; or
  - (e) as provided in Subsection (6).
- (5) A person may not kill or remove wildlife caught in any trapping device, except:
  - (a) the owner of the trapping device who possesses the permit, license, tag, or legal authorization required for the species that is captured;
  - (b) a peace officer in the performance of their duties;
  - (c) as provided in Subsection (6); or
  - (d) as provided in R657-11-11.
- (6)(a) A person, other than the owner, may possess, set, disturb or remove a trapping device; or temporarily possess, kill or remove wildlife caught in a trapping device provided:
  - (i) the trapping device is appropriately marked with the owner's trap registration number;
  - (ii) the person possesses a valid furbearer license and appropriate permits or tags when working with furbearer sets;
  - (iii) the person's trap registration license or furbearer license are neither denied nor suspended; and
  - (iv) the person has obtained written authorization from the owner of the trapping device with the following information printed on the authorization in permanent ink:
    - (A) date written authorization was obtained;
    - (B) name, address, and phone number of the owner;
    - (C) owner's trap registration number;
    - (D) the name of the individual being given authorization; and
    - (E) signature of owner.
- (b) Nothing in Subsection (6)(a) authorizes a person to use the owner's trap registration license, furbearer license, permit or tag.
- (7) The owner of any trapping device providing written authorization to another person under Subsection (6) may be criminally liable and civilly responsible under Section 23-19-9 for any violations of Title 23, this rule, or applicable guidebooks resulting from the use of the trapping device by the authorized person.
- (8) The owner of any trapping device providing written authorization to another person under Subsection (6) must keep a record of all persons obtaining written authorization and furnish a copy of the record upon request from a conservation officer.
- (9)(a) A person may not set any trapping device on posted private property without the landowner's or lessee's written permission.
  - (b) Wildlife officers should be informed as soon as possible of any illegally set trapping devices.

- (10) Peace officers in the performance of their duties may seize all trapping devices and wildlife used or held in violation of this rule.
- (11) Except as provided in Subsection (6), a person may not possess any trapping device that is not permanently marked or tagged with that person's trap registration number while setting, checking, or moving a trapping device targeting a furbearer, coyote, or raccoon.
- (12) All trapping devices used to take a furbearer, coyote, or raccoon must be checked and animals removed at least once every 48 hours, except;
- (a) killing traps striking dorso-ventrally;
  - (b) drowning sets; and
  - (c) lethal cable devices that are set to capture on the neck, that have a nonrelaxing lock, without a stop, and are anchored to an immovable object; which must be checked every 96 hours.
- (13)(a) A person may not remove from a trapping device and thereafter transport or possess:
- (i) live protected wildlife; or
  - (ii) a live coyote or raccoon in violation of Section 4-23-111.
- (b) Any live animal found in a trapping device must be:
- (i) euthanized and removed from the device by the trapper within the 48-hour trap check period in R657-11-9(12); or
  - (ii) released immediately by the trapper unharmed.
- (14) The trapping restrictions in Subsections (1), (2), and (3) do not apply to a trapping device set within 600 feet of a building or structure occupied or utilized by humans or domestic livestock, provided the trapping device is set:
- (a) to capture a coyote or raccoon; and
  - (b) with the landowner's or lessee's permission.

**R657-11-10. Use of Bait.**

- (1) A person may not use protected wildlife or its parts as bait or scent to take a furbearer, [cougar](#), coyote, or raccoon, except for the following:
- (a) White-bleached bones of protected wildlife with no hide or flesh attached; and
  - (b)(i) parts of legally taken furbearers; and
  - (ii) nonprotected wildlife.
- (2) Trapping devices used to take furbearer, [cougar](#), coyote, or raccoon;
- (a) may not be set within 30 feet of any exposed bait;
  - (b) may ~~not~~ be placed near carcasses of protected wildlife provided the carcass has not been moved for the purpose of trapping and the trapping device is not located within 30 feet of the carcass.
- (3) White-bleached bones with no hide or flesh attached may be set within 30 feet of a trapping device.
- (4)(a) Bait used inside an artificial cubby set must be placed at least eight inches from the opening.
- (b) Artificial cubby sets must be placed with the top of the opening even with or below the bottom of the bait so that the bait is not visible from above.
- (c) A person using bait is responsible if it becomes exposed for any reason.
- (5) The trapping restrictions in Subsections (2) and (4) do not apply to a trapping device set within 600 feet of a building or structure occupied or utilized by humans or domestic livestock, provided the trapping device is set;
- (a) to capture a coyote, or raccoon; and
  - (b) with the landowner's or lessee's permission.

