UTAH DEPARTMENT OF AGRICULTURE AND FOOD

State of Utah
Fish Health Policy Board
April 28, 2026
10:30 – 11:30 AM
UDAF offices
Taylorsville, UT
Conference Room #2506

Teleconference link: More phone numbers: https://tel.meet/hox-fote-uyc?pin=9955588022044
Join by phone: (US) +1 856-281-1351 PIN: 993 789 974#

This meeting will be conducted in person and via electronic means. Here is the available link to the public for live broadcast and on-demand viewing: https://meet.google.com/hox-fote-uyc

If you do not have access to the Internet, you can join via telephone calling: (US) +1 856-281-1351 and using meeting PIN: 993 789 974#

AGENDA

1. CALL MEETING TO ORDER – WADE CAVENDER, CHAIR.
2. PUBLIC COMMENT
3. APPROVAL OF THE MINUTES OF THE FHPB: [action Item]
   - January 13, 2026 FHPB meeting (Handout)
4. UDWR VARIANCES [action item]
   - Multiple presentations, Randy Oplinger (UDWR Aquatics)
5. LLPA VARIANCE [action item]
   - Presentation, Xavier Matheson (UDAF Aquaculture Manager)
6. UDAF RULES UPDATE: [discussion item]
   - Presentation, Xavier Matheson (UDAF Aquaculture Manager)
7. ANNOUNCEMENTS [discussion item]
8. ADJOURN

IN ACCORDANCE WITH THE AMERICAN DISABILITIES ACT, INDIVIDUALS NEEDING ACCOMODATIONS DURING THIS MEETING SHOULD CONTACT UDAF AT 801-982-2200. AT LEAST THREE WORKING DAYS PRIOR TO THE MEETING. HEARING IMPAIRED INDIVIDUALS SHOULD CALL UTAH RELAY SERVICE AT 801-298-9484 OR 1-800-364-4128

UTAH DEPARTMENT OF AGRICULTURE AND FOOD

State of Utah
Fish Health Policy Board
January 13, 2026
2:00 – 3:00 PM
UDAF offices
Taylorsville, UT
Conference Room #2508

Teleconference link: https://tel.meet/adq-ohtw-gwq?pin=5758190614028
Join by phone: (US) +1 929-251-5754 PIN: 682 340 058#

This meeting will be conducted in person and via electronic means. Here is the available link to the public for live broadcast and on-demand viewing: https://meet.google.com/adq-ohtw-gwq

If you do not have access to the Internet, you can join via telephone calling: (US) +1 929-251-5754 and using meeting PIN: 682 340 058#

AGENDA MEETING MINUTES

1. CALL MEETING TO ORDER – WADE CAVENDER, CHAIR.

    - ATTENDANCE: Wade Cavender, Chair of the Fish Health Policy Board (FHPB), and Assistant Aquatics Section Chief for the Utah Division of Wildlife (DWR). Xavier Matheson, Utah Department of Agriculture and Food (UDAF) Aquaculture program manager. Dr. Robert Martinez, local fish veterinarian here in Salt Lake City. Mike Canning, Deputy director of the DWR. Drew Cushing, Aquatic Section Chief for the DWR. Trina Hedrick, Cold-water Sportfish coordinator DWR. Randy Oplinger, Sportfish coordinator DWR. Amanda Price, UDAF state veterinarian. Christi Swan, Aquatic Animal Health coordinator for DWR. Curtis Grow, Attorney general UDAF. Tylynn Griffin, Cold Springs Trout Farm manager and Aquaculture seat on FHPB board. Camille Knudson, Senior policy analyst for UDAF. Neal Barker, Cold Springs Trout Farm owner.

2. PUBLIC COMMENT

3. APPROVAL OF THE MINUTES OF THE FHPB: [action Item]
    - October 1, 2025 FHPB meeting (Handout)

    - Mike Canning motioned to approve the minutes, Xavier seconded the motion. Minutes were approved unanimously.

