

UTAH WILDLIFE BOARD MEETING
December 4, 2008, 8:00 a.m. Room 1040
1594 West North Temple, Salt Lake City, Utah
Revised December 2, 2008

AGENDA

Thursday, December 4, 2008

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| 1. Approval of Agenda
- Paul Niemeyer, Chairman | ACTION |
| 2. Approval of Minutes
- Paul Niemeyer | ACTION |
| 3. Old Business/Action Log
- Rick Woodard, Vice-Chair | CONTINGENT |
| 4. DWR Update
- Jim Karpowitz, DWR Director | INFORMATION |
| 5. Deer Survey Results
- Kent Hersey, Wildlife Program Coordinator | INFORMATION |
| 6. Statewide Deer Plan
- Anis Aoude, Wildlife Program Coordinator | ACTION |
| 7. Bucks, Bulls & OIAL Proclamation and Rule R657-5
- Anis Aoude | ACTION |
| 8. CWMU Recommendations
- Boyd Blackwell, Wildlife Program Coordinator | ACTION |
| 9. Landowner Permit Recommendations
- Boyde Blackwell | ACTION |
| 10. Depredation rule R657-44 Amendment
- Boyde Blackwell | ACTION |
| 11. Bonus Point Recommendations
- Greg Sheehan, Administrative Services Section Chief | ACTION |
| 12. Dedicated Hunter Program Recommendations
- Rhianna Christopher, Wildlife Program Coordinator | ACTION |
| 13. Antler Gathering Recommendation
- Mike Fowlks, Law Enforcement Chief | ACTION |

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| 14. Pronghorn Management Plans – NERO ONLY
-Dax Mangus, Wildlife Biologist | ACTION |
| 15. Conservation Permit Audit
- Greg Sheehan | ACTION |
| 16. Conservation Permit Allocation
- Craig McLaughlin, Wildlife Section Chief | ACTION |
| 17. Millville Elk Working Group
- Justin Dolling, Game Mammals Program Coordinator | ACTION |
| 18. Voucher Variance Request
- Don Peay, Sportsmen for Fish and Wildlife | ACTION |
| 19. AIS Rule R657-60 – Addition of Infested Waters
- Larry Dalton, Wildlife Program Coordinator | ACTION |
| 20. PacifiCorp Request for Wildlife Board Order Authorizing Continued
Operations at Electric Lake | ACTION |
| 21. Other Business
- Paul Niemeyer | CONTINGENT |

UTAH WILDLIFE BOARD MEETING
Summary of Motions
December 4, 2008, 8:00 a.m. Room 1040
1594 West North Temple, Salt Lake City, Utah

1) Approval of Agenda (Action)

The following motion was made by Rick Woodard, seconded by Keele Johnson and passed unanimously

MOTION: I move that we accept the agenda as presented.

2) Approval of Minutes (Action)

The following motion was made by Rick Woodard, seconded by Del Brady and passed unanimously.

MOTION: I move that we approve the minutes of the October 2, 2008 Wildlife Board meeting with the noted corrections.

6) Statewide Deer Plan (Action)

The following motion was made by Lee Howard, seconded by Del Brady and passed unanimously.

MOTION: I move that we increase the percent of bucks greater than 5 years old on the Henry Mountains to 50-60%, Paunsaugunt to 40-50% and agree to increase permits by no more than 10% in any given year.

The following motion was made by Ernie Perkins, seconded by Rick Woodard and passed unanimously.

MOTION: I move that if the buck:doe ratio drops below 15, reduce archery, muzzleloader and any legal weapon season lengths.

The following motion was made by Rick Woodard, Tom Hatch and passed unanimously.

MOTION: I move that we accept the remainder of Deer Plan as presented and ask the committee to meet one more time to look at possible amendments to the plan.

7) Bucks, Bulls & OIAL Proclamation and Rule R657-5 (Action)

The following motion was made by Keele Johnson, seconded by Tom Hatch and passed 5 to 1 with Lee Howard opposed.

MOTION: I move that we accept the Division's proposal on the statewide archery.

The following motion was made by Ernie Perkins, seconded by Tom Hatch and passed unanimously.

MOTION: I move that we ask the DWR to form a statewide committee to tackle the issues of archery tag distribution, regional distributions, and a youth archery hunt relative to statewide archery. This would include adding UBA's proposal of unlimited youth archery tags and an additional 1,000 tags to the archery quota.

The following motion was made by Ernie Perkins, seconded by Keele Johnson and it passed with a vote of 3 to 3, with Chairman Niemeyer breaking the tie in favor. Del Brady, Lee Howard and Tom Hatch opposed.

MOTION: I move that we support the Division's recommendation of a 9 day season in Southern Region with the exception of the five units below the buck:doe ratio.

The following motion was made by Keele Johnson, seconded by Rick Woodard and passed 4 to 2 with Lee Howard and Tom Hatch opposed.

MOTION: I move that we support the Division's recommendation of a 9 day season in Southeast Region with the exception of the five units below the buck:doe ratio.

The following motion was made by Rick Woodard, seconded by Tom Hatch and passed 5 to 1 with Lee Howard opposed.

MOTION: I move that we put the Chair Bound Hunters proposal on the action log and take it to the RACs and Wildlife Board next year.

The following motion was made by Ernie Perkins, seconded by Rick Woodard and passed unanimously.

MOTION: I move that we allow any legal weapon on the management buck hunts.

The following motion was made by Ernie Perkins, Rick Woodard and passed unanimously.

MOTION: I move that we ask the Division to look at season lengths, dates and possible consolidations and bring back some options as an informational item to the Wildlife Board. This item will be placed on the action log.

The following motions was made by Tom Hatch, seconded by Rick Woodard and passed unanimously.

MOTION: I move that we direct the Division to proceed with the rule-making process for the season extension for the disabled hunters effective with the 2009 season dates and bring it back to the Board through the RAC process.

The following motion was made by Tom Hatch, seconded by Rick Woodard and passed 5 to 1 with Lee Howard opposed.

MOTION: I move that we accept the spike only statewide recommendation with 12,500 tags, excluding Diamond Mountain. In any unit under 75% objective there will be no either sex archery hunting permitted.

The following motion was made by Keele Johnson, seconded by Rick Woodard and passed 5 to 1 with Lee Howard opposed.

MOTION: I move that we accept the remainder of the Bucks, Bulls & OIAL Proclamation and Rule R657-5.

8) CWMU Recommendations (Action)

The following motion was made by Tom Hatch, seconded by Ernie Perkins and passed unanimously.

MOTION: I move that we accept the Division's recommendations on the Cooperative Wildlife Management Units.

9) Landowner Permit Recommendations (Action)

The following motion was made by Rick Woodard, seconded by Tom Hatch and passed unanimously.

MOTION: I move that we approve the Landowner Permit recommendations as presented by the Division.

10) Depredation Rule R657-44 Amendment (Action)

The following motion was made by Ernie Perkins, seconded by Del Brady and passed unanimously.

MOTION: I move that we accept the Depredation Rule R657-44 Amendment as presented by the Division.

11) Bonus Point Recommendations (Action)

The following motion was made by Keele Johnson, seconded by Ernie Perkins and passed unanimously.

MOTION: I move that hunters will lose points if you do not apply for three consecutive years, point loss will begin in 2012.

The following motion was made by Keele Johnson, seconded by Ernie Perkins and passed unanimously.

MOTION: I move that an applicant is given a preference point if unsuccessful for first choice but draw on choice 2-5 of general season deer hunts.

The following motion was made by Keele Johnson, seconded by Ernie Perkins and passed unanimously.

MOTION: I move that the percentage of youth tags offered increase from 15% to 20% in the general season deer drawing.

The following motion was made by Ernie Perkins, seconded by Tom Hatch and passed unanimously.

MOTION: I move that we would still average the bonus points of the group members. If you are in a group and want to surrender then all members of the group must surrender to get their respective bonus points back plus one. In order to be a valid surrender, the group must surrender the permits more than 30 days prior to the start of the hunt. One member of the group may not surrender as an individual. The only exception to this would be that if you surrender due to being activated in the military, death, or if you have an injury that precludes you from hunting, then you could accrue a bonus point upon surrendering a permit.

The following motion was made by Rick Woodard, seconded by Ernie Perkins and passed unanimously.

MOTION: I move that we put the issue of individual surrender of permits on the action log. An individual must surrender to get back their respective bonus points back plus one. In order to be a valid surrender, the individual

must surrender the permits more than 30 days prior to the start of the hunt. The only exception to this would be that if you surrender due to being activated in the military, death of a family member, or if you have an injury that precludes you from hunting, then you could accrue a bonus point upon surrendering a permit.

The following motion was made by Del Brady, seconded by Tom Hatch and passed unanimously.

MOTION: I move that nonresidents may apply for all OIAL and Limited-Entry species however they may only draw one permit per year.

The following motion was made by Tom Hatch, seconded by Ernie Perkins and passed unanimously

MOTION: I move that we would still average the preference points of the group members. If you are in a group and want to surrender then all members of the group must surrender to get their respective preference points back plus one. One member of the group may not surrender as an individual. The only exception to this would be that if you surrender due to being activated in the military, death, or if you have an injury that precludes you from hunting, then you could accrue a preference point upon surrendering a permit.

12) Dedicated Hunter Program Recommendations

The following motion was made by Tom Hatch, seconded by Lee Howard and passed unanimously.

MOTION: I move that we accept the Division's proposal on the Dedicated Hunter program recommendations and to also give a preference point for those currently enrolled in the system when they re-enroll provided they have successfully completed their requirements and increase the service hour numbers to 40 hours total, 16 hours the first year, 16 the second and 8 the third. There will be no preference point awarded when they re-enroll if they fail to complete any of the requirements. They can buy out up to 30 service hours.

The following motion was made by Del Brady, seconded by Tom Hatch and passed unanimously.

MOTION: I move that applicants can only accrue one dedicated hunter preference point.

13) Antler Gathering Recommendation (Action)

The following motion was made by Rick Woodard, seconded by Keele Johnson and passed 5 to 1 with Tom Hatch opposed.

MOTION: I move that we approve the Antler Gathering Recommendation as presented by the Division.

- 14) Pronghorn Management Plans – NERO ONLY (Action)

The following motion was made by Keele Johnson, seconded by Del Brady and passed unanimously.

MOTION: I move that we accept the Pronghorn Management Plans as presented by the Division.

- 15) Millville Elk Working Group (Action)

The following motion was made by Tom Hatch, seconded by Lee Howard and passed unanimously.

MOTION: I move that we approve the Millville Elk Working Group as presented.

- 16) Voucher Variance Request (Action)

The following motion was made by Keele Johnson, seconded by Del Brady and passed unanimously.

MOTION: I move that we extend the season on the two vouchers presented by Don Peay to be used by the Hunts for Heroes charity.

The following motion was made by Ernie Perkins, seconded by Rick Woodard and passed unanimously.

MOTION: I move that we asked the Division to bring back a rule that would cover CWMUs being able to donate tags to charities.

- 17) Conservation Permit Audit (Action)

The following motion was made Ernie Perkins, seconded by Rick Woodard and passed unanimously.

MOTION: I move that we accept the conservation permit audit as presented.

18) Conservation Permit Allocation (Action)

The following motion was made by Tom Hatch, seconded by Rick Woodard and passed unanimously.

MOTION: I move that we approve the proposed permits as long as the UBA makes their payment to the Division by September 1, 2009.

19) AIS Rule R657-60 Addition of Infested Waters (Action)

The following motion was made by Keele and seconded by Ernie and passed unanimously.

MOTION: I move that we accept the addition of infested waters as proposed by the Division.

20) PacifiCorp Request for Wildlife Board Order Authorizing Continued (Action)
Operations at Electric Lake

The following motion was made by Keele Johnson, seconded by Tom Hatch and passed unanimously.

MOTION: I move that we accept PacifiCorp's request to continue operations as usual, approving the order.

UTAH WILDLIFE BOARD MEETING
December 4, 2008, 8:00 a.m. Room 1040
1594 West North Temple, Salt Lake City, Utah
Revised December 2, 2008

Board Members Present

Paul Niemeyer – Chair
Rick Woodard – Vice Chair
Ernie Perkins
Lee Howard
Jim Karpowitz –Exec Sec
Keele Johnson
Tom Hatch
Del Brady

RAC Chairs Present

Amy Torres – Northeastern
Bill Fenimore – Northern
Fred Oswald – Central
Jake Albrecht – Southern
Terry Sanslow – Southeastern

Public Present

Miles Moretti
Stoney McCarrell
Gordy Bell
Bart Hansen
Dave Woodhouse
Todd Bingham
James Gilson
Jason Carter
Don Peay
Ray Carter
Chad Nowers
Jay Walk
Roy Hampton
David Bailey

Division of Wildlife Resources

Staci Coons
LuAnn Petrovich
Judi Tutorow
Cindee Jensen
John Fairchild
Kevin Christopherson
Martin Bushman
Bill Bates
Boyde Blackwell
Craig McLaughlin
Alan Clark
Anis Aoude
Rhianna Christopher
Dax Mangus
Justin Dolling
Larry Dalton
Doug Messerly
Mike Fowlks

Public Present (continued)

John Bair
Chad Doyh
Bryan Hatch
Lee Tracy
Guy Perkins
Jon Crump
Eric Hoffman

Chairman Niemeyer welcomed the audience and introduced the Wildlife Board members and RAC Chairs.

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

The following motion was made by Rick Woodard, seconded by Keele Johnson and passed unanimously.

MOTION: I move that we accept the agenda as presented.

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

On p. 15, 9th paragraph change “recommendation” to “recommend,” and on p. 17, 3rd paragraph spell out Niemeyer.

The following motion was made by Rick Woodard, seconded by Del Brady and passed unanimously.

MOTION: I move that we approve the minutes of the October 2, 2008 Wildlife Board meeting with the noted corrections.