**KEY: wildlife, furbearers, game laws, wildlife law**

**Date of Enactment or Last Substantive Amendment: January 24, 2019**

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**R657. Natural Resources, Wildlife Resources.**

**R657-33. Taking Bear.**

**R657-33-1. Purpose and Authority.**

- (1) Under authority of Sections 23-14-18 and 23-14-19, the Wildlife Board has established this rule for taking and pursuing bear.
- (2) Specific dates, areas, number of permits, limits and other administrative details which may change annually are published in the guidebook of the Wildlife Board for taking and pursuing bear.

**R657-33-9. Prohibited Methods.**

(1) Bear may be taken or pursued only during open seasons and using methods prescribed in this rule and the guidebook of the Wildlife Board for taking and pursuing bear. Otherwise, under the Wildlife Resources Code, it is unlawful for any person to pursue, possess, capture, kill, injure, drug, rope, trap, snare, or in any way harm or transport bear.

(2)(a) A person may not pursue a single bear in repeated pursuits such that it renders the bear physically unable to escape.

(b) After a bear has been pursued, chased, treed, cornered, legally baited or held at bay, a person may not, in any manner, restrict or hinder the animal's ability to escape.

(c) A person must make reasonable efforts to call dogs off a bear that has been cornered or held at bay.

(3) A person may not engage in a canned hunt.

(4) A person may not take any wildlife from an airplane or any other airborne vehicle or device or any motorized terrestrial or aquatic vehicle, including snowmobiles and other recreational vehicles.

(5)(a) A person shall not place, maintain, or use ~~[any]a~~ trail camera ~~[or non-handheld device capable of capturing image, video, location, time or date data in the field to take, attempt to take, or aid in the take or attempted take of bear between July 31 and December 31]~~ as prohibited in Utah Code 23-13-18;

(b) Engage in the sale or purchase of trail camera or other non-handheld device media, including images, video, location, time, or date data to take, attempt to take, or aid in the take or attempted take of bear; or

(c) Engage in the storage and sale or purchase of stored media, including images, video, location, time, or date data to take, attempt to take, or aid in the take or attempted take of bear;

~~[(d) The prohibition on the use of trail cameras does not apply to:]~~

~~[(i) private landowners monitoring or protecting their property from trespass;]~~

~~[(ii) monitoring active agricultural operations;]~~

~~[(iii) to aid in the take of bear and cougar depredating livestock; and]~~

~~[(iv) municipalities participating in the Urban Deer Program.]~~

~~[(e) Trail cameras and other non-handheld devices described in Subsection (5)(a) on private property cannot be used to take, attempt to take, or aid in the take or attempted take of bear between July 31 and December 31.]~~

**KEY: wildlife, bear, game laws**

**Date of Last Change: March 24, 2023**

**Notice of Continuation: October 31, 2022**

**Authorizing, and Implemented or Interpreted Law: 23-14-18; 23-14-19; 23-13-2**

**R657. Natural Resources, Wildlife Resources.**

**R657-37. Cooperative Wildlife Management Units for Big Game or Turkey.**

**R657-37-1. Purpose and Authority.**

(1) Under authority of Section 23-23-3, this rule provides the standards and procedures applicable to Cooperative Wildlife Management Units organized for the hunting of big game or turkey.

(2) Cooperative Wildlife Management Units are established to:

(a) increase wildlife resources;

(b) provide income to landowners;

(c) provide the general public access to private and public lands for hunting big game or turkey within a Cooperative Wildlife Management Unit;

(d) create satisfying hunting opportunities;

(e) provide adequate protection to landowners who open their lands for hunting; and

(f) provide landowners an incentive to manage lands to protect and sustain wildlife habitat and benefit wildlife.

**R657-37-9. Permit Allocation.**

(1) The division shall issue CWMU permits for hunting big game or turkey to permittees:

(a) qualifying through a drawing conducted for the general public as defined in Subsection R657-37-2(2)(c); or

(b) named by the landowner association member or landowner association operator.

(2) CWMU landowners, presidents, operators, and their spouses and dependent children cannot apply for CWMU permits specific to their CWMU that are offered in the public drawing.

(3) A landowner association member or landowner association operator shall be issued vouchers that may be used to purchase hunting permits from division offices.

(4)(a) The Wildlife Board may establish the maximum number of permits that may be issued per acre, excepted as provided in subsection 4(b).

(b) In accordance with Utah Code 23-23-7(4), a CWMU unit shall issue one buck deer permit or less per every 320 acres to be eligible to receive buck deer permits.