4. UDWR RULES UPDATE [discussion item]

- Presentation, Randy Oplinger (UDWR Aquatics)

- Randy discussed proposed New Zealand Mudsnail (NZMS) rule changes: main purpose is to delist the snail from prohibited and re-list the snail as controlled. This would provide opportunity for the DWR and private aquaculture to move fish from positive NZMS areas. Currently, it is illegal to move NZMS, or fish in water that test positive, because they are listed as prohibited.

- Regarding changing NZMS from prohibited to controlled status, Randy mentioned the trickle down effect this has on private ponds. To address varying situations, the Division proposed a low, medium, and high risk area where snails can be stocked without treatment or purging, a medium risk area with stocking allowed after a type of treatment, and a high risk area where stocking would not be allowed due to endemic spring snail populations at risk. They are currently working on establishing these stocking zones, and will bring this forward to upcoming RAC meetings.

- Wade asked if these rules will create opportunities for private aquaculture, specifically has DWR identified waters where positive NZMS populations overlap with private aquaculture customer base? Wade emphasized he is not asking whether the stocking will be granted, but whether or not areas of possibility have been established? Randy responded not right now at the meeting, but yes the DWR is working on those areas and how they overlap with high risk areas of native snail populations.

- Tylynn asked what the process will look like for farmers, if the stocking map for NZMS will be based on elevation? Randy said this model will be based on hydrological unit, elevation, native spring populations, and a lot more information than just elevation. Randy mentioned this classification change and rule update might be fine-tuned further in order to address farmer's needs; this was after Tylynn asked what would happen if farmers were found to introduce NZMS positive fish in an area that is high or medium risk.

- Drew emphasized Utah is one of the only states willing to have a conversation about changing the listing status of NZMS and it provides opportunities for both the Division and the Department.

- Tylynn circled back to wanting to have this same conversation about stocking whirling disease positive fish in whirling disease positive areas. Wade assured Tylynn he and the Division are willing to have conversations regarding the possibility of stocking whirling disease positive fish in whirling disease positive areas, but cannot promise the same outcome as NZMS. Wade emphasized the need for more up to date data, and a full risk assessment as starting points for this discussion around whirling disease.

5. WHIRLING DISEASE UPDATE: [discussion item]
   - Presentation, Xavier Matheson (UDAF Aquaculture Manager)
   - Xavier gave presentation on WD introduction to private aquaculture facilities in North Ogden.

- Went over the sample collection, what lots tested positive, the methods the lab used to confirm the positive screening test. Xavier went over historical WD positive 30 years ago, but the disease has gone away after the farm re-poured raceways and capped French drains. UDAF gave the farm restricted health approval status to sell eggs, no live fish, but no customers did not want the eggs even though they were disinfected.
- Xavier explained a further need to identify if there is a clean water source on the facility. Two halves of the facility that have been kept aseptically separate. UDAF wants to test this water source to find out if WD is in this water source.
- Xavier outlined the new testing parameters on the north side to determine if the pathogen is on both the south and north side, or if the north side is a clean water source. Xavier worked with Christi Swan to come up with a sample plan, and sent multiple lots of heads for Pepsin-trypsin digest to WADDL for further testing. Results have not come back yet.
- Xavier outlined the differing depopulation scenarios, based on the implications if the farm is positive on the north and south side. Xavier also outlined the steps to regain full health approval if the farm finds a clean water source.
- Wade mentioned the disappointment in customers not wanting egg sales despite the science showing the risk is mute.
- Neal thanked everyone for the presentation and voiced his general disappointment. He emphasized there is a large possibility Pineview reservoir irrigation water was released in a flooding event, and that this flooding event is what caused the pathogen to be introduced to the farm.

6. ANNOUNCEMENTS [discussion item]
    - UDAF "Clear the Rules" update.
    - Xavier mentioned the UDAF rule updates are not ready to discuss. There are two major updates: passive voice removal and code redundancy removal, and both are still on-going. Next FHPB meeting UDAF will be ready to discuss these rule updates.
    - Camille mentioned there were one or two other examples with rule updates besides code redundancy and passive voice that needed to be changed, but cannot remember specifically the circumstances. Either way, the rule changes
    - Christi asked will the UDAF rule changes be brought to the board beforehand, or will they just go through without FHPB notice? Is there government direction on where they need to be brought to? Xavier answered he would let the board know beforehand. Wade thought prior notice would be an email, Xavier explained he will discuss more at the next FHPB meeting.