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

Rick Woodard presented this agenda item. There are three action items are on the agenda today to be addressed. There were several items brought up in the RACs to be put on the action log and we will talk about them during the meeting.

4) DWR Update (**Information**)

Director Karpowitz presented this item. State budget cuts have recently been put into place and they are targeted at the general fund. The DWR takes 12% of their funds from this. We have taken a 5% budget cut to date and there will be another budget cut to come from the Governor today. We anticipate a 5-7% cut in that new budget. We have been careful with our budget and have some money set aside to get us through.

The Division has two sponsored bills that will go to the legislature. One is the Administration of Substances bill which gives the Wildlife Board the authority to determine how substances such as various drugs and birth control that effect wildlife are administered. That has passed committee and is on the fast track to the legislature. The bill raising the penalty for killing a Bald eagle has passed committee. It raises the restitution to \$1000. There are a couple of other big bills that will be discussed at the legislature, one being the Supreme Court ruling on stream bed access. We have been working with the fishing organizations on how to approach that.

Mr. Perkins mentioned the OHV bill that is being sponsored by Mike Noel.

Director Karpowitz mentioned the Guides and Outfitters bill that Representative Noel has handed off to Representative-elect Evan Vickers. He is a new legislator from Beaver County. We will see where that goes and it is not a Division sponsored bill, but was put forth by the guides and outfitters.

5) Deer Survey Results (**Informational**)

Kent Hersey, Wildlife Program Coordinator presented the results summary of the mule deer survey on hunter preferences. The reason for this effort was to help with the statewide deer plan that was coming up for review. We wanted to get comment from the general deer hunting public in Utah and what they wanted to see with the future of deer management and some input on their past hunting experiences. It was conducted from July 1-28, 2008. It was an internet based survey and was sent to a random sample of anyone that applied for a deer hunt in 2008 or purchased a 2007 over the counter (leftover) permit. The stratified sample was based on hunt type, weapon type, and region.

He then showed a chart illustrating sample sizes and the percent of return on various hunts. He then went over some of the questions and the results. (See Powerpoint Presentation) Some of the questions were: "why do you hunt mule deer," "where do you hunt," "are you willing to accept additional restrictions to take bigger bucks," "how satisfied with the number of bucks and the size of bucks". Crowding issues, season lengths and timing and quality of hunt was also discussed.

In summary, social aspects play a large role in hunting in Utah. Although hunters would like to see more and bigger bucks, most people are not willing to give up hunting every year. Hunter satisfaction is high under the current management system.

Chairman Niemeyer then discussed the need for a comment card when participating in "Public Comment." He sent the boundaries on time limits and whether you are speaking for yourself or a group.

6) Statewide Deer Plan (**Action**)

Anis Aoude, Wildlife Program Coordinator presented this plan. He listed the participants that made up the Mule Deer Committee (See Powerpoint Presentation). They held six meetings from June 30 to September 2. The initial meetings identified issues and concerns and the latter meetings developed goals and objectives, and specified strategies to achieve those objectives. This proposal is for a five-year plan covering the dates from December 2008 to 2013.

Mr. Aoude then went over the population goals and objectives, habitat goal and objectives, recreation goals and objectives, and unit-by-unit general season deer management. This was presented at the RACs and Wildlife Board in November 2007 as an informational item and the RACs and Wildlife Board received it favorably. This option was presented to the Mule Deer Committee.

Unit-by-unit was discussed in detail (see Powerpoint Presentation) including how it would work, biological outcomes, and negative impacts. The committee's suggestion was for unit-by-unit deer management, still allowing regional hunting. The advantages of this option were then discussed.

Mr. Aoude then went over the DWR recommendations.

Option 1 (DWR preferred, committee recommended) – Regional hunts with 9-day season length, except on 5 units below 15 bucks:100 does. – NR deer/elk combination hunt remains.

Option 2 2010 hunting season

- Unit by unit hunting
- No deer/elk combo hunt

2009 hunting season

- Regional hunts with 9-day season
- Statewide archery for the entire season

Recommendations on Limited entry, Premium limited entry and management buck hunts on premium-limited entry units only were presented. An orientation course for hunters who draw the management buck hunt permits will be held and they have to complete it before their hunt.

Other committee recommendations outside of the deer plan were presented. The proposal to flip-flop the season dates of the general season deer and elk any weapon hunts. Due to conflicts with other hunts, it can't be an exact flip-flop. Deer would be one week earlier (due to the waterfowl opening day) elk would be 10 days later.

The committee's rationale for changing the season is in early October, deer will be less susceptible, thus helping to increase buck:doe ratios. With the leaves still on the trees the deer would be harder to find and there would be decreased potential for a winter storm. In late October, elk will be more susceptible so it will help control elk populations.

In summary the DWR recommendations are to keep season structure the same as in previous years. The rationale is the DWR does not believe success rates will change on either hunt. The vast majority of hunters are neutral or satisfied with the current deer season (83%). They don't want to impact the tradition of the general deer or general elk hunts. The cattle allotment off-dates are 24% statewide on or later than October 15, and 43-45% in Southern Region on or later than October 15. This completed the presentation.

Mr. Albrecht asked if there was any discussion on separating the Henry's from the Paunsaugant as far as two different types of premium limited entries. Could we look at that?

Mr. Aoude said they did not discuss it, but it could be looked at.

Mr. Howard asked about the option of the 9 day to 5 day season. Is there a conflict with shifting it to the 5 day?

Mr. Aoude said there is a conflict there that is why the committee recommended shortening the season. They would put the 5 days on the last part of the hunt. They would start hunting in the region and everybody can hunt except for that unit. Then the

last five days of the hunt they could hunt that unit. The reason for that is about 70% of the people harvest their animal that first weekend. It would leave fewer people with valid permits to hunt those units later. They would not start the same time as the rest of the region.

Mr. Howard asked how much habitat work has been done in the Northern region. He has not heard about as much being done there as down south.

Mr. Aoude said he does not have information region specific, but it is a disproportionate amount in the other regions. Still there are a lot of projects coming up in the Northern region in the next year or so.

Mr. Howard said on the Dedicated Hunter and the lifetime license holders, what kind of numbers are we talking. On the Dedicated Hunter we are talking 10,000, but how many on the other?

Mr. Aoude said a little over 4,000.

Mr. Perkins said there was a motion in Northern RAC on prioritizing objectives. Have they looked at that?

Mr. Aoude said no, they are all fairly important. We could prioritize, but whether it would help or not is unknown.

RAC Recommendations

Southern – Mr. Albrecht said there was a lot of discussion on the 5 and 9 day hunts, and also on the Henry's and Paunsaugunt. They were never able to get a motion to differentiate which direction they wanted to go. They did pass the DWR motion 6 in favor, 2 opposed and 1 abstained.

Southeastern – Mr. Sanslow said the public wanted to stay with a 5 day hunt due to population numbers in the Southeast. There was some concern about archery season and they felt it should be cut by a week or two until populations in the state stabilize. There was concern about buck:doe ratio numbers and wanted more teeth put into that to keep population objectives in mind and to also reinstate the 25-30% - 3 years or older. They had four motions reflecting these opinions. The final motion accepted the remainder of the Statewide deer plan by a majority vote.

Central – Mr. Oswald said he served as the Watchable Wildlife representative on the deer committee and he appreciated that opportunity. At their meeting SFW wanted to increase the 5-year and older bucks on Henry's and Paunsaugunt. MOTION: To increase the percent of five year or older bucks in the harvest on the Henry Mountains to 50 to 60 percent and on the Paunsaugunt to 40-50 percent and to accept the remainder of the plan as presented. It passed unanimously.

Northeastern – Ms. Torres said they had the deer plan and proclamation presented simultaneously. The motion on the deer plan passed 6 to 3.

Northern – Mr. Fenimore said he was asked to comment by many of the public and RAC members about the length of the agenda, the meeting itself and the amount of time that was allowed for quality of discussion and questions and comments. Their meeting ran very late. They ask that the Division work on what needs to be on the agenda verse what might be pushed off to a shorter meeting. They asked for some prioritization on issues. Earlier there was a lot of discussion on keeping the deer management plans in place on the Henry Mountain and the Paunsaugunt until the plan had run its course. There was a motion to this effect and it passed 9 to 1. Another motion was to change wording of general season management, if drops below 15:100 buck:doe then season length reduced on all weapon types and this passed unanimously. Remainder passed unanimously.

Public Comment

Miles Moretti of MDF said they had a representative on the committee and they support the final recommendation as presented by the DWR. The number one objective of the plan was habitat. Conservation groups are committed to improve habitat. MDF is a national group and Mr. Moretti gets to see what other states are doing. Utah is the envy of the nation in what they are doing in habitat. He is glad mule deer are receiving the attention they are. Last year was a wake up call on how much habitat is being lost in the west. He commended the Division and Wildlife Board for their work.

Chad Nowers, President of the Beaver Wildlife Federation, representing 700 members in the Beaver county area, thanked the Division, Wildlife Board and sportsmen. They work closely with SFW. We have great habitat work going on in the state.

Mr. Nowers said their Southern RAC meeting was held on Tuesday, Election day and a lot of people could not be there. We need to be careful when we plan meetings. They are in support of the five day hunt and because of this have seen an increase in the number of more mature higher quality bucks. They want to continue the five day season. They would like the archers to give up a few days to help the bucks. The deer herds crashed 15-20 years ago and have not come back that much since and they would like to see some studies done to find out why. We are having good fawn crops, but high winter mortality. In spite of efforts, the herd isn't growing as it should.

They would like to see statewide archery go to a draw, maybe just temporarily just to see where the hunters go. The new deer management plan does not change much and it should be taken back to the drawing board. We need to up deer numbers and raise the buck:doe ratio up to 20. The bonus system does not need change. We are trying to grow the deer herd and are still taking does. We do not need to do this. We need more structures all the way down I-15 so deer can move from the summer to winter ranges. There are lots of deer hit on highways.

Mr. Howard asked if Mr. Nowers is recommending staying with the current deer plan.

Mr. Nowers said yes, the new one does not have enough change.

Dave Woodhouse was on the mule deer committee and was not satisfied with the results. There was never a vote on specific items and he was not happy with that. The committee needs to go back to work. Our deer herd is not doing well. The feedback from people in Utah County reflects that they are not happy with the deer herds. They cannot find deer in the old places for kids to hunt. They need to find out what the real problems are that prevent herds from coming back. They should form a committee and do research. The meetings were rushed and there were a lot of issues that did not get taken care of. The issues need to be put to a vote.

On the premium units, they were not given full data. They are over objective on the Henry's at 5 years and older, so there is opportunity for more tags. They are over on the Paunsaugunt also and we could target the mature bucks that are not getting harvested. This type of hunt with additional tags should probably be done on the Book Cliffs also. The hunt should be two weekends so the hunter has time to hunt and take a mature buck. Mr. Woodhouse wants the mule deer committee to get back to work. Maybe we could accept the proposed plan for one year.

Don Peay of SFW thanked the Division, Wildlife Board and Forest Service for all the work that is being done. SFW said after 2007, there are two groups of hunters, some for bigger deer and hunt less and the others want it to stay the same. They came up with a proposal to accommodate that, took it to their members and they said let's not make any changes, just leave things the same. In spite of the Division's efforts and the sportsmen's effort to feed deer and other things, it was a poor deer hunt. It is a complex situation. Mr. Peay said he would like to focus on 2-3 points in the plan. He then thanked the Division. We need to continue on habitat work, stay aggressive on the lions.

Specifically, on the Henry's and the Paunsaugunt, if you look at the data, the Henry Mountains averaged between 53-62% bucks over five years. In the deer plan it was proposed to lower the standard from 30-40% on both the Henry's and Paunsaugunt. On the Paunsaugunt it has been between 39-42%. They would like to keep 50-60% on the Henry's over five years and 40-50% on the Paunsaugunt. They recommend any weapon on the management buck hunts, but the main thing is to take those animals.

John Bair representing himself appreciates the work done on the management plan. He is concerned about the season dates on the hunts. He would like to see the flip-flop on the deer and elk seasons. It moves both hunts away from their respective ruts. There will be more leaves on the trees and the deer will be harder to see. This could save some deer. Also, the management hunt needs to be any weapon. We need to protect quality on the Henry's and Paunsaugunt with higher age objectives.

David Bailey of the Farm Bureau said they support the DWR's recommendation as presented. They strongly recommend not swapping the dates with the elk and deer hunt.

Their data support this position. They are excited to see the habitat work that is going to be done for the deer.

Board Discussion

Chairman Niemeyer summarized RAC recommendations and public comment.

Mr. Aoude said they looked at how the RACs voted and the Division does have some modified recommendations and some things to consider. As far as the Paunsaugunt and the Henry's go, they would like to have premium limited entry on both, if possible and they are willing to move to 40-50% of harvest to be 5 years or older. That would be a middle ground. As far as 15 bucks per 100 does in all seasons that is doable across the muzzleloader and archery. As far as the classification, our long-term data shows that when you have 15 bucks per 100 does, you always end up with 25-30% being three points or better. That is why it was dropped out of the last plan, but we still collect that data and see the same trends.

Mr. Hatch asked about consensus on the committee and how that worked.

Mr. Aoude said there was a charter signed by all the committee members. They all agreed on assumed consensus and they would talk things out. It was to be implied consensus. It was an advisory committee and they were not looking to vote on issues. All drafts of the plan were given back to the committee to make sure their views were represented. They were given opportunity to review what was done after every meeting.

Mr. Hatch said as he read the drafts, he was under the impression that there was consensus. Maybe not unanimous but enough that they moved along with the discussion.

Mr. Aoude said everybody agreed with the ground rules at the first meeting. We did not accept everything the committee put forward, but most of it.