(c) The division and the landowner association operator must, in accordance with Subsection (4), determine:

(i) the total number of permits to be issued for the CWMU; and

(ii) the number of permits that may be offered by the landowner association to the general public as defined in Subsection R657-37-2(2)(c).

(~~b~~)d) In determining the total number of permits allocated under Subsection (4)(a), the division will consider:

(i) acreage and habitat conditions on the CWMU;

(ii) management objectives of the CWMU and surrounding wildlife management units;

(iii) classification and survey data;

(iv) depredation and nuisance conflicts; and

(v) other factors that may influence hunt quality and the division's ability to meet wildlife management objectives.

(~~e~~)e) A CWMU may only offer a management buck permit for a public hunter if that CWMU lies entirely within a wildlife management unit that also offers management buck hunts.

(5) The Wildlife Board shall increase the number of permits or hunting opportunities made available to the general public to reflect the proportion of public lands to private lands within the CWMU.

(6)(a) Big game permits may be allocated using an option from:

(i) Table 1 for moose and pronghorn; or

(ii) Table 2 for elk and deer.

(b)(i) Over the term of the certificate of registration, and at all times during the its term, at least 40% of the total permits for bull moose and buck pronghorn and at least 60% of the antlerless moose and antlerless pronghorn permits will be allocated to the public and distributed via the public drawing.

(ii) Notwithstanding Subsection (b)(i) and Tables 1 and 2, if the proportion of permits allocated to the public over consecutive certificate of registration terms substantially deviates from that identified in Subsection (b)(i), the Wildlife Board may approve a modified permit distribution scheme that fairly allocates public and private permits.

(c) At least one buck or bull permit or at least 10% of the bucks or bulls permits, whichever is greater, must be made available to the general public through the big game drawing process.

(d) Permits shall not be issued for spike bull elk.

(e) Turkey permits shall be allocated in a ratio of 50% to the CWMU and 50% to the general public, with the public receiving the extra permit when there is an odd number of total permits.

Cooperative Wildlife Management Unit's Share	Bucks/Bulls	Does/Antlerless
Option 1	60%	40%
Public's Share	Bucks/Bulls	Does/Antlerless
Option 1	40%	60%



Table 2 Elk and Deer		
Cooperative Wildlife Management Unit's share	Bucks/Bulls	Antlerless
Option 1	90%	0%
Option 2	85%	25%
Option 3	80%	40%
Option 4	75%	501%
Public's Share		
Option 1	10%	100%
Option 2	15%	75%
Option 3	20%	60%
Option4	25%	50%

(7)(a) The landowner association member or landowner association operator must meet antlerless harvest objectives established in the CWMU management plan under Subsection R657-37-4(3)(a)(ii).

(b) Failure to meet antlerless harvest objectives based on a three-year average may result in discipline under Section R657-37-14.

(8) A landowner association member or landowner association operator must provide access free of charge to any person who has received a CWMU permit through the general public big game or turkey drawings and at least one companion, except as provided in Section 23-23-11.

(9) If the division and the landowner association member disagree on the number of permits to be issued, the number of permits allocated, or the method of take, the Wildlife Board shall make the determination based on the biological needs of the big game or turkey populations, including available forage, depredation, and other mitigating factors.

(10) A CWMU permit entitles the holder to hunt the species and sex of big game or turkey specified on the permit and only in accordance with the certificate of registration and the rules and proclamations of the Wildlife Board.

(11) Vouchers for antlerless permits may be designated by a landowner association member to any eligible person as provided in Rule R657-5 and the proclamation of the Wildlife Board for taking big game, and Rule R657-42.

(12)(a) If a landowner association has a CWMU voucher that is not redeemed during the previous year, a landowner association may donate that voucher to a 501(c)(3) tax exempt organization, provided the following conditions are satisfied:

(i) the voucher donation is approved by the director before transfer;

(ii) the voucher is donated for a charitable cause, and the landowner association does not receive compensation or consideration of any kind other than tax benefit; and

(iii) the recipient of the voucher is identified before obtaining the director's approval for the donation.

(b) A CWMU voucher approved for donation under this section may be extended no more than one year.

(c) The division must be notified in writing and the donation completed before August 1<sup>st</sup> the year the CWMU voucher is to be redeemed.

(d) Vouchers may be used in reciprocal hunting agreements in accordance with Subsection R657-7-(2)(b).

(13)(a) A complete list of the current CWMUs, and number of big game or turkey permits available for public drawing shall be published in the respective proclamations of the Wildlife Board for taking big game or turkey.