7. ADJOURN
    - Mike Canning moved to adjourn, Xavier seconded the motion. Wade adjourned the meeting.

Variance Proposal
Utah Fish Health Policy Board

Requestor Name & Company: Randy Oplinger Date: 04/13/26

Address, Phone, Email, Fax: 1585 North Temple, Salt Lake City, UT 84114

Description of variance proposal (short description of specifics for the proposal)

Beginning date: 5/1/26 Ending date: 4/30/36

Species, size, & numbers:

1) Razorback Sucker, all sizes, all collected at trap, 2) Bonytail Chub, all sizes, all collected at trap, 3) Colorado Pikeminnow, all sizes, all collected at trap, 4) Humpback Chub, all sizes, all collected at trap

Source (include UTM or HUC): Leota Bottom Wetland, 12N 619747 4446326

Destination (include UTM or HUC): Leota Bottom Wetland Outlet, 12N 619747 4446326

Description of proposed activity:

Leota Bottom Wetland provides a backwater rearing habitat for endangered fishes. The wetland is filled every spring by opening gates, allowing water from the Green River to enter the wetland. Endangered fishes are entrained during filling, grow during the summer, and the wetland is drained in the fall. Fish are collected in trap structures and are then translocated from the trap back into the Green River. This variance request covers the translocation of fish. Fish are either moved directly over a screen or a short distance to the nearest good quality water in the Green River (<100 yds).

Disposal and decontamination (fish disposal and facility decontamination methods):

Non-native fishes are euthanized with an overdose of MS-222 and are discarded in a landfill.

Reason (why this varies from R58-17. You may wish to contact UDAF (801 538 7029) if assistance with R58-17 is needed):

We are requesting a variance because fish are translocated from the trap to the Green River. Translocated fish are not health certified because the DWR and partners are interested in conserving these federally listed fishes. In addition, fish are generally present in low enough densities that capture for health certification would be difficult. The Wetland is filled using water from the Green River and fish are translocated in the fall back into the Green River. Therefore the water source does not change. Fish are moved either directly over the wetland outlet screen or to the nearest good quality water within the Green River itself (fish moved < 100 yards).

Scientific rationale (scientific reasons upon which the variance is based):

Data shows that translocated fish survive well after. Data also shows that translocated fish are detected at known spawning sites later in life and are contributing to recovery of federally listed fishes.

Inspection history (inspection history for the source, destination, and species or enter "none" if not applicable):

None

Benefit (how the variance would benefit you, the Utah aquaculture industry, the public, and/or public fishery resources):

The Upper Colorado River Basin is home to four endangered fish species. Managed wetland areas like the Leota Bottom Wetland have been shown to be valuable nursery habitat for these species. Continued management of the Wetland will contribute to the recovery of endangered Colorado River fishes.

Risk (potential harm the variance may cause to the Utah aquaculture industry or public fishery resources, etc.):

The anticipated risk is low because fish are being translocated into the same water sources where they originated.

Funding (sources of funding that will be used, i.e., own financing, research, private, state, etc.):

The Upper Colorado Endangered Fish Recovery program provides funding for this effort.

Names (contact information for companies or persons who have agreed to work with you or speak in favor of the variance):

Name: Tildon Jones Company: Fish and Wildlife Service

Address:

Phone: 303-588-4074 Email: tildon_jones@fws.gov

Name: Company:

Address:

Phone: Email:

Stipulations required by the Board:

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Regulatory authority/contact: UDAF ☐ UDWR ☐

Comment:

Approval: Yes ○ No ○ Letter ○

Reset Form

Variance Proposal
Utah Fish Health Policy Board

Requestor Name & Company: Randy Oplinger Date: 04/13/26

Address, Phone, Email, Fax: 1585 North Temple, Salt Lake City, UT 84114

Description of variance proposal (short description of specifics for the proposal)