Ms. Torres said in the Northeast RAC it came out to increase the age ratio. They decided to take it off the table, because if it is increased many of the hunts would be extended. They want to leave it with the 15-day hunt.

The following motion was made by Lee Howard, seconded by Del Brady and passed unanimously.

MOTION: I move that we increase the percent of bucks greater than five years old on the Henry Mountains to 50-60%, Paunsaugunt to 40-50% and agree to increase permits by no more than 10% in any given year.

Mr. Hatch asked why they would use two different percentages on basically the same types of premium units.

Chairman Niemeyer said the problem with the Paunsaugunt is you cannot control the Arizona late hunts when they cross the border. It will be hard to ever achieve that percentage on the Paunsaugunt.

The following motion was made by Ernie Perkins, seconded by Tom Hatch and failed with Mr. Johnson, Mr. Howard and Mr. Brady against and Mr. Woodard, Mr. Hatch and Mr. Perkins in favor. Chairman Niemeyer broke the tie and voted against the motion.

AMENDED MOTION: I move that we increase the percent of bucks greater than five years old on the Henry Mountains and the Paunsaugunt to 40-55%.

Mr. Aoude said it would decrease opportunity to go 50-60% on the Paunsaugunt. 40-55% would be a good compromise.

Mr. Johnson said if we get an early winter and the deer were pushed in, it could wipe out the herd.

Mr. Peay said the reason they suggested a split is they are totally different units with the Arizona issue on the Paunsaugunt. The information presented to the deer committee was wrong, so we want to get it right now. Their motion was based on the difference in the two units. The motion they made through the three RACs is what they want to go with.

Mr. Johnson said they have a similar situation with elk on the La Sal Mountains. If they get a bad winter it pushes the elk down onto the state line and it is over. The same situation applies to the Paunsaugunt on the Arizona state line.

At this point the amended motion and original motion were voted on.

Chairman Niemeyer said they would now address the buck:doe ratio.

The following motion was made by Ernie Perkins, seconded by Rick Woodard and passed unanimously.

MOTION: I move that if the buck:doe ratio drops below 15, reduce archery, muzzleloader and any legal weapon season lengths.

Chairman Niemeyer reviewed RAC and public comment. There was some talk about reconvening the mule deer committee, looking at doing more research.

Mr. Perkins said if the committee stays together they might put some more specifics and prioritizing in place and who is responsible, but the plan does cover everything that needs to be addressed. The habitat work is in the plan, the studies are in there and there are ongoing studies in the Northern region on fawn survival. These will bring good information back to the Division.

Mr. Perkins said he wants to discuss OHVs and illegal vehicle use. He does not recommend changing the plan right now. The plan is weak as to the wording in this area. The general objectives and strategies in the plan are paled with the Governor's recent statements. He would like the Division to review that entire issue in terms of all the plans that are being produced in the future. He would like to see more direct and responsible statements on illegal vehicle use.

The following motion was made by Rick Woodard, Tom Hatch and passed unanimously.

MOTION: I move that we accept the remainder of Deer Plan as presented and ask the committee to meet one more time to look at possible amendments to the plan.

Mr. Johnson said it would be good if we could coordinate our management plans with surrounding states on units that are in those locations. That might be helpful.

7) Bucks, Bulls & OIAL Proclamation and Rule R657-5 (**Action**)

Anis Aoude presented this agenda item. He showed a chart post season buck:doe ratios on general season public land units 2005-07, a graph on buck:doe ratio trends 1998-2007, fawn production trends 1998-2007, and trends in general season buck deer harvest 1993-2007. (See Powerpoint for details) He then went on to present the 2009 deer recommendations with general season dates on archery, muzzleloader and any weapon. Since option 1 was passed, he also went over the units that would have season date changes, including those with the later start and the five-day season. Other recommended date changes were reviewed to accommodate both the statewide spike if it is accepted and to make all seasons similar on limited entry. They made dates the same on all limited entry units. They recommend continuing the existing Northern region combination deer/elk hunt.

He then went over the statewide archery recommendations. To deal with public concerns about hunter crowding in the Southern region during the archery season, we are recommending that archers will have to choose a region to hunt until September 1, after which they can hunt statewide. There will be no regional cap for archery permits, with the statewide cap staying at 16,000.

Mr. Aoude then went over other deer recommendations including the addition of a new LaSal Dolores triangle archery hunt, primitive weapon management deer hunts on the Paunsaugunt and Henry Mountains units and extending the Wasatch unit extended archery boundary to include Park City.

Utah's voluntary non-lead ammunition distribution program was then presented. The implementation area is Kolob Canyon, Kolob Reservoir & Paria Plateau area and the program is because of California condors that have come to Utah. People who hunt that

area can receive a voucher for non-lead ammunition if they choose. We would pay for the ammunition. The Outreach section will present an information item for the 2009 proclamation.

The Division looks to meet with some sportsmen at the upcoming Expo to get the word out. We will publish some articles on this subject and formulate a full plan for the 2009 proclamation and implement a redeemable voucher program.

At this point he went on to the elk recommendations. They are recommending that statewide spike be expanded to include all limited entry elk units and increase spike only permit allocation from 11,000 to 17,000. Some of the regions expressed concern on the number of permits we recommended. Currently we are recommending 13,000 because of those concerns. The issue is that people feel that some of these spike units may be inundated with all the extra hunters and it may increase the harvest. Units that are 75% or below we are recommending no antlerless harvest during the archery season.

The North Slope Three Corners and Pilot Mountain Units would not be included due to Interstate agreements with Colorado and Nevada. South Slope Diamond Mountain Unit late rifle hunt will have to be discontinued because dates of that hunt conflict with the general season spike hunt dates.

Mr. Aoude then went over the reasons for recommending statewide spike, the rationale for hunting spikes, statewide spike management strategy and the current limited entry elk management. He then covered the 2009 general elk season hunt dates and permit caps looking at both scenarios with a general season change adopted and if no general season change is adopted. He then went over other elk recommendations with considerations on specific units. It was recommended to do away with the management bull elk hunts.

He then went on to the 2009 OIAL recommendations. They recommend closing the Wasatch bighorn sheep hunt, to change the Newfoundland bighorn sheep unit boundary to comply with the Air Force MOU and recommend a Nanny goat hunt on the Beaver unit. This concluded the presentation.

Questions

Mr. Albrecht asked about taking cow elk with archery, would units like the Monroe and Boulder fall out of that classification?

Mr. Aoude said he doesn't know the exact numbers, but if they are in that percentage they would fall out.

Mr. Gilson asked if we have the data from the bull management hunts.

Mr. Aoude said no.

Mr. Gilson said we have done this hunt for two years and he wonders why are we getting rid of it now. What were the criteria on these hunts and has it failed? Why wasn't the elk committee reconvened to discuss these?

Mr. Aoude said statewide spike will take the place of it. Even if statewide spike does not happen, the biologists in the regions felt that this hunt did not take the bulls that were intended. A lot of young bulls were taken and not necessarily the older bulls. We basically already have spike hunting and that is why we did not reconvene the committee.

Mr. Gilson asked if we have the deer classification data.

Mr. Aoude said it will be done by the end of December.

Bart Hansen asked if there is any biological reason to do away with statewide archery for the first 17 days. Is there a defined number of what is considered overcrowding or is a perception of an individual?

Mr. Aoude said no we do not have a number, it is a social issue with crowding.

Mr. Hansen asked if they have received a lot of input that there is over crowding.

Mr. Aoude said not specifically from the archery community, but the community at large.

Mr. Hansen said then it is not necessarily archers that feel there is overcrowding.

Mr. Aoude said no, not solely.

Mr. Hansen said with the proposed statewide spike hunting, how will the Division address the additional archers that you will be putting in these regions with no limit on the statewide archery spike tag?

Mr. Aoude said what we are dealing with is a statewide deer hunt and the deer hunting perception. We do not know what the statewide elk will do and once we gain data we can evaluate it as it happens.

Mr. Hansen asked if there is any way that during public comment their proposals could be given first, so people can comment on them.

Chairman Niemeyer said they take comments as they come in.

LeGrande Tracy asked if there was any reason for splitting the archery season the way it was split.

Mr. Aoude said Sept 1 made a good breaking point and we wanted to incorporate at least two weekends into it.

Mr. Tracy said the Division said the concern was from the public. Where did this information come from?

Mr. Aoude said from the public comment through the RAC and Board process.

Dave Woodhouse asked how many total elk are in the nine units that we are adjusting to spike units.

Mr. Aoude said about 23,000 elk and we are adding 7,000 permits.

Chad Doyle asked what the perceived loss of long term limited entry permits will be to those units with the higher age objectives by adding spike tags to that hunt.

Mr. Aoude the analysis we have done would show no decrease from current numbers. Currently we could harvest more than we are harvesting. There will be an overall reduction, but it will not be lower than it is currently, because by increasing the number of cows you are actually producing more bulls as well.

Mr. Doyle asked if there was any thought put into the effect that it would have on limited entry archery hunters who currently apply for those specific hunts to be away from the spike hunters.

Mr. Aoude said no, not specifically.

Mr. Doyle asked if there is a reason that we are putting all these spike hunters into those units when we could just simply add more permits for limited entry tags.

Mr. Aoude said yes if you add permits you will be removing the higher end bulls which would reduce the age in the harvest. You couldn't actually increase the number of permits without reducing the age objective while you can remove spikes while keeping the age objective on the top end bulls.

Todd Black asked have we done the management hunts and late season hunts long enough to see a change in data. Is a spike considered a young bull?

Mr. Aoude said it has not been done long enough to see a trend, nor do I think we have enough permits in those management bull hunts to really decrease the number of bulls. Having said that, the reason you would want to shoot a spike rather than a young branch antlered bull is not all yearlings are spikes. If they are any bull you can shoot them at any age and they are not safe any time in their life span. If you do a spike hunt they are only vulnerable when they are one year old, not at every age class.

Ray Carter asked if rather than spike hunt, why not give the permits to primitive weapon types, if they are willing to take a lesser animal? It is coming out in the elk plan to manage to more opportunity as well as to trophy animals.

Mr. Aoude said primitive weapons do not harvest younger bulls necessarily. On average they are still within the age objectives that we manage for. If we issue more primitive weapon tags, it may bring the harvest age down, which would mean that we would issue, overall, fewer permits to everybody.

Mr. Howard asked about the boundary change on the Newfoundlands. Are we going to go much further north than where the fence is on that unit?

Mr. Dolling said the reason they modified that boundary is they have an agreement with the Air Force which is an imaginary boundary over the crest where it is. He is not familiar with the fence. You cannot go south of Keller Spring.

Mr. Hatch asked if on the fawn production, are data collected during classification process.

Mr. Aoude said yes.

Mr. Johnson said the public does not understand spike only. Spike only helps stabilize the herd.

Mr. Aoude said once some of the bulls are removed you can increase the female population and then get more calves.

Chairman Niemeyer said each elk unit has to have a plan. We can have a certain number on each unit. When populations are high, we have to get into cow hunting. When that happens it reduces future calves. That's why they are increasing spike permits.

Mr. Johnson said we have a problem with people not shooting bulls that are not going to be trophies.

RAC Recommendations

Northern – Mr. Fenimore said they had five motions. (See Northern RAC minutes)
There was concern about people not meeting the criteria for disabled status and that the limited mobility criteria be looked at by the state. They think there might be some abuses of this taking place. They feel the Elk committee needs to be reconvened to strategize on management elk hunt. UBA and Bowman of Utah made specific recommendations to leave the archery hunt as is. They wanted to continue the management bull hunt. Also they made a recommendation to look into the children of divorced minors with out of state custody.

Northeastern – Ms. Torres said they had seven motions. (See Northeast RAC minutes)
The first motion was relative to the chair bound hunters proposal and the RAC wants the proposal worked on a little more and to be looked at again at a future meeting. She thanked Justin Fuller and Brian Hatch for their proposal. The second motion was to accept the deer portion of the proclamation with the addition to the motion to extend the

general handicapped hunt to include a weekend. The next motion was to accept the rest of the proclamation. A motion to form a working group to address perception of overcrowding in the Southern Region was made and a motion to look into a predator control fee. The last motion was to accept the remainder of the proclamation with the exception to keep 10 spike units as are and the 11-day season intact. This passed 5 to 3 with one abstention.

Central – Mr. Oswald said they had lots of good discussion and they had seven motions passed. (See Central RAC minutes) They separated deer and elk in their motions. They had a motion accepted on the mobility impaired proposal, but did not accept their numbers and where they wanted to hunt. The next motion was to maintain the statewide archery hunt as is with a recommendation that there needs to be more study on the proposed split. The UBA proposed an urban deer hunt and the RAC request the Division to put it on action log to be looked at again at a later date. Another motion was to allow any legal weapon used on the proposed management deer hunts. Last there was a motion to accept the balance of the deer recommendations.

With regard to the elk recommendations, there was good discussion and they approved the statewide spike hunt by a vote of 4 to 3 and finally a motion to accept the balance of recommendations and it passed unanimously.

Southeastern – Mr. Sanslow said they had lots of discussion and comments from the public. They had seven motions. (See Southeast RAC minutes) There was some concern on overcrowding if they went to a 9-day hunt on the La Sals. They want to stay at 5 day and this motion passed 6 to 4. The motion was made to reduce the hunts on the units that went below objective by the same percentage and it passed 9 to 2. There was a motion to give wheel chair bound hunters an additional 7 days at the first of the season. There was a motion to reject statewide spike elk hunt and management bull hunts should remain unchanged. This passed by a majority vote. Motion to keep statewide archery same as last year passed 9 to 2. There was a motion to accept the remainder of the recommendations as presented and it passed unanimously. Also a proposal for a fee increase for predator control.

