

# RAC AGENDA – December 2017

## Revised December 4, 2017



- |               |  |                          |
|---------------|--|--------------------------|
| 1.            | Welcome, RAC Introductions and RAC Procedure<br>- RAC Chair  |                          |
| 2.            | Approval of Agenda and Minutes<br>- RAC Chair  | <b>ACTION</b>            |
| 3.            | Wildlife Board Meeting Update<br>- RAC Chair   | <b>INFORMATIONAL</b>     |
| 4.            | Regional Update<br>- DWR Regional Supervisor   | <b>INFORMATIONAL</b>     |
| 5.            | 2018 Black Bear Recommendations and Rule Amendments<br>- Darren DeBlois, Mammals Program Coordinator | <b>ACTION</b>            |
| <del>6.</del> | <del>Mineral Mountain Bighorn Sheep Management Plan<br/>- Dave Smedley, Wildlife Biologist</del>     | <del><b>ACTION</b></del> |

### Region Specific Items – to be presented in the specified region only.

- |         |  |                      |
|---------|--|----------------------|
| NER – 1 | Old Fort Pond<br>Natalie Boren – Regional Aquatics Biologist               | <b>INFORMATIONAL</b> |
| NER – 2 | Flaming Gorge Management Plan<br>Ryan Mosley – Regional Aquatics Biologist | <b>INFORMATIONAL</b> |

### Meeting Locations

- |                 |   |                        |  |
|-----------------|---|------------------------|--|
| <b>CR RAC</b> – | Dec. 5th 6:30 PM<br>Springville Civic Center<br>110 S. Main Street, Springville | <b>SER RAC</b> –       | Dec. 13th 6:30 PM<br>John Wesley Powell Museum<br>1765 E. Main St., Green River    |
| <b>NR RAC</b> – | Dec. 6th 6:00 PM<br>Brigham City Community Center<br>24 N. 300 W., Brigham City | <b>NER RAC</b> –       | Dec. 14th 6:30 PM<br>Wildlife Resources NER Office<br>318 North Vernal Ave, Vernal |
| <b>SR RAC</b> – | Dec. 12th 5:00 PM<br>Sevier School District Office<br>180 E. 600 N., Richfield  | <b>Board Meeting</b> – | Jan. 11th 9:00 am (Tuesday)<br>DNR Boardroom<br>1594 West North Temple, SLC        |



GARY R. HERBERT  
Governor

SPENCER J. COX  
Lieutenant Governor

# State of Utah

## DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER  
Executive Director

### Division of Wildlife Resources

MICHAEL D. FOWLKS  
Division Director

## MEMORANDUM

TO: Utah Wildlife Board/Regional Advisory Council Members  
FROM: Darren DeBloois, Predatory Mammals and Furbearer Program Coordinator  
DATE: November 7, 2017  
SUBJECT: **2018 BLACK BEAR PERMIT RECOMMENDATIONS**

The attached tables summarize the Utah Division of Wildlife Resources recommended bear hunting and restricted pursuit seasons and permit allocations for the 2018 black bear hunting season. These recommendations have been made taking into consideration bear harvest data from 2015-2017 and using the Utah Black Bear Management Plan guidelines. Adjustments to permits are within the parameters set out in the Utah Black Bear Management Plan, and will help ensure healthy black bear populations while addressing local issues of concern including impacts to agricultural crops and livestock depredation and maintaining black bear hunting opportunities across the State.

### Highlights:

1. We are recommending one change to the current season structure. We recommend beginning the summer bait season on May 26, 2018 and ending it June 29, 2018. This will allow bait hunters to begin hunting 7 days earlier than last year and will overlap the spring dog season by 7 days. We are recommending that early baiting on this season be eliminated. Bait could be placed beginning May 26, 2018. All other seasons would remain as currently constituted with adjustments for calendar year.
2. We are recommending implementing a bonus point system for restricted pursuit permits.
3. We are recommending changing the Wasatch Mountains, West-Central spring season to limited entry from harvest objective.
4. We are recommending 860 permits an increase of 102 permits from 2017.



**SPRING BLACK BEAR LIMITED ENTRY SEASON (No bait allowed)**

Unit	Hunt	Resident Permits	Nonresident Permits	Season Dates
Beaver	BR7000	8	0	March 31 - June 1
Book Cliffs, Bitter Creek/South	BR7001	25*	2	March 31 - June 1
Cache/East Canyon/Morgan-South Rich/Ogden	BR7002	3	0	March 31 - June 1
Central Mtns, Manti-North	BR7003	15*	1	March 31 - June 1
Central Mtns, Manti-South/San Rafael, North	BR7004	11	1	March 31 - June 1
Central Mtns, Nebo	BR7005	11	1	March 31 - June 1
Chalk Creek/Kamas/North Slope, Summit	BR7006	6	0	March 31 - June 1
Fillmore, Pahvant	BR7007	1	0	March 31 - June 1
La Sal	BR7008	41*	4*	March 31 - June 1
Mt Dutton	BR7009	2	0	March 31 - June 1
Panguitch Lake/Zion	BR7010	7	0	March 31 - June 1
Paunsaugunt	BR7011	3	0	March 31 - June 1
Plateau, Boulder/Kaiparowits	BR7012	15	1	March 31 - June 1
Plateau, Fishlake/Thousand Lakes	BR7013	3	0	March 31 - June 1
San Juan	BR7014	41	4*	March 31 - June 1
South Slope, Bonanza/Diamond Mtn/Vernal	BR7015	11*	1	March 31 - June 1
Wasatch Mountains, West-Central	New	32	3	March 31 - June 1