Beginning date: 5/1/26 Ending date: 4/30/36

Species, size, & numbers:

1) Razorback Sucker, all sizes, all collected at trap, 2) Bonytail Chub, all sizes, all collected at trap, 3) Colorado Pikeminnow, all sizes, all collected at trap, 4) Humpback Chub, all sizes, all collected at trap

Source (include UTM or HUC): Above Brennan Wetland, 12N 619480 4455016

Destination (include UTM or HUC): Above Brennan Wetland Outlet, 12N 619480 4455016

Description of proposed activity:

Above Brennan Wetland provides a backwater rearing habitat for endangered fishes. The wetland is filled every spring by opening gates, allowing water from the Green River to enter the wetland. Endangered fishes are entrained during filling, grow during the summer, and the wetland is drained in the fall. Fish are collected in trap structures and are then translocated from the trap back into the Green River. This variance request covers the translocation of fish. Fish are either moved directly over a screen or a short distance to the nearest good quality water in the Green River (<100 yds).

Disposal and decontamination (fish disposal and facility decontamination methods):

Non-native fishes are euthanized with an overdose of MS-222 and are discarded in a landfill.

Reason (why this varies from R58-17. You may wish to contact UDAF (801 538 7029) if assistance with R58-17 is needed):

We are requesting a variance because fish are translocated from the trap to the Green River. Translocated fish are not health certified because the DWR and partners are interested in conserving these federally listed fishes. In addition, fish are generally present in low enough densities that capture for health certification would be difficult. The Wetland is filled using water from the Green River and fish are translocated in the fall back into the Green River. Therefore the water source does not change. Fish are moved either directly over the wetland outlet screen or to the nearest good quality water within the Green River itself (fish moved < 100 yards).

Scientific rationale (scientific reasons upon which the variance is based):

Data shows that translocated fish survive well after. Data also shows that translocated fish are detected at known spawning sites later in life and are contributing to recovery of federally listed fishes.

Inspection history (inspection history for the source, destination, and species or enter "none" if not applicable):

None

Benefit (how the variance would benefit you, the Utah aquaculture industry, the public, and/or public fishery resources):

The Upper Colorado River Basin is home to four endangered fish species. Managed wetland areas like the Above Brennan Wetland have been shown to be valuable nursery habitat for these species. Continued management of the Wetland will contribute to the recovery of endangered Colorado River fishes.

Risk (potential harm the variance may cause to the Utah aquaculture industry or public fishery resources, etc.):

The anticipated risk is low because fish are being translocated into the same water sources where they originated.

Funding (sources of funding that will be used, i.e., own financing, research, private, state, etc.):

The Upper Colorado Endangered Fish Recovery program provides funding for this effort.

Names (contact information for companies or persons who have agreed to work with you or speak in favor of the variance):

Name: Tildon Jones Company: Fish and Wildlife Service

Address:

Phone: 303-588-4074 Email: tildon_jones@fws.gov

Name: Company:

Address:

Phone: Email:

Stipulations required by the Board:

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Regulatory authority/contact: UDAF ☐ UDWR ☐

Comment:

Approval: Yes ○ No ○ Letter ○

Reset Form

Variance Proposal
Utah Fish Health Policy Board

Requestor Name & Company: Randy Oplinger Date: 04/13/26

Address, Phone, Email, Fax: 1585 North Temple, Salt Lake City, UT 84114

Description of variance proposal (short description of specifics for the proposal)

Beginning date: 5/1/26 Ending date: 4/30/36

Species, size, & numbers:

1) Razorback Sucker, all sizes, all collected at trap, 2) Bonytail Chub, all sizes, all collected at trap, 3) Colorado Pikeminnow, all sizes, all collected at trap, 4) Humpback Chub, all sizes, all collected at trap

Source (include UTM or HUC): Johnson Bottom Wetland, 12N 619879 4449626

Destination (include UTM or HUC): Johnson Bottom Wetland Outlet, 12N 619879 4449626

Description of proposed activity:

Johnson BottomWetland provides a backwater rearing habitat for endangered fishes. The wetland is filled every spring by opening gates, allowing water from the Green River to enter the wetland. Endangered fishes are entrained during filling, grow during the summer, and the wetland is drained in the fall. Fish are collected in trap structures and are then translocated from the trap back into the Green River. This variance request covers the translocation of fish. Fish are either moved directly over a screen or a short distance to the nearest good quality water in the Green River (<100 yds).

