



February 22, 2009

Dear Senators and Representatives,

Reference: H.B. 187-1st Sub.

The Utah Chapter of the American Fisheries Society is a non profit organization, consisting of approximately 100 professional fisheries and aquatic scientists, from federal, state, educational and private industry who work with the public to provide long term sustainability of the public s fisheries and aquatic resources. The Chapter also includes a number of college students beginning their careers in aquatic related fields. This is a substantial group of outdoor enthusiasts, anglers, professionals and students sharing common goals and interests in the aquatic resources of the state.

Considering our background, involvement and often times, recreational use of the aquatic resources of the state, we are quite concerned about the potential ramifications of House Bill 187, Recreational Use of Public Waters (on Private Property), as it currently stands. We appreciate the complexity of the issue and understand the importance and necessity to protect private landowner s property rights. However, H.B. 187 and its attempt to clarify the Supreme Court decision in Conatser v. Johnson in 2008 appears to make things more complicated for both anglers and private landowners than prior to the Conatser v. Johnson ruling.

In particular, restricting anglers to an incomplete list of seemingly arbitrarily selected waters (line 217), the recreational restriction of areas where existing homes are within 150 feet of the stream (line196) and the complicated procedure required by both anglers and property owners to apply for opportunities or restrictions to a new board that does not have rule making authority.

As you are well aware, this is a very emotional topic affecting several groups, organizations, landowners and public constituents. Our organization is requesting specifically that you consider sending H.B. 187 to an interim committee for further study,

in order to allow private landowners, angling and recreation groups, private citizens and conservation organizations the opportunity to get together and come up with equitable solutions.

Again, we understand that this is a very sensitive issue requiring ample time to get things right. Please consider our request and suggestions so that a workable solution can be attained. Thanks for your efforts and consideration on this very sensitive and important issue that affects so many citizens of our state and their use of the state/public waters.

Sincerely,

Michael Mills, President Elect
Utah Chapter of American Fisheries Society