\* Includes one expo permit

**SUMMER BLACK BEAR LIMITED ENTRY SEASON (No dogs allowed, No Early Bait)**

Unit	Hunt	Resident Permits	Nonresident Permits	Season Dates
Beaver	BR7100	8	0	May 26 - June 29
Book Cliffs, Bitter Creek/South	BR7101	9	0	May 26 - June 29
Book Cliffs, Little Creek Roadless	BR7102	2	0	May 26 - June 29
Cache/East Canyon/Morgan-South Rich/Ogden	BR7103	3	0	May 26 - June 29
Central Mtns, Manti-North	BR7104	9	1	May 26 - June 29
Central Mtns, Manti-South/San Rafael, North	BR7105	11	1	May 26 - June 29
Central Mtns, Nebo	BR7106	10	1	May 26 - June 29
Chalk Creek/Kamas/North Slope, Summit	BR7107	6	0	May 26 - June 29
La Sal	BR7108	23	2	May 26 - June 29
Mt Dutton	BR7109	2	0	May 26 - June 29
Nine Mile	BR7110	11	1	May 26 - June 29
North Slope, Three Corners/West Daggett	BR7111	3	0	May 26 - June 29
Panguitch Lake/Zion	BR7112	3	0	May 26 - June 29
Paunsaugunt	BR7113	2	0	May 26 - June 29
Plateau, Boulder/Kaiparowits	BR7114	11	1	May 26 - June 29
Plateau, Fishlake/Thousand Lakes	BR7115	3	0	May 26 - June 29
San Juan	BR7116	23	2	May 26 - June 29
South Slope, Bonanza/Diamond Mtn/Vernal	BR7117	8	0	May 26 - June 29
South Slope, Yellowstone	BR7118	5	0	May 26 - June 29
Wasatch Mtns, Avintaquin/Currant Creek	BR7119	5	0	May 26 - June 29
Wasatch Mtns, West - Central	BR7120	19*	2*	May 26 - June 29

\*Includes one expo permit

**FALL BLACK BEAR LIMITED ENTRY SEASON**

Unit	Hunt	Resident Permits	Nonresident Permits	Season Dates	Comments
Beaver	BR7200	4	0	Aug. 18 - Sep. 24 & Nov 3 - Nov. 15	
Book Cliffs, Bitter Creek/South	BR7201	6	0	Oct. 1 - Nov. 15	
Cache/East Canyon/Morgan-South Rich/Ogden	BR7202	2	0	Aug. 18 - Sep. 24 & Nov 3 - Nov. 15	
Central Mtns, Manti-North	BR7203	8	0	Aug. 18 - Sep. 24 & Nov 3 - Nov. 15	
Central Mtns, Manti-South/San Rafael, North	BR7204	8	0	Aug. 18 - Sep. 24 & Nov 3 - Nov. 15	
Central Mtns, Nebo	BR7205	3	0	Aug. 18 - Sep. 24 & Nov 3 - Nov. 15	
Chalk Creek/Kamas/North Slope, Summit	BR7206	4	0	Aug. 18 - Sep. 24 & Nov 3 - Nov. 15	
Fillmore, Pahvant	BR7207	1	0	Aug. 18 - Sep. 24 & Nov 3 - Nov. 15	
La Sal	BR7208	5	0	Aug. 11 - Sep 24 & Nov 3 - Nov 15	No dogs Sep. 15 - 24
Monroe	BR7209	1	0	Aug. 18 - Sep. 24 & Nov 3 - Nov. 15	
Mt Dutton	BR7210	2	0	Aug. 18 - Sep. 24 & Nov 3 - Nov. 15	
Nine Mile	BR7211	24*	2	Aug. 18 - Sep. 24 & Nov 3 - Nov. 15	
North Slope, Three Corners/West Daggett	BR7212	2	0	Aug. 18 - Sep. 24 & Nov 3 - Nov. 15	
Panguitch Lake/Zion	BR7213	7	0	Aug. 18 - Sep. 24 & Nov 3 - Nov. 15	
Paunsaugunt	BR7214	3	0	Aug. 18 - Sep. 24 & Nov 3 - Nov. 15	
Plateau, Boulder/Kaiparowits	BR7215	13*	1	Aug. 18 - Sep. 24 & Nov 3 - Nov. 15	
Plateau, Fishlake/Thousand Lakes	BR7216	3	0	Aug. 18 - Sep. 24 & Nov 3 - Nov. 15	
San Juan	BR7217	5	0	Aug. 11 - Sep. 24 & Nov 3 - Nov 15	No dogs Sep. 15 - 24
South Slope, Bonanza/Diamond Mtn/Vernal	BR7218	6	0	Aug. 18 - Sep. 24 & Nov 3 - Nov. 15	
South Slope, Yellowstone	BR7219	5	0	Aug. 18 - Sep. 24 & Nov 3 - Nov. 15	
Wasatch Mtns, Avintaquin/Currant Creek	BR7220	7	0	Aug. 18 - Sep. 24 & Nov 3 - Nov. 15	
Wasatch Mtns, West-Central	BR7221	7	0	Aug. 18 - Sep. 24 & Nov 3 - Nov. 15	

\*Includes one expo permit

**FALL BLACK BEAR LIMITED ENTRY ARCHERY-ONLY (No dogs allowed)**

Unit	Hunt	Resident Permits	Nonresident Permits	Season Dates
Book Cliffs, Bitter Creek/South	BR7222	7	0	Aug. 6 - Sep. 7
Book Cliffs, Little Creek Roadless	BR7223	6	0	Aug. 6 - Sep. 7

**BLACK BEAR LIMITED ENTRY SEASON SPOT AND STALK (No dogs and no bait allowed)**

Unit	Hunt	Resident Permits	Nonresident Permits	Season Dates
Book Cliffs, Little Creek Roadless	BR7224	4	0	March 31 - June 1
Book Cliffs, Little Creek Roadless	BR7225	2	0	Sep. 8 - Nov. 15
La Sal	BR7226	59	6	Oct. 2 - Oct. 23
San Juan	BR7227	59	6	Oct. 2 - Oct. 23