(b) The division reserves the exclusive right to list approved CWMUs in the proclamations of the Wildlife Board for taking big game or turkey. The division may unilaterally decline to list a CWMU in the proclamation where the unit is under investigation for wildlife violations, a portion of the property comprising the CWMU is transferred to a new owner, or any other condition or circumstance that calls into question the CWMUs ability or willingness to allow a meaningful hunting opportunity to the public permit holders that would otherwise draw out on the public permits.

**R657-37-12. Season Lengths.**

(1) A landowner association member or landowner association operator may arrange for permittees to hunt on the CWMU during the following dates:

(a) an archery buck deer season may be established beginning with the opening of the general archery deer season through August 31 and during the sixty-one consecutive day buck deer season;

(b) an archery bull elk season may be established beginning with the opening of the general archery elk season through October 31 and during a bull elk season variance;

(c) an archery buck pronghorn season may be established beginning with the opening of the statewide limited entry archery buck pronghorn season through October 31;

(d) general season bull elk, buck pronghorn, and moose seasons may be established September 1 through October 31, unless a season variance is approved;

(e)(i) general buck deer seasons may be established for no longer than sixty-one consecutive days from September 1 through November 10;

(ii) a landowner association member or landowner association operator ~~[electing to establish]~~ that provides less than one buck deer ~~[hunting in November must]~~ permit per every 640 acres may select the following season dates:

(A) ~~[meet the CWMU management plan objectives]~~ beginning September 1 and ending on October 31; or

~~[(B) not exceed average hunter density exhibited on the surrounding deer wildlife management units;]~~

~~[(C) provide positive hunter satisfaction; and]~~

~~[(D) maintain a harvest success rate at least equal to the surrounding deer wildlife management units;]~~

~~[(E) designate the CWMU's sixty one consecutive day season in the application, or if the sixty one day consecutive season is not designated the season shall begin September 1;]~~

(B) beginning on September 11 and ending on November 10.

(iii) A landowner association or landowner operator that provides more than one buck deer permit per every 640 acres may only have season dates beginning September 1 and ending October 31.

(F)iv) A CWMU that elects for season dates extending into November under Subsection (1)(e)(ii)(2) must allow all public hunters the option to hunt in November;

(f) muzzleloader bull elk seasons may be established September 1 through October 31 annually, and during a bull elk season variance;

(g) antlerless elk seasons may be established August 1 through January 31;

(h) antlerless deer seasons may be established August 1 through December 31;

(i) doe pronghorn seasons may be established August 1 through October 31; and

(j) turkey seasons may be established the second Saturday in April through May 31.

(2)(a) The Wildlife Board may authorize bull elk hunting season variances only if the CWMU landowner association member or landowner association operator clearly demonstrates that November hunting is necessary on the CWMU.

(b) If a bull elk hunting season variance is authorized, the public hunters must be provided comparable hunting opportunity as private hunters.

(3) Notwithstanding the season length provisions in this section, any season described in Subsection (1) that begins on a Sunday will default to and commence the Saturday before.

**KEY: wildlife, cooperative wildlife management unit**

**Date of Enactment or Last Substantive Amendment: June 22, 2020**

**Notice of Continuation: March 15, 2023**

**Authorizing, and Implemented or Interpreted Law: 23-23-3**

**R657. Natural Resources, Wildlife Resources.**

**R657-42. Fees, Exchanges, Surrenders, Refunds and Reallocation of Wildlife Documents.**

**R657-42-1. Purpose and Authority.**

- (1) Under the authority of Sections 23-19-1 and 23-19-38 the division may issue wildlife documents in accordance with the rules of the Wildlife Board.
- (2) This rule provides the standards and procedures for the:
  - (a) exchange of permits;
  - (b) surrender of wildlife documents;
  - (c) refund of wildlife documents;
  - (d) reallocation of permits; and
  - (e) assessment of late fees.