Southern – Mr. Albrecht said lots of discussion on archery and Monroe Mountain spike elk hunt. They made a motion that Wildlife Board can look at putting some issues on the action log, a committee be formed for archery, adding additional tags for archery, deer youth hunt of approximately 2,000 for archery, a committee be formed to look at urban deer population and also the impaired mobility hunter issues. There was a motion to accept the Division's proposal and it passed 6 to 3.

Public Comment

John Crump representing himself said there is great opposition to statewide spike. He would like to go with statewide management bull hunts instead. This would still address the age objective on those units that are way high and gives a management tool, rather than uncontrolled spike hunting. It also addresses hunter opportunity and they could hunt

more than just spike, not necessarily a trophy bull. There were about 1,000 applicants for management bull this past year. If we take this management hunt and spread it across all the hunts, we now have 1,000s of applicants, increasing the odds for everybody and spreads people out across many more options. We have plenty of opportunity to hunt spikes, but we need more mature bulls.

Guy Perkins representing himself is from Smithfield. He is opposed to doing anything with the archery season and wants to leave it as is. He supports a group getting together to discuss options. The future of hunting in Utah is with primitive weapons. We have a 98,000 cap on the deer and we have to figure out how to spread that out. This can be done by putting some emphasis on primitive weapon permits. The other recommendation he has is maybe the 98,000 cap should be taken off the primitive weapon side.

Lee Tracy from Enoch, Utah addressed the Board. (See Attachment #1) His concern about the archery season is that it is implied that the Southern hunters are the ones complaining about overcrowding. He guarantees it is not the southern archery hunters. Most of them like to go up on the nearby mountains after work. If he does not get a southern archery tag, the nearest region is 150 miles away. His proposal is regarding the split archery deer season into regional/statewide areas. The split is not even. He does not have enough time to go over the handout, but he asked that the Board consider it.

Brian Hatch is representing the Chair Bound Hunters of Utah and is here today recommending two proposals. (see the Board packet) They are requesting a special limited entry hunt draw system be set up for chair bound hunters on elk, deer and pronghorn. The chair bound hunter that meets the requirements would apply for and obtain a mobility impaired card or number to enable them to put in for the draw. They need a separate system to increase the drawing odds because it is statistically shown, that they live 20 years less than the able bodied hunters. The units in the proposal are the most accessible units. Currently 130 people are taking advantage of the disability programs at this point. Chair bound hunters get to hunt on the units without any other hunts to increase their opportunity before the hunts. This extension currently starts on a Monday before the season and runs for five days. They would like to see a change for it to start on the second Saturday of November and run for five days. The reason for that is they need a weekend included in this extension so friends and family can have the weekend to go with them. The second weekend in November is the only weekend that does not have any general season hunts.

Gordy Bell representing Bowman of Utah is proposing leaving the archery hunt the same as last year, forming a committee and looking at it again next year. This is an emotionally charged issue that needs more consideration.

Stony McCarol represents the Diamond Mountain landowners. They have about 91,000 acres of fee ground as well as 146 landowners. They began this partnership with the DWR to try to enhance both the relations between the DWR and the landowners as well as the landowners and the hunting public. It is working very well and we have seen a complete change in the state and local management. They have participated in habitat

enhancement and putting back some of what they get in licenses. They have contributed over \$65,000 into predator control. The system is working well and they are capped at 1,000 elk on the unit. They cannot handle a lot of spike hunters. The public would suffer if this happened. They are right on where they should be on the age objectives for elk on the unit. They do not want the season date changes. They do not want to lose the second season and the public would suffer if this happens, specifically youth hunters.

Mr. Gilson said the first year data on management elk tags have gone out the window. The elk committee worked hard to establish this and it was to do two things to be accomplished on management elk hunts, one to bring down age objectives and the other to increase opportunity that was not necessarily detrimental to the quality of these units. We do not need to go spike statewide because we can handle it with management hunts. This was a big issue for the elk committee and he hates to see it go without giving it a chance. We capped spike tags at 11,000 to ensure future opportunity for limited entry bulls. Spike only statewide, reducing the bulls out of the units is a real concern. He wants to stay with the five-day hunt to increase deer herd objectives. We need to get a study group to see why the deer populations are not coming up.

Chad Doyle representing himself wants a committee to be formed to discuss statewide archery. They can solve the problems that way and come to some definitive answers. Part of the reason to split it up was to find out where everyone was hunting. We can get that information via mandatory internet surveys. He is against spike statewide and prefers management bull hunts. He supports the proposal for disabled hunters.

Bart Hansen of the UBA wants to make two proposals in addition to the one the Gordy Bell read which was co-sponsored with Bowmen of Utah. The archery deer hunt is good for youth hunters. We need to find effective ways to add value to the DWR and Wildlife Board initiatives to increase deer populations, help habitat and other conservation needs. (See Attachment #2)

Proposal 1

The UBA would like to propose to initiate a statewide-unlimited archery deer youth hunt.
2nd proposal

UBA propose that an additional 1,000 archery deer tags be allocated to the archery deer hunt cap.

John Bair voiced support for the chair bound hunters proposal. He wants to leave statewide archery alone for this year and get a committee together to figure it out. On statewide spike, we need to be careful. The way it was proposed originally at 17,000 was a big mistake. If we lower it to 11,000 and then let them hunt statewide, it may help all the units and take some pressure off.

Chad Nowers representing the Beaver Wildlife Federation said we need to focus more toward the deer herd. If we had the 500,000 deer we once had, all the problems we have would go away. We should form a committee to find out what is wrong with mule deer herds in the west. An archery committee needs to be formed to take care of crowding and other problems. The rifle hunters have given up days to try to help the herd and the

archers need to do that too. Also on the nanny hunt on the Beaver Unit we need to be very cautious and don't overkill.

On statewide spike he has mixed feelings on this. They have always had spike bull on the Beaver Unit and it has been a good way to manage elk. It could work well on these other units, but should be approached cautiously. We should take a few spikes to give more opportunity, but still hang in there with management bull hunts.

Dave Woodhouse of SFW said that on the spike only hunting they prefer the elk management hunt as a useful tool for opportunity. They need to give it a chance as a useful tool to move people through the draw system. They will accept statewide spike if we keep rifle tags at 11,000. They also want to keep archery tags at the same cap as last year. This will help address the overcrowding issue. They want to stay with the five-day hunt in Southern and Southeastern regions.

On the management buck deer hunts, they need to be in the rut and include two weekends. The goal is to harvest older age class bucks that are not targeted by the premium limited entry tag holders on these units, and also to give more opportunity to limited entry type hunting. It should be like a limited entry hunt and require points.

Dave Bailey of the Utah Farm Bureau said that none of the RACs supported swapping the elk and deer dates. They support the new San Juan unit. The tag fee that was proposed in the southeast and northeast for predator control was an idea, but it would need legislation. They were trying to come up with ideas for revenue to support the predator control. The idea came about because cattlemen pay a fee at slaughter for predator control.

Roy Hampton representing himself said they need to make the change on statewide archery for the right reason. Is it a hunting problem or a camping problem? People love the outdoors and the archers are getting beat up because of it. There are 7,000 archery hunters in Southern region and 15,000 rifle hunters. We should keep statewide archery. It is a management tool and we need to use it as such. If there are too many people, you find somewhere else to go hunting. On the proposal on the youth tags there was approximately 1,500 youth that did not draw. If you drop their age to 12 years, they should be able to get a tag. We do need a committee put together to study the problem with the deer herds. A mandatory report is a must and 20% kill with a bow is not accurate. Idaho has a mandatory report and they kill 13% with archery. They should add 1,000 to the archery cap.

Jay Walk, president of the UBA contacted many hunters and there was some concern about overcrowding, but not archery. There were many more rifle hunters out there scouting on the Vernon Unit than archery hunters one weekend when he was out there. On opening day out at Vernon you could not find a place to camp. The archers do not believe that overcrowding is a problem created by them.

Bart Hansen representing himself said that overcrowding is not real. This issue should go to a committee and get input from organizations rather than limit the first 17 days of the hunt. Also statewide spike needs to go back to the elk committee for discussion. We need to give more time for the management bull tags. The data are not good after just one year. It should be three years minimum.

Ray Carter representing himself said the archers help the revenue in the areas where they hunt. They should not take tags away from the archers. There are a lot of families that like to hunt in the southern areas. They get archery tags when they cannot get rifle tags in that area. They should stay with statewide archery. He also supports the chair bound hunters proposal. He would also like to see the management bull tags given a chance to work.

Chairman Niemeyer read from two letters for public comment.

Dennis Hanson has submitted a letter to allow telescopic sights on muzzleloaders. Primitive weapon is just another opportunity to hunt and sights will help reduce wounding. (See Attachment #3)

The other letter is from the City of Blanding stating that they are in favor of the nine day deer hunt in the Southeastern region to help economy down there. (See Attachment #4)

Chairman Niemeyer asked for the success rates on statewide archery.

Mr. Aoude said on statewide archery it is between 18-20%, rifle is 38-40% and muzzleloader is 28-30%. As far as the percent of deer killed it is about 71% are killed with rifle verses 12% with archery and 18% with muzzleloader.

Chairman Niemeyer summarized RAC comment and public comment.

Board Discussion

The following motion was made by Lee Howard, seconded by Del Brady and failed 4 to 2 with Mr. Brady and Mr. Howard in favor.

MOTION: I move that we keep statewide archery as is.

Mr. Hatch wanted clarification on the proposal. As he understands it, this would make it so archers would have to pick a region for the first 17 days and then it would go statewide for the remainder of the hunt.

Mr. Aoude said yes.

Mr. Johnson said as we look at this biologically, there is no reason not to go with the Division's proposal. This would help deal with overcrowding. Another option would be

to cut the archery season in half. The proposal is an excellent compromise and he supports the Division's recommendation.

Mr. Hatch said the Division's recommendation is an effort to collect some data. This would help figure out if the over crowding is just perception.

Mr. Johnson asked which region sells out first.

Mr. Aoude said Southern has the most applicants.

Mr. Perkins said he is concerned about forming a committee to look at this. It was brought up in the Mule Deer Committee, but was probably not a good forum to fully address this. He would appreciate the Division taking on this social issue. The Division does know where people are hunting and the data collected in this proposal probably will not be different. He will go whichever direction necessary on the proposal but we need to move forward on this.

Mr. Howard said over crowding has never been proved and it is just a perception. It is an issue we need to look at.

Chairman Niemeyer said that was the Division's rationale for their recommendation, to try to actually see where and when people hunt.

The following motion was made by Keele Johnson, seconded by Tom Hatch and passed 5 to 1 with Lee Howard opposed.

MOTION: I move that we accept the Division's proposal on the statewide archery.

The following motion was made by Ernie Perkins, seconded by Tom Hatch and passed unanimously.

MOTION: I move that we ask the DWR to form a statewide committee to tackle the issues of archery tag distribution, regional distributions, and a youth archery hunt relative to statewide archery. This would include adding UBA's proposal of unlimited youth archery tags and an additional 1,000 tags to the archery quota.

Mr. Hatch asked if Mr. Perkins sees this as a totally new committee or back to the mule deer committee.

Mr. Perkins said he would like to see a new, smaller committee to address these issues.

Chairman Niemeyer said we need to deal with the urban archery deer hunt proposal.

Mr. Perkins said forming a committee on this would be jumping ahead. The problem with this is working with cities and municipalities. That needs to be done first by the Division.

Chairman Niemeyer said we need to look at the five-day verses the nine-day hunt in Southern and Southeastern regions.

Director Karpowitz said the deer management plan that was passed earlier this morning indicates that the general season hunt will be a nine day hunt, unless it falls below the buck:doe ratios set in the plan. If you do something different than that you need to go back and change that.

Chairman Niemeyer said they did not discuss that at that point because it comes into play in both places. If we do go with five day we will have to go back and alter it.

Director Karpowitz said they would go back to the wording in the old plan.

Mr. Perkins asked if the Southern region RAC supported the nine-day for the last two years.

Chairman Niemeyer said they did.

Mr. Howard said the Board changed it to a five day last year. All of SFW's chapters went with the five-day hunt in Southern and Southeastern areas.

Mr. Hatch said he has heard a lot of support for the five-day season in Southern region.

The following motion was made by Tom Hatch, seconded by Lee Howard and failed, by a vote of 3 to 3, with Chairman Niemeyer voting against and breaking the tie. Tom Hatch, Del Brady and Lee Howard voted in favor of the motion.

MOTION: I move that we keep the 5-day general season, any legal weapon hunt in Southern region and it will be reflected in the Deer Management Plan.

Mr. Perkins said we are managing on two or three year windows and biologically that does not make much sense. He agrees that the deer herd in southern region looks a little better than it did three years ago, but he is not sure what the reason is, probably it is the weather and not how long the hunt is. He does not know if we are knee jerking or doing something relevant.

Mr. Hatch said the Board has jumped around on this and we should leave it for a few years.

Mr. Johnson asked Mr. Aoude to give the information on the five and nine day hunts.

Mr. Aoude said changing it to 5 days did not show a big change in harvest. People hunt on an average of 4-5 days. To limit the harvest you would actually have to change it to a 2-3 day hunt. Success is correlated with production, not days of hunting and harvest. If they move to a 9-day hunt it will not increase harvest of bucks.

Director Karpowitz asked which units would qualify for the five-day hunt.

Mr. Aoude said the Oquirrh Stansberry, Monroe, the LaSal, South Slope Vernal, and the Nebo would be five day.

Mr. Brady asked if by going to five day would we really impact the DWR as far as permits sold. We are really not impacting the harvest.

Mr. Aoude said it always sells out, so it does not affect permits sold, but it does impact the economy in the areas of the hunt, or the youth that can only hunt just one Saturday.

Mr. Hatch asked if there are units in the Southern region that fall below objective and they go to a five day that really impacts those other areas when they shut that off.

Mr. Aoude said the five days is on the tail end and those people will get to hunt the whole region that first three-four days. That is why we changed that structure. It still does concentrate hunters on the units that are lower than 15 bucks per 100 does.