**BLACK BEAR HARVEST OBJECTIVE SEASON (No bait allowed)**

Unit	Harvest Objective	Season Dates	Comments
Nine Mile	20	March 31 - June 1	
Nine Mile*	10	Sep. 25 - Oct. 26	*No dogs/No bait
North Slope, Three Corners/West Daggett	3	March 31 - June 1	
South Slope, Yellowstone	6	March 31 - June 1	
Wasatch Mtns, Avintaquin/Currant Creek	15	March 31 - June 1	

**BLACK BEAR PURSUIT SEASONS**

Spring pursuit season: March 31 - June 1, 2018

General summer pursuit season: July 5 - Aug. 5, 2018

Fall pursuit season: Nov. 3 - Nov. 15, 2018

**RESTRICTED BLACK BEAR SUMMER PURSUIT SEASON**

Unit	Hunt	Resident Permits	Nonresident	Season Dates
Book Cliffs (early)	BR1008	25	3	July 5 - July 18
Book Cliffs (late)	BR1011	25	3	July 25 - Aug. 5
La Sal (early)	BR1009	14	1	July 5 - July 18
La Sal (late)	BR1012	14	1	July 25 - Aug. 5
San Juan (early)	BR1010	5	0	July 5 - July 18
San Juan (late)	BR1013	5	0	July 25 - Aug. 5

**MULTI-SEASON BLACK BEAR LIMITED ENTRY SEASON (Public draw\*)**

Unit	Hunt	Resident Permits	Nonresident Permits	Season Dates
Beaver	BR7318	1	0	March 31 - June 1, May 26 - June 29, Aug. 18 - Sep. 24, & Nov. 3 - Nov. 15
Book Cliffs, Bitter Creek/South	BR7300	4	0	March 31 - June 1, May 26 - June 29, Aug. 18 - Sep. 24, & Nov. 3 - Nov. 15
Book Cliffs, Little Creek Roadless	BR7301	1	0	March 31 - June 1, May 26 - June 29, Aug. 18 - Sep. 24, & Nov. 3 - Nov. 15
Cache/East Canyon/Morgan-South Rich/Ogden	BR7302	1	0	March 31 - June 1, May 26 - June 29, Aug. 18 - Sep. 24, & Nov. 3 - Nov. 15
Central Mtns, Manti-North	BR7303	5	0	March 31 - June 1, May 26 - June 29, Aug. 18 - Sep. 24, & Nov. 3 - Nov. 15
Central Mtns, Manti-South/San Rafael, North	BR7304	8	0	March 31 - June 1, May 26 - June 29, Aug. 18 - Sep. 24, & Nov. 3 - Nov. 15
Central Mtns, Nebo	BR7305	2	0	March 31 - June 1, May 26 - June 29, Aug. 18 - Sep. 24, & Nov. 3 - Nov. 15
Chalk Creek/Kamas/North Slope, Summit	BR7306	2	0	March 31 - June 1, May 26 - June 29, Aug. 18 - Sep. 24, & Nov. 3 - Nov. 15
La Sal	BR7307	5	0	March 31 - June 1, May 26 - June 29, Aug. 11 - Sep. 24, Oct. 2 - Oct. 23, & Nov 3 - Nov. 15
Nine Mile	BR7317	4	0	May 26- June 29, Aug. 18 - Sep. 24, & Nov. 3 - Nov. 15
North Slope, West Daggett/Three Corners	BR7308	1	0	May 26- June 29, Aug. 18 - Sep. 24, & Nov. 3 - Nov. 15
Panguitch Lake/Zion	BR7309	1	0	March 31 - June 1, May 26 - June 29, Aug. 18 - Sep. 24, & Nov. 3 - Nov. 15
Plateau, Boulder/Kaiparowits	BR7310	4	0	March 31 - June 1, May 26 - June 29, Aug. 18 - Sep. 24, & Nov. 3 - Nov. 15
Plateau, Fishlake/Thousand Lakes	BR7311	1	0	March 31 - June 1, May 26 - June 29, Aug. 18 - Sep. 24, & Nov. 3 - Nov. 15
San Juan	BR7312	5	0	March 31 - June 1, May 26 - June 29, Aug. 11 - Sep. 24, Oct. 2 - Oct. 23, & Nov 3 - Nov. 15
South Slope, Bonanza/Diamond Mtn/Vernal	BR7313	3	0	March 31 - June 1, May 26 - June 29, Aug. 18 - Sep. 24, & Nov. 3 - Nov. 15
South Slope, Yellowstone	BR7314	1	0	May 26- June 29, Aug. 18 - Sep. 24, & Nov. 3 - Nov. 15
Wasatch Mtns, Avintaquin/Currant Creek	BR7315	1	0	May 26- June 29, Aug. 18 - Sep. 24, & Nov. 3 - Nov. 15
Wasatch Mtns, West-Central	BR7316	5	0	March 31 - June 1, May 26 - June 29, Aug. 18 - Sep. 24, & Nov. 3 - Nov. 15

\*Permit numbers do not include conservation permits

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

### **R657-62. Drawing Application Procedures.**

#### **R657-62-1. Purpose and Authority.**

(1) Under authority of Sections 23-14-18 and 23-14-19, the Wildlife Board has established this rule for drawing applications and procedures.

(2) Specific season dates, bag and possession limits, areas open, number of permits and other administrative details that may change annually are published in the respective guidebooks of the Wildlife Board.

#### **R657-62-8. Bonus Points.**

(1) Bonus points are used to improve odds for drawing permits.

(2)(a) A bonus point is awarded for:

(i) each valid unsuccessful application when applying for limited-entry permits; or

(ii) each valid application when applying for bonus points.