**R657-42-2. Definitions.**

- (1) Terms used in this rule are defined in Section 23-13-2 and the applicable rules and guidebooks of the Wildlife Board.
- (2) In addition:
  - (a) "Alternate drawing lists" means a list of persons who have not already drawn a permit and would have been the next person in line to draw a permit.
  - (b) "CWMU" means cooperative wildlife management unit.
  - (c) "Deployed or mobilized" means that a person provides military or emergency services in the interest of national defense or national emergency pursuant to the demand, request or order of their employer.
  - (d) "General season permit" means any:
    - (i) bull elk, buck deer, or turkey permit identified in the guidebooks of the Wildlife Board as a general season permit;
    - (ii) antlerless permit for elk, deer, or pronghorn antelope; or
    - ~~[(iii) harvest objective cougar permit.]~~
  - (e) "Landowner association operator" for purposes of this rule, means:
    - (i) a landowner association or any of its members eligible to receive limited entry landowner permits as provided in Rule R657-43; or
    - (ii) CWMU - landowner association or its designated operator as provided in Rule R657-37.
  - (f) "Limited entry permit" means any permit, including a CWMU, conservation, expo, sportsman, or limited entry landowner permit, identified in the guidebooks of the Wildlife Board as limited entry or premium limited entry for the following:
    - (i) bull elk, buck deer, buck pronghorn, bear, ~~[cougar,]~~ or turkey; and
    - (ii) antlerless moose.
  - (g) "Once-in-a-lifetime permit" means any permit, including a CWMU, conservation, expo, sportsman, or limited entry landowner permit, identified in the guidebooks of the Wildlife Board as once-in-a-lifetime for the following:
    - (i) bison, bull moose, Rocky Mountain goat, desert bighorn sheep, and Rocky Mountain bighorn sheep.
    - (ii) "Wildlife document" means any license, permit, tag, or certificate of registration issued by the division.

**R657-42-3. Exchanges.**

- (1)(a) Any person who has obtained a general buck deer or a general bull elk permit may exchange that permit for any other available general permit if both permits are for the same species and sex.
- (b) A person must make general buck deer and general bull elk permit exchanges at any division office prior to the season opening date of the permit to be exchanged.
  - ~~[(2) Any person who has obtained a cougar harvest objective unit permit may exchange that permit for any other available cougar harvest objective unit permit as provided in Rule R657-10.]~~
  - ~~[(3)]~~ (2) Any person who has obtained a limited entry bear any weapon or limited entry bear archery permit may exchange that permit for a limited entry bear archery or limited entry bear any weapon permit, respectively.
- (4) The division may charge a handling fee for the exchange of a permit.

## **R657. Natural Resources, Wildlife Resources.**

### **R657-62. Drawing Application Procedures.**

#### **R657-62-1. Purpose and Authority.**

(1) Under authority of Sections 23-14-18 and 23-14-19, the Wildlife Board has established this rule for drawing applications and procedures.

(2) Specific season dates, bag and possession limits, areas open, number of permits and other administrative details that may change annually are published in the respective guidebooks of the Wildlife Board.

#### **R657-62-2. Definitions.**

(1) Terms used in this rule are defined in Section 23-13-2.

(2) In addition:

(a) "Application" means a form required by the Division which must be completed by a person and submitted to the Division to apply for a hunting permit.

(b) "Landowner" means any individual, family or corporation who owns property in Utah and whose name appears on the deed as the owner of eligible property or whose name appears as the purchaser on an executed contract for sale of eligible property.

(c) "Limited entry hunt" means any hunt listed in the hunt tables published by the Wildlife Board and is identified as a premium limited entry hunt or limited entry hunt. "Limited entry hunt" does not include [~~cougar pursuit or~~] bear pursuit.

(d) "Limited entry permit" means any permit obtained for a limited entry hunt, including conservation permits, expo permits, and sportsman permits.

(e)(i) "Valid application" means an application:

(A) for a permit to take a species for which the applicant is eligible to possess;

(B) for a permit to take a species regardless of estimated permit numbers;

(C) for a certificate of registration; and

(D) containing sufficient information, as determined by the division, to process the application, including personal information, hunt information, and sufficient payment.

(ii) Applications missing any of the items in Subsection (i) may be considered valid if the application is timely corrected through the application correction process.

(f) "Waiting period" means a specified period that a person who has obtained a permit must wait before applying for the same permit type.

(g) "Once-in-a-lifetime hunt" means any hunt listed in the hunt tables published by the Wildlife Board and is identified as once-in-a-lifetime, and does not include general or limited entry hunts.

(h) "Once-in-a-lifetime permit" means any permit obtained for a once-in-a-lifetime hunt by any means, including conservation permits, sportsman permits, cooperative wildlife management unit permits and limited entry landowner permits.

(i) "Voucher" means an authorization issued by the division that entitles the designated holder to purchase the hunting permit specified in the authorization.

#### **R657-62-3. Scope of Rule.**

(1) This rule sets forth the procedures and requirements for completing and filing applications to receive the following hunting permits and certificates of registrations:

(a) Dedicated Hunter certificate of registrations;

(b) limited-entry deer;

(c) limited-entry elk;

(d) limited-entry pronghorn;

(e) once-in-a-lifetime;

(f) public cooperative wildlife management unit;

(g) general season deer, , and youth elk;

(h) limited-entry bear;

(i) bear pursuit;

(j) antlerless big game;

(k) [~~Sandhill~~]sandhill crane;

(l) sharp-tail and greater sage grouse;

(m) swan

(n) [~~cougar~~];

[~~s~~] sportsman;

[~~p~~] turkey; and

[~~q~~] landowner buck deer.