The following motion was made by Ernie Perkins, seconded by Keele Johnson and it passed with a vote of 3 to 3, with Chairman Niemeyer breaking the tie in favor. Del Brady, Lee Howard and Tom Hatch opposed.

MOTION: I move that we support the Division's recommendation of a 9 day season in Southern Region with the exception of the five units below the buck:doe ratio.

Director Karpowitz asked if that motion includes reducing units below objective to five day as is written in the management plan.

Chairman Niemeyer said we will now move to the five day in the Southeast region.

The following motion was made by Keele Johnson, seconded by Rick Woodard and passed 4 to 2 with Lee Howard and Tom Hatch opposed.

MOTION: I move that we support the Division's recommendation of a 9 day season in Southeast Region with the exception of the five units below the buck:doe ratio.

Mr. Howard pointed out that the Southeast region voted for the five-day hunt and we should follow their lead.

Mr. Sanslow clarified that Southeast region voted consistently for the five-day hunt to continue in the deer and elk. There was no public that wanted a nine-day hunt, they wanted to stay with the five day.

Mr. Johnson said he went this way because he feels there will be less impact on the deer herds with a nine-day hunt than a five-day hunt. He wants to see less deer killed. He has talked to biologists on this and he feels that in the long run we will have less harvest.

Director Karpowitz said with what the Board has passed there is no need to go back and amend the Deer Plan that was passed this morning.

Mr. Woodard said he is all for the disabled hunters' proposal, but the Division needs some time to look at this and bring it back next year. He would like it to go onto the action log.

The following motion was made by Rick Woodard, seconded by Tom Hatch and passed 5 to 1 with Lee Howard opposed.

MOTION: I move that we put the Chair Bound Hunters proposal on the action log and take it to the RACs and Wildlife Board next year.

Chairman Niemeyer said there was a lot of discussion on the management buck hunts to go to any weapon. One RAC passed it and there was a lot of public comment in favor of it.

The following motion was made by Ernie Perkins, seconded by Rick Woodard and passed unanimously.

MOTION: I move that we allow any weapon on the management buck hunts.

Mr. Brady said there needs to be an education process so the hunters know what we are trying to achieve.

Chairman Niemeyer said that is already in the proposal to actually have an orientation meeting.

Director Karpowitz said in the past we have avoided putting rifle hunters on top of archers. This hunt will put all weapon types together.

Mr. Johnson asked that on the management buck, would it be more than one season?

Mr. Aoude said by going any weapon, hunters would have to wear hunter orange.

Mr. Brady said there has been a lot of discussion about the need for management buck hunts on the Book Cliffs. Is that something we could work in here? You could put 50 permits on that unit and kill big three points on a management hunt.

Mr. Aoude said that is not something we are recommending for premium limited entry.

Ms. Torres asked if on the last action item, did that include the hunt extension for the disabled hunters 2009 dates?

The following motion was made by Tom Hatch.

MOTION: I move that for the 2009 disabled hunters we extend the hunt to the second weekend of November.

Director Karpowitz said before we go too far on this, we need to hear the legal issues involved. That is also in a separate rule that is not on the agenda.

At this point Mr. Hatch withdrew his motion.

Mr. Bushman said if the Board was inclined to go in this direction they would have to create a rule that would define the qualifications of a disabled hunter and then set the approximate season. Everything else is in rule – R657-12 Hunting and Fishing Accommodations for Disabled People. If we start the rule we have to draft it and run it back through the RACs, the Board and rule making which is 45-60 days. We are several months out in having a rule in place.

Director Karpowitz asked if we can move forward on this today, not having the rule on the agenda?

Mr. Bushman said the Board can instruct the Division to start on it, because it will go back through the public process again. When we decide to extend a benefit to one segment of the disabled, we have to make sure we apply it with equal benefit to others. The hunt is already defined in statute, so any extension or change would have to go through the rule.

Chairman Niemeyer said he hates to put this group off, but that is what we have to do. We now need to discuss flip-flopping the deer and elk season.

Mr. Perkins said there was also the season swap issue. He has been involved in this for over a decade. He has heard dozens of biologists and conservation organizations that identified the state code mandated general deer opener as an egregious problem that affected management of all the species. They felt if that could be changed we could fix so many things, so last year with great effort the Division, the DNR and the conservation organizations got state code changed. Now all of a sudden with relatively little discussion and only one option presented, we are not proposing any change.

The following motion was made by Ernie Perkins, seconded by Rick Woodard and passed unanimously.

MOTION: I move that we ask the Division to look at season lengths, dates and consolidations and bring back some options as an informational item to the Wildlife Board. This item will be placed on the action log.

Mr. Aoude asked if they want to have an informational item on a future agenda where they present several options and then go from there.

Mr. Perkins said yes. We keep talking about the fact that we are hunting the animals from the beginning of August to the end of January and we are running them all over the mountain too much. We give everybody a different season and look for breaks in between seasons, maybe we need to just start and review it again. That meeting will probably be as divisive as this meeting and there will be a lot of opinions.

Chairman Niemeyer said there was a motion to add a 50 cent surcharge for predator control and that would have to be legislative.

Director Karpowitz said currently we have put almost \$600,000 into predator control. In the general fund cut that will be coming we might lose some of that. There is a lot of money being spent there and it will be continuing on an on-going basis.

Mr. Howard said that on most of that money it goes to the farmers and ranchers.

Director Karpowitz said no, it passes through the Division to Wildlife Services for predator control. Some of it goes into the County Bounty system.

Mr. Hatch said this is predation, not depredation.

Mr. Perkins said we have been successful with conservation organizations, Board members and the Division in getting direct money from the legislature to fund some of that when it is needed, as opposed to an additional increase on licenses.

Chairman Niemeyer said the season swap on elk and deer will be considered with the previous motion made by Mr. Perkins.

Mr. Bushman clarified on the chair bound hunters proposal. While we cannot get a rule in place that would allow for a new limited entry hunt before the application deadline in January of 2009, the proposal that we extend the general season deer hunt can be in place and effective for fall of 2009.

The following motions was made by Tom Hatch, seconded by Rick Woodard and passed unanimously.

MOTION: I move that we direct the Division to proceed with the rule-making process for the season extension for the disabled hunters effective with the 2009 season dates and bring it back to the Board through the RAC process prior to the 2009 hunting season.

Statewide Spike Bull

Mr. Woodard asked Mr. Aoude what units this would include and which would be excluded on the archery.

Mr. Aoude indicated that the units not included have not been decided yet.

Chairman Niemeyer said if the Board passes the statewide spike then the proposal from the DWR was 13,000 which would be up 2,000 from last year and anything that is below 75% of the population objective, archers would not be allowed to hunt either sex on those units.

Mr. Aoude said all that will be in the proclamation and we will have it in the next day or two.

Mr. Brady asked if the Diamond Mountain Landowners Association included in that limited entry.

Mr. Aoude said yes.

Chairman Niemeyer talked about the history of the elk hunts in the Southern region, specifically the Fish Lake and the Manti. If you have to take elk, it is better to take the lower ages.

Mr. Johnson said it has a lot more to do with the age classification that we are letting bulls get to. If you want the big bulls you have to let them grow up. Age classification is critical, a lot more important than spike only or limited entry.

Mr. Woodard said on the San Juan he saw more bulls than cows and that is why he wanted this issue looked at. He is all for taking the spikes and not the cows.

Chairman Niemeyer said we have two issues, statewide cap and the spike hunt.

Mr. Howard said we are missing the boat by not listening to the RACs and the public. We have three RACs who are against statewide spike hunting. We do not need spike hunts, rather we can manage this with management bull hunts.

Mr. Johnson said this does not have to be either or. We can use both spike and management bull hunts. He would also like to see archery involved in these permits to

avoid broken antler bulls being taken. Archery hunters are a little more selective and they can see what they are taking.

Chairman Niemeyer asked what the data is on the age of the bulls taken on the management bull hunts.

Mr. Aoude said the average age was 3 ½ years, except on the San Juan and it was a little bit higher with only a sample size of three.

Chairman Niemeyer said we need the bulls taken before two years. We originally thought the big five points would be taken, leaving those young bulls that could grow to be big bulls.

Mr. Brady said he is concerned about the spike hunt on Diamond Mountain and would like it to be excluded, because so much of it is private land.

The following motion was made by Tom Hatch, seconded by Rick Woodard and passed 5 to 1 with Lee Howard opposed.

MOTION: I move that we accept the spike only statewide recommendation with 12,500 tags, excluding Diamond Mountain. Any unit under 75% objective, there will be no either sex archery hunting allowed.

Mr. Howard said 12,500 is too high on the tags and we need to listen to the RACs. We are going about this the wrong way.

Mr. Perkins said in approaching this he has looked at the harvest on all the limited entry units for the last several years, population objectives, and bull:cow ratios. Spike bull hunting is working well on those ten units. None are having trouble harvesting bulls that are well over the objective. The hard data reflects that it works just fine. There is a lot of emotion, concern and fear about this, but the data does not support that.

Mr. Johnson said he is concerned about going in too fast with too high of numbers.

Mr. Woodard said we are only talking about a 1,500 tag increase from where we are.

Mr. Hatch said he went to 12,500 to be conservative.

Mr. Aoude said this would add 19 units.

Director Karpowitz said since Diamond Mountain was eliminated, it will go back to the way it was.

Mr. Johnson said there is a controversial unit up above Range Creek where we have spike only outside the unit and limited entry on the private land. That does not seem fair and they should all be managed the same way.

Mr. Aoude said he agrees and they have been trying to work out a compromise with landowners on this. It did not work out and that is why we added some time on the end of that hunt to increase success rate. This needs to be addressed.

Director Karpowitz said what the longer season will do is allow some of the bulls to go down on public land where they can be harvested.

Mr. Johnson said he is concerned about CWMUs and buck:doe ratios. On the public land the ratios are not as good. When we do the counts, do we include the CWMUs?

Mr. Aoude said they only look at public land units on their classifications. They only include public land on these counts and the resulting data.

Mr. Howard said when he was at Southeast RAC they said they do not get a letter of justification when the Board votes differently than their proposals.

Chairman Niemeyer said if there is a lot of Board discussion they refer them to the Wildlife Board minutes for justification. If we make a motion without deliberation, then we generally write a letter.

Mr. Howard said we still need to send them a letter.

Chairman Niemeyer said we have had letters and e-mails on every issue. We have discussed them today at length and that is sufficient.

The following motion was made by Keele Johnson, seconded by Rick Woodard and passed 5 to 1 with Lee Howard opposed.

MOTION: I move that we accept the remainder of the Bucks, Bulls & OIAL Proclamation and Rule R657-5.

Lunch break

8) CWMU Recommendations (**Action**)

Boyde Blackwell, Wildlife Program Coordinator presented this agenda item. He addressed three issues, first the CWMU application results and recommendations, statewide program issues and CWMU application issues. He then went over the specifics on the number of applications, management plans and renewals. He gave a general overview on the 2009 CWMUs and there is little change in the number of CWMUs. (See Powerpoint Presentation) 2,782 total permits were recommended.

On statewide issues, new maps are being digitized and will be available on the DWR web site. CWMU information pages will be on the website for 2009 hunts and there is a lot of useful information for hunters available here. The new CWMU rule is effective for the 2009 hunting season and maps of trade lands will be available on the website.

Mr. Blackwell then went over application issues on the specific CWMUs by region, including Northern, Central, Southeastern and Southern including rationale for approval or denial.

Chairman Niemeyer asked for RAC questions

Mr. Albrecht received a letter earlier in the week addressing Hardscrabble.

Mr. Blackwell indicated the letter may be from Bear Springs. He did not get a letter from Hardscrabble.

Mr. Albrecht said it had something to do with moose and boundary problems.

Mr. Blackwell said that might be the Jacob's Creek CWMU, and the Division is currently collecting complaints on that unit and they will be addressed by the committee.

Chairman Niemeyer was under the impression that this individual had a regular unit permit and was being harassed by CWMU people.

Mr. Blackwell said he did get that letter. There are several different issues that are possibilities with that one. A lot of it has to do with trespassing. It needs to be handled through law enforcement or the county, if it is a Class D road. If it is a private road, the CWMU can stop people from traveling across their private road. There is not a lot of information to go on with that.

Mr. Perkins said Mr. Blackwell has requested additional information from that individual to fill out a complaint form. He then asked about the Lazy H CWMU.

Mr. Blackwell said region recommended denial until they can submit another application and get their boundaries and acreages take care of. This just came to light yesterday. The region has been working with them.

Mr. Fenimore said at the Northern RAC meeting, this gentleman asked to be given opportunity to verify his acreage, so this is more recent information in terms of it being denied.

Mr. Blackwell said at the RAC meeting he was confident that it would be done, but it was two weeks ago.

Mr. Hatch asked how short he was on acreage.

Mr. Blackwell said it is at 4,900, not 5,000.

RAC Recommendations

Southern, Central, and Northeast voted unanimously to accept the CWMU recommendations.

Southeast voted unanimously to accept as presented with one abstention.

Northern RAC – Mr. Fenimore said that other than Lazy H Jacob's Creek recommendation, there was a motion made on the request of the CWMU operator to move his deer hunt from September 1 through October 31 to a start date of September 11 through November 10th. We accepted that along with the rest of the DWR proposal.

There was no public comment.

The following motion was made by Tom Hatch, seconded by Ernie Perkins and passed unanimously.

MOTION: I move that we accept the Division's recommendations on the CWMUs.

9) Landowner Permit Recommendations (**Action**)

Mr. Blackwell presented information on the 16 statewide 2009 landowner association applications received. The DWR recommended approval of all with some additional information. Landowner association and the DWR agree on permit recommendation on 14 out of 16 applications. In those 16 there were 116 deer permits, 97 elk, and seven pronghorn.