(b) Bonus points are awarded by species for;

(i) limited-entry deer including cooperative wildlife management unit buck deer and management buck deer;

(ii) limited-entry elk including cooperative wildlife management unit bull elk and management bull elk;

(iii) limited-entry pronghorn including cooperative wildlife management unit buck pronghorn;

(iv) once-in-a-lifetime species including cooperative wildlife management units;

(v) limited entry bear;

(vi) [restricted bear pursuit](#);

(vii) antlerless moose;

(~~viii~~) [viii](#)) ewe Rocky Mountain bighorn sheep;

(~~viii~~) [xi](#)) ewe desert bighorn sheep;

(~~ix~~) [x](#)) cougar; and

(~~x~~) [xi](#)) turkey.

(3)(a) A person may not apply in the drawing for both a permit and a bonus point for the same species.

(b) A person may not apply for a bonus point if that person is ineligible to apply for a permit for the respective species.

(c) Group applications will not be accepted when applying for bonus points.

(d) A person may apply for bonus points only during the applicable drawing application for each species.

(4)(a) Fifty percent of the permits for each hunt unit will be reserved for applicants with the greatest number of bonus points.

(b) Based on the applicant's first choice, the reserved permits will be designated by a random drawing number to eligible applicants with the greatest number of bonus points for each species.

(c) If reserved permits remain, the reserved permits will be designated by a random number to eligible applicants with the next greatest number of bonus points for each species.

(d) The procedure in Subsection (c) will continue until all reserved permits are issued or no applications for that species remain.

(e) Any reserved permits remaining and any applicants who are not selected for reserved permits will be returned to the applicable drawing.

(5)(a) Each applicant receives a random drawing number for:

- (i) each species applied for; and
- (ii) each bonus point for that species.
- (6) Bonus points are forfeited if a person obtains a permit through the drawing for that bonus point species including any permit obtained after the drawing.
- (7) Bonus points are not forfeited if:
  - (a) a person is successful in obtaining a conservation permit, expo permit, sportsman permit, or harvest objective bear permit;
  - (b) a person obtains a landowner or a cooperative wildlife management unit permit from a landowner; or
  - (c) a person obtains a poaching-reported reward permit.
- (8) Bonus points are not transferable.
- (9) Bonus points are averaged and rounded down when two or more applicants apply together on a group application.
- (10)(a) Bonus points are tracked using social security numbers or division-issued customer identification numbers.
  - (b) The division shall retain electronic copies of applications from 1996 to the current drawings for the purpose of researching bonus point records.
  - (c) Any requests for researching an applicant's bonus point records must be submitted within the time frames provided in Subsection (b).
  - (d) Any bonus points on the division's records shall not be researched beyond the time frames provided in Subsection (b).
  - (e) The division may void or otherwise eliminate any bonus point obtained by fraud, deceit, misrepresentation, or in violation of law.

#### **R657-62-19. Black Bear.**

- (1) Permit and Pursuit Applications.
  - (a) For the purposes of this section, "restricted bear pursuit permit" means a permit issued in a division drawing that authorizes an individual to pursue bear using trained dogs, consistent with the restrictions found in Utah Admin. Code R657-33.
  - (b) A person must possess or obtain a valid hunting or combination license in order to apply for or obtain a limited entry bear permit or restricted bear pursuit permit.
  - (~~b~~c) A person may not apply for or obtain more than one bear permit and restricted bear pursuit permit distributed pursuant to this rule within the same calendar year.
  - (~~e~~d) A person may simultaneously possess both a limited entry bear permit and a restricted pursuit permit.
  - (e) Limited entry bear permits and restricted pursuit permits are valid only for the hunt unit and for the specified season designated on the permit.
  - (~~e~~f)(i) Applicants may select up to three hunt unit choices when applying for limited entry bear or restricted bear pursuit permits. Hunt unit choices must be listed in order of preference.
  - (ii) Applicants must specify in the application a specific season for their limited entry or restricted bear pursuit permit.
  - (~~e~~g) Any person intending to use bait during their bear hunt must obtain a certificate of registration as provided in Sections R657-33-13 and 14.
  - (~~f~~h) Applicants must meet all age requirements, proof of hunter education requirements and youth restrictions as provided in Sections 23-19-22.5, 23-19-11 and 23-20-20.
- (2) Group applications are not accepted.



(3) Waiting periods.

(a) Any person who obtains a limited entry bear permit through the division drawing, may not apply for a permit thereafter for a period of two years.

(b) Any person who obtains a limited entry restricted bear pursuit permit through the division drawing, may not apply for a permit thereafter for a period of two years.

(4) A person must complete a mandatory orientation course prior to applying for any bear permit offered through a division drawing or obtaining bear permits as described in R657-33-3(5).

**KEY: wildlife, permits**

**Date of Enactment or Last Substantive Amendment: March 13, 2017**

**Notice of Continuation: April 14, 2014**

**Authorizing, and Implemented or Interpreted Law: 23-14-18; 23-14-19**

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

### **R657-33. Taking Bear.**

#### **R657-33-1. Purpose and Authority.**

(1) Under authority of Sections 23-14-18 and 23-14-19, of the Utah Code, the Wildlife Board has established this rule for taking and pursuing bear.

(2) Specific dates, areas, number of permits, limits and other administrative details which may change annually are published in the guidebook of the Wildlife Board for taking and pursuing bear.