Disposal and decontamination (fish disposal and facility decontamination methods):

Non-native fishes are euthanized with an overdose of MS-222 and are discarded in a landfill.

Reason (why this varies from R58-17. You may wish to contact UDAF (801 538 7029) if assistance with R58-17 is needed):

We are requesting a variance because fish are translocated from the trap to the Green River. Translocated fish are not health certified because the DWR and partners are interested in conserving these federally listed fishes. In addition, fish are generally present in low enough densities that capture for health certification would be difficult. The Wetland is filled using water from the Green River and fish are translocated in the fall back into the Green River. Therefore the water source does not change. Fish are moved either directly over the wetland outlet screen or to the nearest good quality water within the Green River itself (fish moved < 100 yards).

Scientific rationale (scientific reasons upon which the variance is based):

Data shows that translocated fish survive well after. Data also shows that translocated fish are detected at known spawning sites later in life and are contributing to recovery of federally listed fishes.

Inspection history (inspection history for the source, destination, and species or enter "none" if not applicable):

None

Benefit (how the variance would benefit you, the Utah aquaculture industry, the public, and/or public fishery resources):

The Upper Colorado River Basin is home to four endangered fish species. Managed wetland areas like the Johnson Bottom Wetland have been shown to be valuable nursery habitat for these species. Continued management of the Wetland will contribute to the recovery of endangered Colorado River fishes.

Risk (potential harm the variance may cause to the Utah aquaculture industry or public fishery resources, etc.):

The anticipated risk is low because fish are being translocated into the same water sources where they originated.

Funding (sources of funding that will be used, i.e., own financing, research, private, state, etc.):

The Upper Colorado Endangered Fish Recovery program provides funding for this effort.

Names (contact information for companies or persons who have agreed to work with you or speak in favor of the variance):

Name: Tildon Jones Company: Fish and Wildlife Service

Address:

Phone: 303-588-4074 Email: tildon_jones@fws.gov

Name: Company:

Address:

Phone: Email:

Stipulations required by the Board:

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Regulatory authority/contact: UDAF ☐ UDWR ☐

Comment:

Approval: Yes ○ No ○ Letter ○

Reset Form

Variance Proposal
Utah Fish Health Policy Board

Requestor Name & Company: Randy Oplinger Date: 04/13/26

Address, Phone, Email, Fax: 1585 North Temple, Salt Lake City, UT 84114

Description of variance proposal (short description of specifics for the proposal)

Beginning date: 5/1/26 Ending date: 4/30/36

Species, size, & numbers:

1) Razorback Sucker, all sizes, all collected at trap, 2) Bonytail Chub, all sizes, all collected at trap, 3) Colorado Pikeminnow, all sizes, all collected at trap, 4) Humpback Chub, all sizes, all collected at trap

Source (include UTM or HUC): Sheppard Bottom Wetland, 12N 616026 4441147

Destination (include UTM or HUC): Sheppard Bottom Wetland Outlet, 12N 616026 4441147

Description of proposed activity:

Sheppard Bottom Wetland provides a backwater rearing habitat for endangered fishes. The wetland is filled every spring by opening gates, allowing water from the Green River to enter the wetland. Endangered fishes are entrained during filling, grow during the summer, and the wetland is drained in the fall. Fish are collected in trap structures and are then translocated from the trap back into the Green River. This variance request covers the translocation of fish. Fish are either moved directly over a screen or a short distance to the nearest good quality water in the Green River (<100 yds).

Disposal and decontamination (fish disposal and facility decontamination methods):

Non-native fishes are euthanized with an overdose of MS-222 and are discarded in a landfill.