He then went over the issues on specific units, including the West Desert, Vernon CR, and the Southwest Desert SR. (See Powerpoint Presentation)

Mr. Blackwell went over the background on the CWMU policy. It takes the amount of private land and compares it to public. He showed a table using the example of the Southwest Desert (Indian Peaks) unit. He explained how the number of permits is arrived at.

Mr. Hatch asked if they look at land any other way than just acreage.

Mr. Blackwell said if there is a request, we do look at it. Mr. Blackwell and the section chief look into it.

Mr. Johnson gave an example of the way they value land in New Mexico and how they address the differences.

Mr. Blackwell said what we do is we figure out the total number of permits and then there are some landowner associations who have done exactly what Mr. Johnson has referred to. It is up to the landowner association to give out their permits. If there is a landowner that has green feed and he feeds elk all the time, he gets an extra point or two. This land can be compared too less productive land. It is up to the Landowner's Association to allocate the permits. There are a lot of different qualities in the land.

Mr. Blackwell then addressed four LOA's that do not meet qualification of 51% (simple majority) private lands on a limited entry hunt unit to form an association. The South West Desert, elk 2 permits at 33%, Paunsaugunt, deer 20 permits at 41%, Paunsaugunt, elk 2 permits at 19% and Mt. Dutton, Paunsaugunt, pronghorn 3 permits at 24% are the numbers. The DWR recommends conditional approval until May 15th, because we want them to be able to participate. After May 15th we could still take those permits and put them back into the public draws. We have already been meeting with some of these associations and are working on these, hoping to meet the 51% qualification by then. This concluded the presentation.

Mr. Albrecht asked who instigates landowners coming into the association. Has the Division ever contacted the land around the Thousand Lakes unit and wouldn't that benefit the Division?

Mr. Blackwell said it could be both. It is not unique to any certain way. A landowner association benefits the Division and often a biologist will suggest this. He is not sure if that unit has been contacted and it could benefit the Division. We could have the biologist down there make some contact with them.

Mr. Perkins asked if Diamond Mountain is in excess of 51%.

Mr. Blackwell said yes. In their association they have 98% of the private land available on the limited entry hunt unit. They have 35% of the herd unit in private land. Of that 35%, they have 98% of the land in the association.

RAC Recommendations

All the RACs passed the Division's Landowner Association recommendations unanimously.

Public Comment

Chairman Niemeyer referred to a letter from Willis Hall of New Castle, Utah and the Indian Peaks Landowner Association. They want three landowner bull elk tags for the 2009 hunting season. They feel that they have completed improvements, especially regarding water improvements. If the Division will not give three permits, they request that the two permits be premium.

Mr. Hatch asked if we did not make those two tags premium last year.

Chairman Niemeyer said we did.

Director Karpowitz said he needs to update the Board as to what has been happening with the Wildlife Livestock Task Force. It is a group put together by the Department of Agriculture and it included sportsmen, livestock people, elected officials and other agencies from around the state to discuss issues of concern to both groups. After six meetings the focus narrowed down to incentives to private landowners in regards to wildlife. As a result of that, the Division has agreed to look at a program which will provide for additional hunting opportunities for the public and additional incentives for private landowners and other agricultural interests. Before the Board goes too far with this, perhaps as soon as next spring we will see a rule concerning this issue. It will not change the existing system, it will build on it. He encouraged the board to be patient and go with this process.

Mr. Albrecht said on p. 56 of the Southern RAC minutes, they asked if the Indian Peaks people were in attendance. They were not and that is why they approved the recommendation the way it was.

The following motion was made by Rick Woodard, seconded by Tom Hatch and passed unanimously.

MOTION: I move that we approve the Landowner Permit Recommendations as presented by the Division.

10) Depredation Rule R657-44 Amendment (**Action**)

Mr. Blackwell presented this item. Last year at this time, the Board requested the Division to look into the potential of two does voucher permits in depredation situations. Working with Mr. Bushman on some wording in the rule, they came up with the following: "mitigation permit vouchers for antlerless deer may authorize the take of one or two deer as determined by the Division." This would be used when the field staff sees a situation where it may be beneficial to issue a two doe permit.

RAC Recommendations

All the RACs voted unanimously to approve the Depredation Rule Amendment.

There was no public comment.

Board Discussion

The following motion was made by Ernie Perkins, seconded by Del Brady and passed unanimously.

MOTION: I move that we accept the Depredation Rule R657-44 Amendment as presented by the Division.

11) Bonus Point Recommendations (**Action**)

Greg Sheehan, Administrative Services Section Chief presented this agenda item on bonus and preference point system potential changes that would take effect within this proclamation and the January 2009 big game drawing. He then gave some background on the request to look at this issue. He then gave a brief history of bonus points and explained the system. (See Powerpoint Presentation for details throughout this agenda item) He then showed a chart showing the draw odds for residents' limited entry and OIAL species.

Mr. Sheehan then presented three options on limited entry and OIAL recommendations. He showed charts illustrating the effect of group applications and the various scenarios in the limited entry drawing and explained them. The goal of these various options is to increase opportunity to have more sportsmen and families in the field and also to avoid having people share/manipulate the bonus point system to increase their odds of drawing. They do have some more definite recommendations since the RACs, but Mr. Sheehan will discuss them later in the presentation, after RAC recommendations.

A chart was shown on the 2008 limited entry applications (residents and non-residents), including bonus point purchases. He went over numbers on species and how applicants applied i.e. single, or groups. He continued to present the three options.

Mr. Sheehan then discussed other possibilities for RAC consideration and the advantages and disadvantages of capping the bonus points at a specific number. He showed a chart indicating how many points you would need to be in the maximum category for the any weapon elk hunt and also a chart on applicants with elk bonus points and the decreasing results five years from now, assuming a constant number of permits.

He then gave a brief history of preference points and went over the recommended changes for general season deer permits. For changes in preference points the Division gave three options. He showed charts illustrating the effect of group applications and the various scenarios. The goal is to avoid having people manipulate the preference point system to increase their odds of drawing. He continued to present the three options.

An item to give youth age 18 and under a preference point for completing hunter education was considered, but not recommended. This concluded the presented. He asked if there were any questions.

Mr. Oswald said it would be easier if we can get a summary sheet on screen when the RAC's give their recommendations.

Mr. Albrecht said after they went through this presentation at the RACs, he got feedback that people were satisfied with what they have now concerning bonus and preference points.

RAC Recommendations

Central – Mr. Oswald said they went with Option 1A on the limited entry/OIAL and it passed 5 to 2. They went to the next option to accept #2, a person would lose points if they do not apply for three consecutive years and it passed 4 to 3. Finally they voted not to accept option #3 and this passed unanimously. (See the Summary of Motions) They then went onto general season and had a motion to accept option #1 (1) and it passed 6 to 1. They had a motion to accept #2 and that passed 4 to 3. They took no action on proposal #3 under general season with regard to the youth hunt. On the other options presented, they did not deal with any of those.

Northeastern – Ms. Torres said they had two motions. On limited entry/OIAL they voted to accept 1a. amended to say they would not get a bonus point if they surrender, and accept 2 on limited entry and OIAL. It passed 7 in favor with 1 abstention. On the general season they voted to accept DWR recommendations for 1 (1) and 2 and 3. They rejected 1 (2). It passed unanimously.

Northern – Mr. Fenimore said they had three motions. On limited entry accept 1A. if they surrender 3 times in their life lose points – changed to 3 consecutive, then lose, 2. No vote on 3 – not in favor on 3. Passed 6 to 5. On general season hunt they accepted as presented for 1 – second option, and 2 and 3 as presented. Passed 6 to 3 with 1 abstained. Motion on general season tag, if you surrender general season tag 3 times, have to use or lose points, passed 8 to 2.

Southeastern – Mr. Sanslow said they had one motion. To approve selections of the Division's recommended options from the blue hand-out printed on 10-30-2008. Motion to accept 1b, and 2A from the top third of the hand-out. From the bottom third, members voted to accept 1.(2), 2. and 3.

Southern – Mr. Albrecht said they had four motions. (See Summary of Motion)

Chairman Niemeyer said after getting all this information, it seemed like people were not as dissatisfied with things the way they thought they were.

Public Comment

Jim Gilson is against doing away with group applications because it hurts the youth. He has twins that would not be able to apply together to go hunting limited entry. There are fathers who have a lot of points and have children who have grown into the game. Those fathers want to use their points to help their youth and without the group application, it will hurt the youth who might have a chance to draw with their dads or moms who have a

lot of points. He is in favor of prosecuting people who are abusing the system. He asked how many might be doing this and they said about four people from last year. Four people a year should not be able to mess this up. He also does not think people should be able to buy points. Unless it is medical, military or a mission, if they want to turn their points back in, they should lose all their points. Only prosecute the cheaters.

Chairman Niemeyer said it was not the Division's preference to disallow group applications, it was just an option they presented.

Don Peay of SFW said in summary their group wants to allow group applications to continue. If you apply jointly and you surrender a permit then you lose all your bonus points unless it is for medical, military or a mission. On the second point, we concur with what the RACs and Division said, if a hunter doesn't apply for three years, that third year they lose all their point. They want no changes in the current bonus point system and they are against buying points.

Jason Carter representing himself said he deals with this same issue in the surrounding states. People are relatively happy with Utah's point system, not a lot should be changed. If they don't put in for three years, they should lose their points. It is a common thing done by other states. Buying points for multiple species could be a real problem, since there are a lot of people with a lot of points already in the system. On the other hand, it would be a great revenue generator for the Division. What Mr. Carter sees, if the DWR had the bonus point money in their fund and we had to cut deer tags some place, it would be nice to do it and not need the money for permit sales.

Mr. Johnson asked what if they offered bonus points to buy just to nonresidents.

Mr. Carter said you would not have the same complaints from the nonresidents. It is still hard to have two different systems and the equality issue.

Mr. Sheehan said at this point he has some recommendations and preferences that come from the Division after taking this through the RACs. They are recommending 1a which is the last yellow one on the handout (See Attachment #5), keep group applications, use the lowest point and if somebody wants to surrender it they could still add a point. He went on to explain the benefits of being able to surrender a point and still earn a point. We support losing points if you do not apply for three consecutive years. We oppose buying bonus points. On the general season, we recommend the 1(1) which is the same as the 1a in limited entry. We recommend that if you put in for multiple hunts in the general deer and you do not draw your first, you would add a point. We also recommend the 15-20% increase for youth in the general season deer.

Mr. Hatch said it is probably only fair that we go back to public comment since we have more specific recommendations from the Division.

Chairman Niemeyer said the Division has aligned themselves with the RACs with these adjustments. He asked if there were any RAC or public comment that would like to speak at this point.

Mr. Albrecht said there was a comment he kept hearing around the Sevier Valley that if you get to buy a bonus point, it will make it so only those with money will be able to buy them. They would like to leave it the way it is.

Mr. Gilson said he rebuts what the Division proposed. If you use the lowest point in the group, you do not give the youth the chance to put in with their dads and have a chance to hunt. It is hard for the youth to get started.

Board Discussion

Chairman Niemeyer said one thing he really saw this year is it was very hot and dry down south and the guys scouting elk, especially on Mt. Dutton, were going out and seeing elk, but not the bulls they wanted. They turned tags back and that is going to increase. If they are able to keep their bonus points and still get out, that is something that could go to the extreme.

The following motion was made by Keele Johnson, seconded by Ernie Perkins and passed unanimously.

MOTION: I move that hunters will lose points if you do not apply for three consecutive years, point loss with begin in 2012.

The following motion was made by Keele Johnson, seconded by Ernie Perkins and passed unanimously.

MOTION: I move that an applicant is given a preference point if unsuccessful for first choice but draw on choice 2-5 of general season deer hunts.

The following motion was made by Keele Johnson, seconded by Ernie Perkins and passed unanimously.

MOTION: I move that the percentage of youth tags offered increase from 15-20% in general season deer draw.

A discussion took place on surrendering permits, the effect on bonus points and the various scenarios and results that would need to take place.

Director Karpowitz asked Mr. Bushman if on surrender of permits would require rule making if we change the way we do this.

Mr. Bushman said surrender of a permit and getting bonus points is all in rule. Getting your bonus points restored and getting a bonus point for the year you actually got the permit, but surrendered it, that is rule. The only thing that is in code is refunds. That is what we cannot adjust. Adjusting the surrender aspects would go into a separate rule that is not going to be in the big game rule.

The following motion was made by Ernie Perkins, seconded by Tom Hatch and failed 5 to 1.

MOTION: I move that we would still average the bonus points of the group members. One member cannot surrender as an individual.

The following motion was made by Ernie Perkins, seconded by Tom Hatch and passed unanimously.

MOTION: I move that we would still average the bonus points of the group members. If you are in a group and want to surrender then all members of the group must surrender to get back their respective bonus points back plus one. In order to be a valid surrender, the group must surrender the permits more than 30 days prior to the start of the hunt. One member of the group may not surrender as an individual. The only exception to this would be that if you surrender due to being activated in the military, death, or if you have an injury that precludes you from hunting, then you could accrue a bonus point upon surrendering a permit.

Mr. Perkins said he feels this motion will do no harm to those who hunt together and it will deter those who are trying to manipulate the system.

Chairman Niemeyer said the problem is that two is in a group. We go hunting together and do not see what we want, so if we both get out, then next year we both have another point again.

Mr. Hatch said if an individual goes scouting and does not find what he wants, he can come in right now and surrender his permit and retain his points. That is something we need to move away from.

Chairman Niemeyer said this is just starting to happen and we need to stop it now.

Mr. Sheehan said in the group motion that we are talking about, if everybody surrendered, they would not add an additional point.

Director Karpowitz asked if it would require rule change when surrendering permits and points.