#### **R657-33-6. Firearms and Archery Equipment.**

(1) For limited entry and harvest objective hunts identified as an “any legal weapon hunt” in the Wildlife Board’s guidebook for taking bear, a person may use the following to take bear:

(a) any firearm not capable of being fired fully automatic, except a firearm using a rimfire cartridge;

(b) archery equipment meeting the following requirements:

(i) the minimum bow pull is ~~[40]~~30 pounds at the draw or the peak, whichever comes first; ~~[and]~~

(ii) arrowheads used have two or more sharp cutting edges that cannot pass through a 7/8 inch ring;

(iii) expanding arrowheads cannot pass through a 7/8 inch ring when expanded; and

(iv) arrows must be a minimum of 20 inches in length from the tip of the arrowhead to the tip of the nock~~[-and must weigh at least 300 grains];~~ and

(c) a crossbow meeting the following requirements:

(i) a minimum draw weight of 125 pounds;

~~(ii) a minimum draw length of 14 inches from the front of the bow to the nocking point;]~~

~~[(iii) a stock that is at least 18 inches long; -]~~~~(iv)~~ a positive mechanical safety mechanism; and

~~(v)~~~~[(iii)]~~ an arrow or bolt that is at least 16 inches long with:

(A) a fixed broadhead that is at least 7/8 inch wide at the widest point; or

(B) an expandable, mechanical broadhead that is at least 7/8 inch wide at the widest point when the broadhead is in the open position.

(3) Arrows and bolts carried in or on a vehicle where a person is riding must be in an arrow quiver or a closed case.

(4)(a) A person who has obtained a limited entry bear archery permit may not use, possess, or be in control of a firearm, crossbow, or draw-lock while in the field during an archery bear hunt.

~~(b)~~ “Field” for purposes of this subsection, means a location where the permitted species of wildlife is likely to be found~~[-“Field”],~~ but does not include a hunter’s established campsite or the interior of a fully enclosed automobile or truck.

~~(b)~~~~c~~ The provisions of Subsection (a) do not apply to:

(i) a person ~~[licensed to hunt upland game or waterfowl provided the person complies with Rules R657-6 and R657-9 and the Upland Game Guidebook and Waterfowl~~

~~guidebook, respectively, and possesses only legal weapons authorized to take~~ [lawfully hunting](#) upland game or waterfowl;

(ii) a person licensed to hunt big game species during hunts that coincide with the archery bear hunt;

(iii) livestock owners protecting their livestock; or

(iv) a person licensed to carry a concealed weapon in accordance with Title 53, Chapter 5, Part 7 of the Utah Code, provided the person is not utilizing the concealed firearm to hunt or take protected wildlife.

#### **R657-33-10. Spotlighting.**

(1) Except as provided in Section 23-13-17:

(a) a person may not use or cast the rays of any spotlight, headlight or other artificial light to locate protected wildlife while having in possession a firearm or other weapon or device that could be used to take or injure protected wildlife; and

(b) the use of a spotlight or other artificial light in a field, woodland or forest where protected wildlife are generally found is [~~prima facie evidence~~] [probable cause](#) of attempting to locate protected wildlife.

(2) The provisions of this section do not apply to:

(a) the use of the headlights of a motor vehicle or other artificial light in a usual manner where there is no attempt or intent to locate protected wildlife; or

(b) a person licensed to carry a concealed weapon in accordance with Title 53, Chapter 5, Part 7 of the Utah Code, provided the person is not utilizing the concealed weapon to hunt or take wildlife.

#### **R657-33-32. Harvest Objective Unit Reporting.**

(1) Any person taking a bear with a harvest objective permit must report to the division, within 48 hours, where the bear was taken and have a permanent tag affixed pursuant to Section R657-33-17.

(2) Failure to accurately report the correct harvest objective unit where the bear was killed is unlawful.

(3) Any conviction for failure to accurately report, or aiding or assisting in the failure to accurately report as required in Subsection (1) shall be considered [~~prima facie~~] [probable cause](#) evidence of a knowing, intentional or reckless violation for purposes of permit suspension.

#### **R657-33-35. Bonus Points.**

Bonus points are accrued and used pursuant to R657-62-8 [and R657-62-19](#).

**KEY: wildlife, bear, game laws**

**Date of Enactment or Last Substantive Change:** March 9, 2016

**Notice of Continuation:** [~~December 5, 2012~~] [November 29, 2017](#)

**Authorizing, and Implemented or Interpreted Law:** 23-14-18; 23-14-19; 23-13-2



respectively, to utilize the burgeoning populations of Utah Chub (UTC) and White Suckers (WHS). By the late 1970s, FGR was a nationally known trophy BNT fishery. The SMB population also grew to a fishery of regional importance. During the early 1980s, the reservoir fishery changed markedly. Brown Trout growth and survival decreased, because of depressed stocks of large zooplankton (notably *Daphnia*) and shrinking numbers of suitable sized forage fishes (UTC). As a result, the trophy BNT fishery faded and stocking ceased in 1988. Lake Trout (LAT), established by drift from upstream in the Wind River Mountains, and became an important part of the FGR fishery during the early 1980s. By the mid 1980s, FGR became a nationally renowned fishery for trophy LAT. Naturally recruiting KOE became an integral part of the reservoir fishery in the late 1980s, serving as both a popular sport fish and the primary forage for LAT.

Gerrard Kamloop and Eagle Lake (ELR) strain Rainbow Trout returned to the creel best during the strain evaluation conducted in 1987 and 1988 (Schneidervin and Brayton 1992, Wengert 1990). Under ideal circumstances the RBT stocked in FGR would be 50% Gerrard Kamloop strain and 50% ELR strain per the strain evaluations. Returns for boat and shore anglers were greatest for Kamloop and ELR, respectively. In 2014 UDWR switched to West Virginia Rainbow Trout (WVR) from the Gerrard Kamloop strain following brood stock realignment due to cold water disease issues in their hatchery system. WVR are composed of 40% to 60% Kamloops rainbow.