**R657-62-8. Bonus Points.**

- (1) Bonus points are used to improve odds for drawing permits.
- (2)(a) A bonus point is awarded for:
  - (i) each valid unsuccessful application when applying for limited-entry permits; or
  - (ii) each valid application when applying for bonus points.
- (b) Bonus points are awarded by species for:
  - (i) limited-entry deer including cooperative wildlife management unit buck deer and management buck deer;
  - (ii) limited-entry elk including cooperative wildlife management unit bull elk and management bull elk;
  - (iii) limited-entry pronghorn including cooperative wildlife management unit buck pronghorn;
  - (iv) once-in-a-lifetime species including cooperative wildlife management units;
  - (v) limited entry bear;
  - (vi) restricted bear pursuit;
  - (vii) antlerless moose;
  - (viii) ewe Rocky Mountain bighorn sheep;
  - (xi) ewe desert bighorn sheep; [and](#)

~~(x) cougar; and~~

~~(xi) turkey .~~

- (3)(a) A person may not apply in the drawing for both a permit and a bonus point for the same species.
- (b) A person may not apply for a bonus point if that person is ineligible to apply for a permit for the respective species.
- (c) Group applications may be accepted when applying for bonus points.
- (d) A person may apply for bonus points only during the applicable drawing application for each species.
- (4)(a) Fifty percent of the permits for each hunt unit will be reserved for applicants with the greatest number of bonus points.
- (b) Based on the applicant's first choice, the reserved permits will be designated by a random drawing number to eligible applicants with the greatest number of bonus points for each species.
- (c) If reserved permits remain, the reserved permits will be designated by a random number to eligible applicants with the next greatest number of bonus points for each species.
- (d) The procedure in Subsection (c) will continue until reserved permits are issued or no applications for that species remain.
- (e) Any reserved permits remaining and any applicants who are not selected for

reserved permits will be returned to the applicable drawing.

- (5)(a) Each applicant receives a random drawing number for:
  - (i) each species applied for; and
  - (ii) each bonus point for that species.
- (6) Bonus points are forfeited if:
  - (a) a person obtains a permit through the drawing for that bonus point species including any permit obtained after the drawing; or
  - (b) a provision in a rule issued by the Wildlife Board specifically forfeits bonus points.
- (7) Bonus points are not forfeited if:
  - (a) a person is successful in obtaining a conservation permit, expo permit, sportsman permit, or harvest objective bear permit;
  - (b) a person obtains a landowner or a cooperative wildlife management unit permit from a landowner; or
  - (c) a person obtains a poaching-reported reward permit.
- (8) Bonus points are not transferable.
- (9) Bonus points are averaged and rounded down when two or more applicants apply together on a group application.
- (10)(a) Bonus points are tracked using social security numbers or division-issued customer identification numbers.
- (b) The division shall retain electronic copies of applications from 1996 to the current drawings for the purpose of researching bonus point records.
- (c) Any requests for researching an applicant's bonus point records must be submitted within the time frames provided in Subsection (b).
- (d) Any bonus points on the division's records shall not be researched beyond the time frames provided in Subsection (b).
- (e) The division may void or otherwise eliminate any bonus point obtained by fraud, deceit, misrepresentation, or in violation of law.

~~**R657-62-23. Cougar.**~~ **R657-62-23. Reserved.**

~~[(1) Permit Applications]~~

~~[(a) A person must possess or obtain a valid hunting or combination license to apply for or obtain a cougar limited entry permit.]~~

~~[(b) A person may not apply for or obtain more than one cougar permit for the same year.-----]~~

~~[(c) Limited entry cougar permits are valid only for the limited entry management unit and for the specified season provided in the hunt tables of the guidebook of the Wildlife Board for taking cougar.]~~

~~[(d) Applicants may select up to three management unit choices when applying for limited entry cougar permits. Management unit choices must be listed in order of preference.]~~

~~[(e) If permits remain after all choices have been evaluated separately for residents and nonresidents, a second evaluation shall be done allowing cross-over usage of remaining resident and nonresident permit quotas.]~~

~~[(f) Any limited entry cougar permit purchased after the season opens is not valid until seven days after the date of purchase.]~~

~~[(g) Applicants must meet all age requirements, proof of hunter education requirements and youth restrictions as provided in Utah Code 23-19-22.5, 23-19-11 and 23-20-20.]~~

~~[(2) Group applications are not accepted.]~~

~~[(3) Waiting periods.]~~

~~[(a)~~

**R657-62-24. Sportsman.**

(1) Permit applications.