Mr. Bushman said it is alright to make adjustments to group applications, but on individual information, it was not covered in this last round of RACs.

Ms. Torres said you might fix the problem if they surrender their permit, they get back their bonus point, but will not accrue another one.

Mr. Johnson said they could say the permit would have to be surrendered no later than 30 days before the beginning of the hunt to get their bonus point back. If not, they lose all their bonus points.

At this point they worked the motion over and had discussion on the issue.

A discussion took place on how individuals might surrender their points and permits. This has not been taken through the RACs.

Chairman Niemeyer said if we are going to make a motion on the individual and bonus points, but it will not have been through the RACs. We will run it through the next RAC. If it passes, it will not be in the proclamation, but will be effect for the 2009 draw. We could also wait and do it next year. What would the RACs like to do?

Mr. Sanslow said if they could have it ready for the next RAC meeting, we could run it through. Other than that we should wait. Between now and then there will not be too many individuals returning a permit.

Mr. Albrecht is would be easier for the Board members to do it at the next RAC.

Director Karpowitz said there is not time to deal with the individual surrender issue in time for the 2009 proclamation.

Mr. Bushman said the problem is, we can go ahead and if it is approved in the next Board meeting, we have 45-60 days before it is effective in rule. At least here, we have an approved version of it.

Mr. Howard asked what about consensus with the RAC Chairs on the individual issue.

Mr. Bushman said this one issue is quite controversial and the public would have a strong argument to say they never had any idea that it was happening and it never went through the process. This has a high risk of being challenged, especially if we do not follow process.

Mr. Johnson said we have this in place and that addresses the problem we have now. We can send this through the RAC process with the plan of having the individual permit issue done next year.

The following motion was made by Rick Woodard, seconded by Ernie Perkins and passed unanimously.

MOTION: I move that we put the issue of individual surrender of permits on the action log. An individual must surrender to get back their respective bonus

points back plus one. In order to be a valid surrender, the individual must surrender the permits more than 30 days prior to the start of the hunt. The only exception to this would be that if you surrender due to being activated in the military, death of a family member, or if you have an injury that precludes you from hunting, then you could accrue a bonus point upon surrendering a permit.

Mr. Hatch said that on the limited entry and OIAL hunts, where that has been before the RACs, what about allowing nonresidents to buy bonus points?

Director Karpowitz said the odds of them drawing one permit are astronomical and drawing two is even higher.

Mr. Brady said why not let them apply for all, but they could only draw for one in each category.

Mr. Sheehan said right now you can only draw for one.

Chairman Niemeyer said they could put in for one and buy bonus points for the others.

Mr. Perkins asked what the chance is of a resident who likes this idea coming in and saying he is being treated unfairly compared to a nonresident, and suing in court.

Mr. Bushman said they might challenge it, but there is no Constitutional right of a resident having preference over a nonresident. Since Congress opened up the interstate commerce issues, we do not have to worry about that.

The following motion was made by Del Brady, seconded by Tom Hatch and passed unanimously.

MOTION: I move that nonresidents may apply for all OIAL and the other limited entry species and then they may only draw one permit per year.

Brief discussion on Preference Point Drawing took place.

The following motion was made by Tom Hatch, seconded by Ernie Perkins and passed unanimously

MOTION: I move that we would still average the preference points of the group members. If you are in a group and want to surrender then all members of the group must surrender to get back their respective preference points back plus one. One member of the group may not surrender as an individual. The only exception to this would be that if you surrender due to being activated in the military, death, or if you have an injury that precludes you from hunting, then you could accrue a preference point upon surrendering a permit.

Mr. Sheehan said the 30-day thing might not be as applicable on the general deer as on some of the high end hunts.

A discussion took place relative to the 30-day requirement and they removed that from the motion.

Mr. Perkins then talked about capping the bonus points. The reason for this is that in the current draw philosophy, the system in place now eventually guarantees you a permit if you apply long enough, but you would lose that guarantee as the people with max points may eventually increase. Odds would go down for those with max points. We need to ask the Division to look at this one more time and where it will end up down the road 20-30 years from now. That could come back to the Board as an information item.

Chairman Niemeyer said that is so hard to project. We are trying to build habitat for more animals.

Mr. Brady said with the increase in human population over time, the train wreck is inevitable.

Chairman Niemeyer said there is still some room on some of the elk units to lower the age objective. The odds of drawing would go up, but people would have to know they would not be killing a big bull.

Mr. Woodard said we hashed that out and it was quite evident from the public that they did not want to address it at this point. He did want to pursue it, but at this point he is willing to drop it.

Mr. Johnson said there is another way to address this in the future. If it is starting to build you change the percentages on allocation, maybe to a 40-60 instead of a 50-50.

Chairman Niemeyer said what we have found out is no matter what changes are made relative to points, it helps somebody and it hurts another group.

12) Dedicated Hunter Program Recommendations (**Action**)

Rhianna Christopher, Wildlife Program Coordinator presented this item. She gave a program overview, history, administration, growth, statistics, and enrollment trend. (See Powerpoint Presentation) She will then do the proposed rule changes, including the enrollment process, RAC attendance requirement and program eligibility.

Proposed rule change #1 R-657-38-3

The current enrollment process is first come first served. The proposed enrollment process will be a drawing (all online). She went over the benefits of this new process. (See Powerpoint for details) the challenges of the RAC meeting requirement were reviewed.

Proposed rule change #2 R657-38-9

It is proposed to replace the RAC meeting requirement with an online wildlife conservation and ethics course. Ms. Christopher went over the opportunities and benefits to this proposal

Proposed rule change #3 R657-38-3

Ms. Christopher went over program eligibility and law enforcement. Anybody who has a license suspension for any species and not just big game, including those who have violated in any state in the compact would be precluded from applying to the program. They would also be precluded if they have ever had their Dedicated Hunter COR suspended. This proposal would all occur during the application process and they would be automatically eliminated.

A summary of the various steps necessary to put these proposals in place were then reviewed. Service hours and ethics course requirements were mentioned. This concluded the presentation.

Mr. Hatch said we are capped at 10,000 and if we would have taken all applicants since then how many would there be?

Mr. Christopher said because of the manual process they do not know, but 1,800 of the old participants did not get in.

Mr. Johnson said it is good to get rid of the RAC meeting and have more service hours.

RAC Recommendations

Southeastern - Mr. Sanslow said the Southeast RAC liked the program the way it is. If people join it and complain about it, we don't want them anyway. People who put off doing their service don't help the program. Dropping the 16 types of violations is not something they liked. We wanted it to remain as is. If they do not want to do the RAC requirement let them be assessed 2 ½ service hours. (See Summary of Motions)

Chairman Niemeyer said relative to the 16 violations, it sounds like it is getting tougher on the offenders, not easier.

Ms. Christopher said of the 16 types of violations, they can result in suspensions. In some cases most result in suspensions. We are also including 30 other states, not just Utah.

Mr. Sanslow said Ms. Christopher has more information on that today and they did not get a good answer at their RAC meeting. Maybe the outcome would have been different if we would have had that information.

Southern – Mr. Albrecht said they did not have public comment. The recommendations passed 6 in favor and 2 opposed.

Central – Mr. Fairchild said the proposal passed 5 to 2.

Northeastern – Ms. Torres said they voted unanimously to accept the proposal. They thought it is important that the dedicated hunters understand the RAC system.

Northern – Mr. Fenimore said they had good discussion amongst the RAC members. One sentiment was that dedicated hunters should be a cut above. Asking to attend one RAC meeting is not that big of a deal. The ethics course sounds very good. They are for making things simpler administratively. MOTION: To accept as presented and NO PURCHASE of preference points, 2. as presented and include RAC meeting. 3 as presented. - Passed unanimously.

Board Discussion

Mr. Hatch asked if they looked at the possibility of just capping the 10,000 and just drawing for vacancies as they occur.

Ms. Christopher said anything is possible, but they didn't look at that. There would be a problem with when they would start their three-year enrollment period.

Mr. Sheehan said they do about 1/3 of them every year. The question you have is can you stay in perpetuity into the program.

Mr. Hatch said he doesn't like to see the real long term dedicated hunters thrown in with the new guys.

Ms. Christopher said ultimately you would be punishing those who didn't learn about the program at the same time as the older participants. They are learning at different times and there is a reason that we stopped selling lifetime licenses.

Chairman Niemeyer said he has gotten a lot of feedback from those who have been in a long time and now they feel like they are no better than those who have just gotten in. That is a hard thing for them. If you want to weight that to them, you could do it with a bonus point or something like that.

Mr. Hatch said one way you can test the real dedication is by upping the requirements. He sees a lot of guys who are enrolled in the program just to get a permit.

Ms. Christopher said it would be really hard to value whose work is better than the next guys. We are looking at quantity verses quality in projects. We are moving to get more quality projects.

Mr. Johnson said he agrees with Mr. Hatch and would like to see more service hours. He would also like to see them be able to bank service hours.

Ms. Christopher said we have guys who do go above and beyond. They can bank service hours.

Mr. Johnson said up the service hours up to 32 hours and that would eliminate some people.

Ms. Torres said maybe part of being more dedicated would be limiting numbers of hours you can buy into the program.

Mr. Woodard said he would like to see the old ones be grandfathered in, but if we increase the cap, they will all move to Southern and Southeast. This would be a problem. We would cap the existing ones in South and Southeast.

A discussion took place on raising the cap overall and in just specific regions. They also discussed the harvest of dedicated hunter's verses the general hunter. They also discussed purchasing service hours and what happens when they do not complete service hours.

Mr. McLaughlin said dedicated hunters harvest 25-30% per year. They can only take a deer 2 of every 3 years.

Mr. Albrecht said if you raise the cap, two regions will take 75% of them, south and southeast.

Mr. Fenimore said he suggests the Board review why the program was established and how it was to serve the Division, especially since we are looking for quality projects.

Director Karpowitz said the first come first serve system let us down three times last year. We are at the mercy of that system and it is not working.

Chairman Niemeyer said what about giving a bonus point to anyone who has been in whatever number of years for an extra incentive.

Mr. Howard said he would like the RAC meeting requirement stay in place, once every three years.

Director Karpowitz said on the RAC meetings in some areas we have a huge number of dedicated hunters show up and they stay only until the roll is taken. He wants sportsmen to be there because they want to be there. They deal with a lot of complaints and it is becoming unmanageable. We are trying to find something different. Service hours would work. The online ethics course will work. There are other options than RAC meetings. He hopes sportsmen will come to RAC meetings because they want to be involved, not because they are mandated too.

Mr. Mitchell said they have some real concerns about some of these changes and they do not know if they can get things in place

The following motion was made Keele Johnson, seconded by Lee Howard and passed unanimously.

MOTION: I move that we table the Dedicated Hunter agenda item and move to the next agenda item.

At this point, at the end of the meeting, they came back to this issue to clarify and finish it.

Chairman Niemeyer went over the motion on the table.

Ms. Christopher said the Division is proposing amending the motion to 16 hours the first year, 16 hours the second year and 8 hours the third year for a total of 40 hours. The online course would still happen in the first year. It is easier on the staff to provide an even number of hours for shifts.

For those who are in their third year they would have to complete the final eight hours by October 1 of the third year in order to get a preference point toward the next drawing. The preference points would only be good for one year and would expire after that.

We need to address the current third year enrollees and they need to complete the current requirements by December 15, 2007 in order to get the preference point.

For those who do not complete the final eight hours during the third year, they will owe the Division for those eight hours (\$160) before they can renew.

Mr. Sheehan said that we only want the very diligent dedicated hunters to get a preference point. If somebody enrolled in the program three years ago and they did eight hours the first year and we have never heard from them since, and did not get all their permits, we do not want them to get a preference point. As long as someone complies and does their requirements, they will get the preference point. They can still apply, but not get a preference point.

The following motion was made by Tom Hatch, seconded by Lee Howard and passed unanimously.

MOTION: I move that we accept the Division's proposal on the Dedicated Hunter program recommendations and to also give a preference point for those currently enrolled in the system when they re-enroll provided they have successfully completed their requirements and increase the service hour numbers to 40 hours total, 16 hours the first year, 16 the second and 8 the third. There will be no preference point awarded when they re-enroll if they fail to complete any of the requirements. They can buy out up to 30 service hours.

Mr. Perkins asked how many open slots there will be that people can apply for that do not have a preference point next year.

Chairman Niemeyer asked how many people that are already in the program through the years actually re-apply the next year.

Mr. Sheehan said about one third of the people re-up and about two thirds say they are done. If that is the case, to answer Mr. Perkins question, there would be about 2,000 new slots available for people who are not in the program now.

Mr. Perkins said we need to address preference points for the Dedicated Hunter program. You will have more group applications for Dedicated Hunter than you do for Southern region deer. We are also going to allow the buying of a preference point.

Ms. Christopher said it was part of the proposal to accept group applications and to be able to purchase preference points. It was to try to remain consistent with the other drawings in that respect.

The following motion was made by Del Brady, seconded by Tom Hatch and passed unanimously.

MOTION: I move that applicants can only accrue one dedicated hunter preference point.

13) Antler Gathering Recommendation (**Action**)

Mike Fowlks, Law Enforcement Chief presented this item. The Wildlife Board requested we review the best approach to dealing with the increased antler gathering activities around the state and the impacts that it has had around the state. The two main issues we are dealing with are harassment of wildlife and habitat destruction. A committee was formed and proposed recommendations were taken out to the RACs and the Board in July. We received lots of comments, reconvened the committee in September and came up with a proposal. New members were added based on RAC and Board comments. Mr. Fowlks then went over those on the committee. (See Powerpoint Presentation)

The proposal is that written authorization to gather shed antlers from February 1 to April 15th. Authorizations would require an online ethics course similar to the extended archery authorization or the swan permits authorization. Shed antlers can be gathered without the authority during any other times.