A hatchery-maintained channel catfish fishery was available to anglers from 1981 to 2008 in the Blacks Fork and Green River arms of the reservoir. The current Wyoming state record Channel Catfish (28 lbs), was caught in FGR in 2005. The statewide supply of CCF for stocking in Wyoming is low due to aquatic invasive species (AIS) concerns in out of state sources. Flaming Gorge Reservoir is not on the priority list for the limited supply of CCF currently available for stocking in Wyoming. If in the future, if a reliable and safe source of CCF is identified, stocking of CCF should resume meeting angler desire and providing a unique angling experience for southwest Wyoming anglers. Channel Catfish provide angling opportunity not otherwise available west of the continental divide in Wyoming.

Brown Trout stocking resumed in 1995, due to a return of optimal zooplankton and their popularity with anglers. Brown Trout were last stocked by WGFD in 2013 due to budget constraints and concerns the 3 inch fish being stocked in the spring were not surviving well in the face of predation by burbot (BBT) and LAT. In the future if budgets allow the Green River crew should try stocking the largest BNT available in the fall of the year.

Burbot were illegally introduced into the Green River drainage, likely in the early 1990s. Burbot in FGR were first detected in WGFD nets in 2006 and the population expanded rapidly over the next several years. As of 2016, the abundance of BBT was highest in the Inflow region followed closely by the Open Hills region. Low numbers were found in the Canyon Region, although the abundance of BBT has been steadily increasing in recent years. Burbot are foraging primarily on crayfish and opportunistically on all other fish species in the reservoir. A dramatic reduction in SMB less than 12 inches has been observed in Wyoming, undoubtedly as result of BBT predation. Concerns with the SMB population on the Wyoming side of FGR prompted the Wyoming Game and Fish Commission (WGFC) to adopted a regulation in 2015 that requires all SMB to be released to the water immediately starting January 1, 2017. Burbot predation on KOE eggs and KOE up to 15 inches has also been documented. However, the extent to which BBT are impacting the KOE population is unknown. During the 1990s, Yule (1992) determined that KOE were the primary forage base sustaining lake trout over 24 inches. In recent years WGFD and UDWR have documented LAT preying upon BBT, but the role of BBT as a forage for LAT remains uncertain.

Since 2010 several different organizations have held burbot only ice fishing derbies on Flaming Gorge Reservoir. Burbot derbies have provided the WGFD and the UDWR a platform for educating the public about the BBT infestation in FGR and the best methods for angler exploitation. Derbies draw new anglers to fish FGR that otherwise may never pursue BBT. Derbies put a considerable amount of harvest pressure on this species in a short amount of time.

Regulations have played a key role in managing BBT in Flaming Gorge Reservoir since detection in 2006. In Utah, BBT are not classified as game fish and are afforded no protection by state regulation. In 2008, UDWR passed regulations allowing unlimited harvest of BBT and requiring anglers kill all BBT caught. In Wyoming, BBT are a valued native-sport fish on the east side of the continental divide. As such, prior to 2006, the creel limit set for BBT statewide by was very conservative. In 2006, the WGFC adopted a 25 BBT limit along with a must kill regulation in the Green River drainage. It quickly became apparent that the 25 BBT limit was too conservative, so the WGFC adopted an unlimited creel limit in 2008. At the same time, the WGFC rescinded the must kill regulation due to concerns involving the wanton waste of sport fish. Following action by the Wyoming Legislature, the WGFC reclassified BBT as non-game fish west of the continental divide in 2013 and reinstated the must kill regulation . These actions allowed the WGFD to continue promoting unlimited harvest on BBT west of the continental divide. During the 2014 legislative session the Wyoming Legislature gave the WGFC the authority to liberalize the use of artificial light while fishing. Starting January 1, 2015, anglers are now allowed to use all forms of light while fishing and underwater spear gunners are able to use artificial light to pursue non-game fish including BBT.

In August 2016 the UDWR and the WGFD entered into a Memorandum of Agreement to formalize cooperation and describe responsibilities, for Sheep Creek (Utah tributary with large KOE spawning population) KOE brood stock management. UDWR and the WGFD agree to manage both the Early Run KOE and the Late Run KOE populations to perpetuate healthy spawning runs of both salmon strains in Sheep Creek and to ensure enough adults return to meet KOE management objectives identified in this plan.

#### **Management Goal:**

- Maintain and enhance diverse sport-fishing opportunities.

#### **Management Objectives:**

- Maintain minimum mean May experimental gill net catch rates of 0.35 fish/h for RBT/Cutthroat Trout (CUT) and 0.50 fish/h for LAT with mean RBT/  $W_r \geq 90$ .
- Maintain a minimum mean exploratory gill net catch rate of 1.50 fish/h for trophy LAT ( $\geq 28$  inches) with mean  $W_r \geq 90$ .
- Suppress the BBT population to maintain a reservoir-wide maximum mean fall overnight TM catch rate  $\leq 1.0$  fish/h.
- Maintain a minimum early summer hydroacoustic abundance estimate for KOE  $\leq$  age-2 of 600,000.
- Maintain a minimum  $PAS_{0.3} \geq 0.50$  for salmonids.
- Maintain a basic yield SMB fishery .
- Prevent the introduction of Aquatic Invasive Species (AIS), particularly Quagga and Zebra mussels.
- Collaboratively manage the Flaming Gorge Reservoir fishery.

#### **Stocking Request:**

Annual stocking requests for FGR are presented in Table 1 and Table 2. Leadership in the United States Fish and Wildlife Service (FWS) decided that Jones Hole National Fish Hatchery (JHNFH) should only rear native fish species. To meet this new directive JHNFH production for FGR transitioned from RBT to CUT for 2017 and beyond. Following successfully negotiations between WGFD and FWS leadership KOE for FGR will continue to be reared at JHNFH. In 2005 the WGFD requested JHNFH convert a portion of the production allocated to Wyoming from RBT to KOE. The WGFD requested the space for 60,000 8 inch RBT be used to produce 300,000 3 inch KOE. JHNFH started stocking KOE for WGFD in 2006.