(a) One sportsman permit is offered to residents for each of the following species:

- (i) desert bighorn (ram);
- (ii) bison (hunter's choice);
- (iii) buck deer;
- (iv) bull elk;
- (v) Rocky Mountain bighorn (ram);
- (vi) mountain goat (hunter's choice);
- (vii) bull moose;
- (viii) buck pronghorn;
- (ix) black bear; and
- ~~(x) cougar; and~~
- ~~(xi)~~ wild turkey.

(b) Bonus points shall not be awarded or utilized when applying for or obtaining sportsman permits.

(2) Group applications are not accepted.

(3) Waiting Periods

(a) Any person who applies for or obtains a Sportsman Permit is subject to all waiting periods and exceptions as applicable to the species pursuant to rule R657-41.

(b) Once-in-lifetime waiting periods

(i) If you have obtained a once-in-a-lifetime permit through the sportsman drawing you are ineligible to apply for that once-in-a-lifetime species through the big game drawing.

(ii) If you have obtained a once-in-a-lifetime permit through the big game drawing you are ineligible to apply for that once-in-a-lifetime species through the sportsman drawing.

(c) Limited Entry waiting periods

(i) Waiting periods do not apply to Sportsman deer, elk, pronghorn, or bear~~[-or cougar].~~

(ii) Waiting period will not be incurred for receipt of a Sportsman deer, elk, pronghorn, or bear~~[-or cougar].~~

**KEY: wildlife, permits**

**Date of Enactment or Last Substantive Amendment: February 14, 2023**

**Notice of Continuation: April 9, 2019**

**Authorizing, and Implemented or Interpreted Law: 23-14-18; 23-14-19**

**R657. Natural Resources, Wildlife Resources.[]**

**R657-67. Utah Hunter Mentoring Program.**

**R657-67-1. Purpose and Authority.**

Under the authority of Utah Code Annotated Sections 23-14-1, 23-14-3, 23-14-18, 23-14-19, [~~and~~ ] 23-19-1, and 23-19-50, this rule creates a hunting mentor program that will increase hunting opportunities for Utah families and provides the procedures under which a minor child may share the permit of another to take protected wildlife.

**R657-67-2. Definitions.**

- (1) Terms used in this rule are defined in Section 23-13-2 and this Subsection.
- (2) "Hunting Mentor" means a Resident or Nonresident individual possessing a valid permit issued by the Division to take protected wildlife in Utah and who is 21 years of age or older at the time of application for the Mentor Program.
- (3) "Qualifying Minor" means a Utah Resident or Nonresident who is under 18 at the time of application for the Mentor Program and who is otherwise eligible to lawfully hunt.
- (4) "Wildlife document" means a permit to hunt protected wildlife or Division-issued authorization to share such a permit.

**R657-67-4. Administrative Process for Sharing Permits.**

- (1) The Hunting Mentor shall submit a complete application for participation in the Mentor Program and receive the Division's written authorization prior to sharing a permit.
- (2) A complete application for the mentor program includes the following:
  - (a) A handling fee as established by the Utah Legislature;
  - (b) The Permit Number that is to be shared;
  - (c) A physically identifying description of the Qualifying Minors;
  - (d) Each Qualifying Minor's hunter education number;
  - (e) Written authorization from the Qualifying Minor's parent or legal guardian approving their participation in the hunting activity; and
  - (f) any wildlife document(s) that must be surrendered in order to qualify for the Hunter Mentoring Program.
- (3) If a Qualifying Minor must surrender a wildlife document in order to qualify for the Mentor Program, that surrender must be done prior to or at the time of their application to the Utah Hunter Mentoring Program as described in R657-67-6.
- (4) If a Hunting Mentor wishes to change the Qualifying Minor with whom they share their permit, they must:
  - (a) Surrender the authorization issued to the Qualifying Minor by the Division;
  - (b) Reapply with the Division to have a new Qualifying Minor participate in the mentor program in the same manner as described in this Section.
- (5) If the Hunting Mentor dies before the hunt authorized under this section, the Qualified Minor may use the permit pursuant to Utah Code 23-19-50.