This proposal is an educational approach to inform those who choose to collect antlers on winter ranges during their occupancy by big game. Education is on big game needs during the winter season and effects of harassment. Education is on prevention of habitat destruction and degradation. Education is on wildlife and OHV law. He went over potential future options requiring statutory change. This concluded the presentation.

RAC Recommendations

Southeast – Mr. Sanslow said they accepted the proposal 7 to 5.

Central – Mr. Fairchild said they accepted the proposal 5 to 2.

Northeast – Ms. Torres said they accepted the proposal 5 to 3.

Northern – Mr. Fenimore said they accepted the proposal 8 to 1.

Southern – Mr. Albrecht said they accepted the proposal unanimously

The following motion was made by Rick Woodard, seconded by Keele Johnson and passed 5 to 1 with Tom Hatch opposed.

MOTION: I move that we approve the Antler Gathering Recommendation as presented by the Division.

Mr. Hatch asked if that applies on all public/private lands.

Mr. Fowlks said it applies on all land.

Mr. Howard asked how we can regulate on private land.

Mr. Fowlks said the same way we regulate deer on private land, it is wildlife or its parts.

Mr. Johnson said so Mr. Hatch violates this rule if he picks up an antler in his field to keep from running over it with the tractor?

Mr. Fowlks said that is the same situation we had in northern region. There will be a liberal on ramp with this rule.

14) Pronghorn Management Plans – NERO ONLY (**Action**)

Dax Mangus, Wildlife Biologist presented the 2008 revisions to the Book Cliffs-Bitter Creek and Nine Mile-Anthro pronghorn management plans. In the old management plans that expired last year there was a provision to allow transplants of excess pronghorn from the Parker Mountain unit into these units. The transplants specified in these plans ended in 2007. They are still significantly below objective on these units. The revised plans would allow for continuation of transplants of up to 50 animals per year to each unit for the next five years or until the population objective reaches 80%. That is a maximum and is contingent on availability of animals, budget and manpower.

Mr. Mangus went over the status of the units with target population, current population and transplant threshold numbers shared. Future transplant plans are to release in areas with minimal oil and gas disturbance. He showed charts with population trends on the units. The animals will have ear tags in order to keep track of any depredation problems that might occur. This concluded the presentation.

Mr. Howard asked what is causing the predation.

Mr. Mangus said there are several reasons. The fawn to doe ratio is very low, drought, predation and some of the disturbance with energy development.

Mr. Brady asked if the pronghorn are moving out of the area because of disturbance.

Mr. Mangus said it might just be due to habitat loss and the level of disturbance also contributes to lesser production.

RAC Recommendation

Northeast – Ms. Torres said they approved the proposal 6 to 1.

Public Comment

Amy Torres said as a BLM representative and a wildlife biologist, doing strictly oil and gas projects. The resource management plan for the Vernal field office as well as throughout the state have been signed and the record of decision is in full force and effect. Part of that for the wildlife side and oil and gas and it goes for the old lease notice for antelope said there would be no activity during fawning time. It was from May 15 to June 15. That is a lease notice, which means it is a recommendation, not a stipulation. However, it was for quite a bit of the area that was discussed. With the new plan in place, that lease notice went away. There is a stipulation in place, not for those areas, but for a small 7,500 acres in the Antelope Flat area which is in Daggett county right off the Gorge. Now there is no other protection for antelope for oil and gas or any other, in that general area.

The following motion was made by Keele Johnson, seconded by Del Brady and passed unanimously.

MOTION: I move that we accept the Pronghorn Management Plans as presented by the Division.

15) Millville Elk Working Group (**Action**)

Justin Dolling, Game Mammals Program Coordinator presented this item. They have been feeding elk up there for about 25 years. There was a strong suggestion at a state legislator convened meeting suggesting they form a working group to discuss the future of feeding elk on the Millville wildlife management area. The purpose of this group would be to explore the future of feeding these elk along with the need for long-term habitat projects designed to enhance natural forage for wintering big game. The last meeting they had on this said they wanted three Division people, three sportsmen from Cache valley and three at large members (see Board Packet for a list of proposed members).

They are asking the Wildlife Board to approve this committee.

Mr. Perkins said when the Oct 13 meeting was held, Ben Ferry and a couple of local legislators were ready to convene a working group that worked for and reported to them. Director Karpowitz did a good job of informing them that we already have a system in the state and this ought to go to the Wildlife Board. That is why it has been brought to us.

The following motion was made by Tom Hatch, seconded by Lee Howard and passed unanimously.

MOTION: I move that we approve the Millville Elk Working Group as presented.

16) Voucher Variance Request (**Action**)

Don Peay, Sportsmen for Fish and Wildlife asked the Board for an extension on two CWMU vouchers that he would like to donate towards next year for the Hunts for Heroes Program where they give some hunts to guys who have been in Iraq or Afghanistan.

Director Karpowitz said we need to caution the Board on doing these. We do not have a huge issue with doing these two, but it does open a door for a new program. If we go beyond these two we ought to look at a rule change.

Mr. Bushman said the Board clearly has authority under the variance rule to deal with these. Here we would allow the vouchers to be transferred to another charity for veterans. This is a great cause but many others will come once this is opened up. If we want to make this a program we probably need to deal with this by rule.

Mr. Woodard asked if this is any different from a specific landowner donating something to SFW and it would be up to them to decide how they would pass it on.

Mr. Bushman said the difference here is if the voucher has not been filled out can be used, but they are asking for a season extension on that voucher.

Mr. Peay said the Division does not want someone to say they did not see an animal and just try to roll it over for themselves the next year. There are not a lot of people who have two \$10,000 vouchers who would say they want to give this to a charity. That would be the caveat.

Director Karpowitz said do it today, but if it will be done a lot, we need to put it in rule.

Chairman Niemeyer said he has seen this on some of the CWMU permits. It gets to the last of the hunt and they have a cancellation. Some of those guys might want to donate those to a charity. We should put this on the action log. There are some guys who can't

use the vouchers at the last minute and they might want to give them to charity, especially since they could write them off.

The following motion was made by Keele Johnson, seconded by Del Brady and passed unanimously.

MOTION: I move that we extend the season on the two vouchers presented by Don Peay to be used by the Hunts for Heroes charity.

The following motion was made by Ernie Perkins, seconded by Rick Woodard and passed unanimously.

MOTION: I move that we asked the Division to bring back a rule that would cover CWMUs being able to donate tags to charities.

17) Conservation Permit Audit (Action)

Greg Sheehan, Administrative Services Section Chief presented this item. (Handout under Conservation Permit Allocation tab) When this program was established there was a request from the Board to do an audit every year to make sure there is compliance with the money that the groups are allowed to maintain in their accounts until such a time as we can agree on some projects to expend that on. Each year, the Division comes to the Board before they reissue permits to ensure compliance.

Mr. Sheehan has a copy of each of the audits from each of the groups. It was a very good year for the organizations. Collectively the permits sold for 2.9 million dollars. The groups are allowed to maintain 60% of those dollars and all of the groups but Safari Club take that option. They are then required to remit 30% back to the Division by September 1st. We then work with them to identify projects. As they did the audit everyone was on time, and having separate accounts except the Utah Bowman's Association. They did not have a separate account and did not get their money into the Division until mid-October. They are recommending putting them on probation so they will bring things into complete compliance next year. If not, the Board might consider not giving them permits.

The following motion was made Ernie Perkins, seconded by Rick Woodard and passed unanimously.

MOTION: I move that we accept the conservation permit audit as presented.

18) Conservation Permit Allocation (Action)

Craig McLaughlin, Wildlife Section Chief presented this item. (See handout) There are two organizations that have requested one year permits. Ducks Unlimited is asking for six permits and Utah Bowman's Association is asking for two again, as they had last

year. Last year the Board awarded six conservation permits to these two organizations in total. We are recommending that the Board award the eight permits. Some of the issue with the Utah Bowman for Habitat and their compliance is simply that they are a new organization and still learning the ropes. Last year we made a recommendation that the Board award the two permits for the Utah Bowman on the condition that they came within the 5013C regulations. They did get this done.

Mr. Perkins asked if there were four permits that were not taken.

Mr. McLaughlin said yes.

Mr. Hatch asked if the Utah Bowman for Habitat is different than UBA.

Mr. McLaughlin said technically yes. The UBA formed the Utah Bowman for Habitat to come into compliance with the rule.

The following motion was made by Tom Hatch, seconded by Rick Woodard and passed unanimously.

MOTION: I move that we approve the permits as long as the UBA makes their payment to the Division by September 1, 2009.

19) AIS Rule R657-60 Addition of Infested Waters (**Action**)

Walt Donaldson said recently several new waters were confirmed as being infested with dreissenid mussels. There are three new waters to add to the list. For the state of Utah we will now go from prevention to containment. Two are in Colorado, Jumbo Reservoir and the other Tarryall Reservoir. These are all on the front range area. These have been confirmed. (See Attachment #6) Additionally, Arizona's Salt River Project canals were recently confirmed as being infested with quagga mussels. Utah's Electric Lake, situated in Emery County at the headwaters of the right fork of the Huntington River was confirmed as evidencing zebra mussel DNA and therefore deemed infested.

It is recommended that the Utah Wildlife Board add these waters to the list.

The following motion was made by Keele Johnson and seconded by Ernie Perkins and passed unanimously.

MOTION: I move that we accept the addition of infested waters as proposed by the Division.

19) PacifiCorp Request for Wildlife Board Order Authorizing Continued (**Action**)
Operations at Electric Lake

Mike Jenkins with PacifiCorp Energy, which is the Division of PacifiCorp that operates coal mines and power plants, said Electric Lake is a major water storage for them. He

went over their operation and the area involved above and below Electric Lake. They fully intend to cooperate with the Division in every way in terms of the things that need to be done at that reservoir. They are very surprised and concerned about this new finding. They have a major power plant that uses that water and are well aware of the impending problems with water intake structures, piping, valves and other things. They are appreciative of the early insight.

Mr. Jenkins said they are concerned about the statute that was passed in July this year in that they are asking the Wildlife Board to issue an order that has to do with how the aquatic invasive interdiction act is interpreted. He then handed out a copy of a proposed order being presented to the Board. They want an order issued that says as allowed by statute that merely owning and using this reservoir is not considered an illegal possession and release of these mussels. He then read from the second paragraph of order. (See Attachment #7) Mr. Jenkins has been working with Mr. Bushman to put together an order that is acceptable to the Wildlife Board and Division. This lake is very important to their company.

Chairman Niemeyer asked how big Electric Lake is. Does it get much boat use?

Carly Burton said it is 30,000 acre feet when it is full. There is very little boat use.

Mr. Howard asked if it is possible to treat the lake in order to get rid of the zebra mussels.

Mr. Donaldson said presently the lake is very deep. The use of potassium chloride has been considered, but it is not in the immediate future on this large amount of water.

Mr. Johnson asked if Huntington Creek ends up in Lake Powell.

Mr. Donaldson said ultimately it could end up there.

Mr. Woodard asked if the water is heated at the power plant.

Mr. Burton said the water is diverted into the power plant, released and flows down the Huntington Creek, eighteen miles to the plant, diverted into a settling basin and then pumped into the plant and used in the system processes for boiler make up water, and cooling water. The plant has a zero discharge requirement. There is not a direct discharge back into Huntington Creek. There is an evaporation pond adjacent to the plant and a portion of that water is applied to the research farm.

Mr. Johnson said the second you knew the water was infested, why didn't we use potassium chloride immediately in the lake.

Mr. Donaldson said if we were looking to treat that much water, there would not be enough potassium chloride in the western U.S. to do that. It is not feasible.

Mr. Burton said that lake is 208 feet deep.

Mr. Perkins asked if we are getting a containment plan for Electric Lake and do we have any directives.

Mr. Donaldson said they met 2 ½ weeks ago with Utah Power and Light. They have elevated containment on the lake as far as they can. When the ice is on it will be okay. The region has moved forward on containment and we are in the process working with the local people to get the plan in place when recreation season starts next spring.

Mr. Burton said this is a big issue to the electric utility company. They have affiliates who are working on this problem presently and they will learn from them. He reiterated the request for the order from the Wildlife board.

Mr. Fenimore asked if it is possible that the power company inadvertently moved mussels into the lake with moving equipment.

Mr. Donaldson said they are surprised that it has shown up here considering the low use of recreational use of boats. He went over the ways that mussels are moved. There is speculation on other issues that they do not want to discuss at this point. The Division does not know how they got there.

Mr. Bushman said the actual order is that the ownership and operation of Electric Lake by PacifiCorp in the normal course of business and in accordance with any directives issued by the Utah Division of Wildlife Resources in regard to zebra mussels shall not be considered illegal possession of zebra mussels in violation of Utah Code 23-27-201 by the mere presence of zebra mussels in Electric Lake. He continued to read from the order. This order gives assurance that this is not something that they are going to get a citation for. They have to let water through the dam.

Mr. Johnson asked if there is anyway to alter the course of the Huntington Creek somewhere so it wouldn't go into the San Rafael River.

Mr. Burton said there are times of the year when that is possible. In fact, during irrigation after run off, the irrigators diverts virtually all of the water onto their farms. Still there are return flows. He continued to discuss the different times of the year, irrigation and run offs.

The following motion was made by Keele Johnson, seconded by Tom Hatch and passed unanimously.

MOTION: I move that we accept PacifiCorp's request to continue operations as usual, approving the order.

Mr. Johnson also wants the Division to look at diverting Huntington Creek.

Mr. Bushman said the water rights are big issues, telling people they cannot have their irrigation. This might not present the biggest threat to Lake Powell, there are four or five

Wildlife Board Meeting
December 4, 2008

lakes in the headwater of the Colorado River system infested and all the boat traffic between Lake Powell, Havasu and Lake Meade. It is a sobering and frightening reality that we are facing.

The meeting was then adjourned.