Table 1. Stocking requests for Flaming Gorge Reservoir for 2017.

Species	Strain	Number	Preferred Size	Stocking Period	Agency
Rainbow trout	Heritage-Erwin	250,000	8 inches	May-June	UDWR
Rainbow trout	Arlee	60,000	8 inches	November	UDWR
Rainbow trout	Eagle Lake	330,000	8 inches	5/15 to 6/16	WGFD
Cutthroat trout	Colorado River	200,000	8 inches	5/15 to 6/16	JHNFH
Kokanee	Early/late <sup>1</sup>	450,000	3 inches	5/15 to 6/16	UDWR
Kokanee	Early/late	900,000	3 inches	5/15 to 6/16	WGFD
Kokanee	Early/late	300,000	3 inches	5/15 to 6/16	JHNFH

<sup>1</sup> Preference is 70% late run and 30% early run kokanee, but will take any kokanee to fill request.

Table 2. Stocking requests for Flaming Gorge Reservoir for 2018 and beyond.

Species	Strain	Number	Preferred Size	Stocking Period	Agency
Rainbow trout	Fish Lake Desmets	310,000	8 inches	May-June	UDWR
Rainbow trout	Eagle Lake	330,000	8 inches	5/15 to 6/16	WGFD
Cutthroat trout	Bear River	200,000	8 inches	5/15 to 6/16	JHNFH
Kokanee	Early/late <sup>1</sup>	450,000	3 inches	5/15 to 6/16	UDWR
Kokanee	Early/late	900,000	3 inches	5/15 to 6/16	WGFD
Kokanee	Early/late	300,000	3 inches	5/15 to 6/16	JHNFH

<sup>1</sup> Preference is 70% late run and 30% early run kokanee, but will take any kokanee to fill request.

#### Stocking strategies:

- Maintain RBT/CUT population through annually stocking 840,000 RBT/CUT. Stock at an average size of 8 inches between 5/15 and 6/15.

#### Rationale:

- The proposed stocking rate is 22 RBT/CUT per acre at elevation 6,030 feet (33,858 acres). These stocking rates fall within the Trout Stocking Guidelines for Wyoming Fisheries (Wiley 2003). Luecke and Canning (1995) found that zooplankton populations did not limit rainbow production and an increase in stocking would not impact the zooplankton population. The abundance and size of large zooplankton (*Daphnia* >1.1mm) increased with the decline of UTC and WHS (Luecke and Canning 1995). The abundance of large zooplankton suggests predation by zooplanktivorous fishes is low and over exploitation of the zooplankton population is currently not a concern. Through reservoir-wide monitoring completed in the summer of 2014, daphnid densities and size was at or above long-term averages, ranging from 1.7-17.1 daphnia per liter with a mean length of 1.4 mm (SD 0.30) (UDWR unpublished data). The mean size is still well above the minimum size of 1.1 mm that can be utilized by RBT due to gill raker spacing
- Stocking RBT/CUT at 8-inches or greater during the peak of zooplankton abundance in the spring will ensure maximum survival. It can be inferred from Yule (1992) that stocking a larger trout reduces the length of time the stocked fish are vulnerable to predation by LAT and BBT. Peak zooplankton abundance in Flaming Gorge Reservoir typically occurs between mid-May and mid-June (Schneidervin and Hubert 1988). Trend data collected during 2012 through 2015 confirms the peak zooplankton abundance occurs between mid May through mid June.

- Maintain WGFDD's mitigation production space in JHNFH by requesting CUT for stocking. Starting in 2017 stock 200,000 CUT at 8-inches from JHNFH.
- Enhance KOE populations by annually stocking 1,650,000 KOE. Stocking preference is for 70% late run KOE and 30% early run KOE per year at an average length of 3 inches between mid-May and mid-June. Late run KOE are preferred, but if unavailable, fill request with early run KOE eggs.

Rationale:

- The proposed stocking rate is 48 KOE per acre at 6,030 feet (33,858 acres). Luecke (1996) determined through bioenergetics modeling that the reservoir could sustain 3.5 million KOE without impacting the zooplankton resource. The FGR KOE population is not only sustaining a nationally important KOE sport fishery, but also a trophy LAT fishery.
- The target stocking size of 3 inches for KOE is a trade-off between post-stocking survival and hatchery performance (Roger Schneidervin personal communication). Research conducted mainly in MT and ID found survival (recruitment to spawning adults and/or return to the creel) was poor for KOE stocked at less than 3 inches total length.
- To maximize the growth (and therefore survival) of stocked KOE they should be stocked during peak zooplankton abundance (See RBT rationale).
- The stocking of late run KOE is critical to achieving our management goal; stocked KOE will supplement the wild reservoir stock. Luecke and Canning (1995) determined that 93% of the KOE in FGR were late run strain (shore spawning fish), indicating late run KOE have been the most successful at surviving and reproducing in the reservoir. Gipson and Hubert (1993) located abundant spawning areas in FGR with only a small fraction of these gravels actually being used. Supplementing the late run stock is an attempt to bolster the natural reproduction and encourage the population to utilize additional spawning habitats. Luecke and Canning (1995) also determined that late run fish were on average larger than early run fish. Larger females tend to produce more eggs, thereby providing the opportunity for more recruitment of KOE fry to the reservoir.
- Stocked late run KOE also ascend three of the major tributaries that enter FGR. Annually late run KOE ascend Sheep Creek, Henry's Fork River and the Green River to spawn.
- Stocked early run KOE have created a productive fishery in the Inflow Region of the reservoir that did not exist prior to their stocking. Available spawning habitat for early run KOE is limited to Sheep Creek and the Green River.