**KEY: wildlife, game laws, hunter education**

**Date of Enactment or Last Substantive Amendment: February 7, 2018**

**Notice of Continuation: February 4, 2019**

**Authorizing, and Implemented or Interpreted Law: 23-14-1; 23-14-3; 23-14-18; 23-14-19; 23-19-1**

**R657. Natural Resources, Wildlife Resources.[]**

**R657-69. Turkey Depredation.**

**R657-69-1. Purpose and Authority.**

- (1) Under authority of Section 23-17-5.1, 23-17-5.2, this rule provides:
- (a) the procedures for responding to and verifying reports of material damage caused by turkey;
  - (b) the procedures, standards, requirements, and limits for addressing instances of material damage caused by turkeys; and
  - (c) a description of the various hunts that may be held to minimize future instances of material damage caused by turkeys.

**R657-69-4. Turkey Damage Mitigation and Prevention Plans.**

- (1) A damage mitigation and prevention plan may authorize the division to undertake any or all of the following actions:
- (a) provide educational materials regarding turkeys and turkey damage to the landowner or lessee, including strategies on how to alleviate damage;
  - (b) use, or allow the landowner or lessee to use, nonlethal methods to haze turkeys on private property experiencing material damage and, if necessary, provide the landowner or lessee equipment and supplies necessary to carry out hazing;
  - (c) exclude turkeys from areas in which material damage has occurred and is expected to continue to occur, using fencing, tarpaulins, or other similar materials;
  - (d) capture and relocate any turkeys causing, or reasonably likely to cause, material damage to the property to a location on the Wildlife Board approved turkey transplant list [and according to the Wildlife Board approved mitigation plan](#);
  - (e) allow expanded harvest of turkeys by:
    - (i) increasing permit numbers during limited entry or general season hunts;
    - (ii) expanding or increasing the areas for turkey hunts;
    - (iii) enrolling the property in the division's Walk-In Access Program in accordance with R657-56;
    - (iv) enrolling the property in the division's Cooperative Wildlife Management Unit Program in accordance with R657-37;
    - (v) schedule and hold a depredation hunt pursuant to R657-69-5;
    - (vi) issue control permits pursuant to R657-69-6; or
    - (vii) issue control permit vouchers pursuant to R657-69-7;
  - (f) allow landowners or lessees to capture and relocate turkeys causing, or reasonably likely to cause, material damage to the property to a location on the Wildlife Board approved turkey transplant list;
  - (g) allow landowners or lessees to use weapons or methods otherwise prohibited to take a turkey if traditional weapons are unsuitable for the location of the property; and
  - (h) other reasonable measures aimed at reducing instances of material damage to the private property in question.
- (2) Damage mitigation and prevention plans shall have:
- (a) a description of the private property covered by the plan;
  - (b) a specific effective date and effective term for the plan;
  - (c) a description of the verified instances of material damage and the dates of occurrence; and
  - (d) an assurance by the landowner or lessee that members of the public holding a control permit or a turkey depredation permit may access the private property at no charge during the hunts for which they hold a permit.
- (3) Damage mitigation and prevention plans may be amended or renewed with written consent of the division and the landowner or lessee during their effective term.
- (4)(a) The landowner or lessee may unilaterally revoke and withdraw from a damage mitigation and prevention plan by providing the division 30 days prior written notice.
- (b) A landowner or lessee's revocation of approval of a damage mitigation and prevention plan eliminates the division's obligations described in the plan.
  - (c) A landowner or lessee may not revoke approval of a damage mitigation and prevention plan after a depredation hunt has been scheduled on their private property until after the depredation hunt has taken place.
- (4) The division may unilaterally revoke and withdraw from a damage mitigation and prevention plan if:
- (a) the landowner or lessee fails to exercise reasonable care and diligence to avoid loss or minimize the damage caused by turkeys;
  - (b) the landowner or lessee fails to comply with the terms of the damage mitigation and prevention plan; or
  - (c) in the division's discretion, the damage mitigation and prevention plan is not necessary.
- (5) The expiration or revocation of a damage mitigation and prevention plan does not preclude the landowner or lessee from making future requests for action.
- (6) The division shall not be financially liable for damage to private property caused by:
- (a) turkeys;
  - (b) its efforts to remove or drive off turkeys in response to a request for action; or
  - (c) actions taken or authorized by a damage mitigation and prevention plan.
- (7) A landowner or lessee shall have a copy of the damage prevention and mitigation plan in their possession while undertaking any action authorized in the plan that otherwise violates the Wildlife Code, including, but not limited to, the hazing, capturing, and transplanting of turkeys.

**KEY: wildlife, turkey, depredation**



**Date of Enactment or Last Substantive Amendment: August 9, 2018**

**Notice of Continuation: October 22, 2019**

**Authorizing, and Implemented or Interpreted Law: 23-17-5.1; 23-17-5.2**