**Management strategies:**

**Goal: Maintain and enhance diverse sport-fishing opportunities.**

Objective: Maintain minimum mean May experimental gill net catch rates of 0.35 fish/h for RBT/CUT and 0.50 fish/h for LAT with mean RBT/CUT Wr  $\geq$ 90.

Activity: Conduct annual experimental trend gill netting during May in the Inflow, Open Hills and Canyon regions when water temperatures approach 50F. Collect data on fish relative abundance, population structure and diet.

Activity: Evaluate the stocking of CUT in FGR by comparing performance of stocked RBT and CUT via the May experimental trend gill netting.



Activity: Monitor zooplankton community (notably daphnia and copepods) annually at standard sampling locations (n=4) to evaluate abundance and size. Use total abundance and ratio of large to small-bodied zooplankton as an indicator of zooplankton community health and utilization by planktivorous fish (Yule and Burckhardt 2000). A decrease in the abundance and size of large bodied zooplankton (>1.1mm) would suggest the zooplankton community is being over exploited by planktivorous fish. If zooplankton declines are detected three consecutive years, consider reducing the stocking rates of both KOE and RBT.

Activity: Educate the public, using all available media outlets, regarding the burgeoning LAT population and the impacts an over abundance of smaller LAT ( $\leq 28$  inches) can have on the fishery. Educate the angling public on catching smaller LAT ( $\leq 28$  inches) and encourage harvest.

Objective: Maintain a minimum mean exploratory gill net catch rate of 1.50 fish/h for trophy LAT ( $\geq 28$  inches) with mean  $W_r \geq 90$ .

Activity: Concurrent with the experimental netting, complete annual exploratory LAT trend netting in May to collect data on trophy LAT relative abundance, population structure and diet.

Objective: Suppress the BBT population to maintain a reservoir-wide maximum mean fall overnight TM catch rate  $\leq 1.0$  fish/h for BBT.

Activity: Conduct annual fall trammel netting in early November in the Inflow, Open Hills and Canyon regions of the reservoir to assess BBT abundance, population structure and diet.

Activity: Educate the public, using all available media outlets, regarding the impacts BBT are having on the Flaming Gorge fisheries. Educate the angling public on how to catch BBT.

Activity: Permit “burbot only” derbies during the winter months to enhance the exploitation of the BBT population.

Activity: As requested, assist BBT derby sponsors by tagging BBT prior to events and operate check-in stations: collect derby, biological and creel information on fish entered by participants.

Objective: Maintain a minimum hydroacoustic abundance estimate for KOE  $\leq$  age-2 of 600,000.

Activity: Conduct annual hydroacoustic surveys on FGR to estimate the abundance of KOE YOY, 1+ and 2+ fish. Determine species composition in during hydroacoustic surveys by trawling. Utilize hydroacoustic data to evaluate KOE stocks and the success of KOE stocking strategies. These data provide the opportunity to track KOE trends over time and project the strength of future 3+ and 4+ age groups of fish.

Activity: Conduct research to determine return of stocked KOE by station, strain etc...and relative importance of wild recruitment by stream.

Objective: Maintain a minimum  $PAS_{0.3} \geq 0.50$  for salmonids in Flaming Gorge Reservoir.

Activity: Conduct angler spot creel surveys and highway check stations to collect catch rate, harvest, population, structure and food habit information. Use information collected to calculate and evaluate minimum PAS.

Activity: Evaluate the stocking of CUT in FGR by comparing performance of stocked RBT and CUT via intensive spot creel surveys starting with ice anglers (January 15 to February 28) and open water anglers (May 1 to June 30) in 2018.

Activity: Conduct abbreviated intensive creel surveys on FGR at 5-year intervals (latest creel survey was conducted during 2013). Conduct 6 week intensive winter creel survey on the Wyoming side of Flaming Gorge Reservoir January 15 to February 28. Jointly conduct 3 month program creel survey reservoir wide from May 15 to August 15.

Objective: Maintain a basic yield SMB fishery in Flaming Gorge Reservoir.

Activity: Collect and transport pre-spawn adult SMB from the abundant population on the Utah side to the struggling population on the Wyoming side of FGR to bolster the number of spawning SMB in Wyoming.

Activity: Monitor the SMB population at established transects distributed across the length of FGR in June with electrofishing boat.

Objective: Prevent the introduction of Aquatic Invasive Species (AIS) into Flaming Gorge Reservoir, particularly Quagga and Zebra mussels.

Activity: Implement the Wyoming and Utah AIS programs to prevent new introductions of Aquatic Invasive Species, particularly Quagga and Zebra mussels.

Objective: Collaboratively manage the Flaming Gorge Reservoir fishery.

Activity: Facilitate interagency communication and collaboration through annual coordination meetings. UDWR and WGFD management crews and administrators will meet annually to discuss management issues and research needs on FGR.

### **Future research needs:**

Develop research projects to enhance the knowledge and understanding of the FGR fishery. Potential research projects include but are not limited to:

- Determining hooking mortality on released KOE.
- Determining the timing, locations, habitat preference and movement patterns of spawning BBT in FGR and its tributaries.
- Determine the winter food habits of BBT.
- Determine seasonal food habits of LAT
- Determine population structure and dynamics of LAT
- Conduct a study to determine the overall benefits of late and early run KOE to the fishery.

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**Signatures.**

IN WITNESS WHEREOF, the parties hereto have executed this management plan on the dates (s) set forth below.

FOR THE US FISH AND WILDLIFE SERVICE:

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Title: Regional Director

Date: \_\_\_\_\_

FOR THE UTAH DIVISION OF WILDLIFE RESOURCES:

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Title: Agency Director

Date: \_\_\_\_\_

FOR THE WYOMING GAME AND FISH DEPARTMENT:

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Title: Regional Director

Date: \_\_\_\_\_