Reason (why this varies from R58-17. You may wish to contact UDAF (801 538 7029) if assistance with R58-17 is needed):

We are requesting a variance because fish are translocated from the trap to the Green River. Translocated fish are not health certified because the DWR and partners are interested in conserving these federally listed fishes. In addition, fish are generally present in low enough densities that capture for health certification would be difficult. The Wetland is filled using water from the Green River and fish are translocated in the fall back into the Green River. Therefore the water source does not change. Fish are moved either directly over the wetland outlet screen or to the nearest good quality water within the Green River itself (fish moved < 100 yards).

Scientific rationale (scientific reasons upon which the variance is based):

Data shows that translocated fish survive well after. Data also shows that translocated fish are detected at known spawning sites later in life and are contributing to recovery of federally listed fishes.

Inspection history (inspection history for the source, destination, and species or enter "none" if not applicable):

None

Benefit (how the variance would benefit you, the Utah aquaculture industry, the public, and/or public fishery resources):

The Upper Colorado River Basin is home to four endangered fish species. Managed wetland areas like the Sheppard Bottom Wetland have been shown to be valuable nursery habitat for these species. Continued management of the Wetland will contribute to the recovery of endangered Colorado River fishes.

Risk (potential harm the variance may cause to the Utah aquaculture industry or public fishery resources, etc.):

The anticipated risk is low because fish are being translocated into the same water sources where they originated.

Funding (sources of funding that will be used, i.e., own financing, research, private, state, etc.):

The Upper Colorado Endangered Fish Recovery program provides funding for this effort.

Names (contact information for companies or persons who have agreed to work with you or speak in favor of the variance):

Name: Tildon Jones Company: Fish and Wildlife Service

Address:

Phone: 303-588-4074 Email: tildon_jones@fws.gov

Name: Company:

Address:

Phone: Email:

Stipulations required by the Board:

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Regulatory authority/contact: UDAF ☐ UDWR ☐

Comment:

Approval: Yes ○ No ○ Letter ○

Reset Form

Variance Proposal
Utah Fish Health Policy Board

Requestor Name & Company: Randy Oplinger Date: 04/13/26

Address, Phone, Email, Fax: 1585 North Temple, Salt Lake City, UT 84114

Description of variance proposal (short description of specifics for the proposal)

Beginning date: 5/1/26 Ending date: 4/30/36

Species, size, & numbers:

1) Razorback Sucker, all sizes, all collected at trap, 2) Bonytail Chub, all sizes, all collected at trap, 3) Colorado Pikeminnow, all sizes, all collected at trap, 4) Humpback Chub, all sizes, all collected at trap

Source (include UTM or HUC): Old Charley Wetland, 12N 615134 4439469

Destination (include UTM or HUC): Old Charley Wetland Outlet, 12N 615134 4439469

Description of proposed activity:

Old Charley Wetland provides a backwater rearing habitat for endangered fishes. The wetland is filled every spring by opening gates, allowing water from the Green River to enter the wetland. Endangered fishes are entrained during filling, grow during the summer, and the wetland is drained in the fall. Fish are collected in trap structures and are then translocated from the trap back into the Green River. This variance request covers the translocation of fish. Fish are either moved directly over a screen or a short distance to the nearest good quality water in the Green River (<100 yds).

Disposal and decontamination (fish disposal and facility decontamination methods):

Non-native fishes are euthanized with an overdose of MS-222 and are discarded in a landfill.

Reason (why this varies from R58-17. You may wish to contact UDAF (801 538 7029) if assistance with R58-17 is needed):

We are requesting a variance because fish are translocated from the trap to the Green River. Translocated fish are not health certified because the DWR and partners are interested in conserving these federally listed fishes. In addition, fish are generally present in low enough densities that capture for health certification would be difficult. The Wetland is filled using water from the Green River and fish are translocated in the fall back into the Green River. Therefore the water source does not change. Fish are moved either directly over the wetland outlet screen or to the nearest good quality water within the Green River itself (fish moved < 100 yards).

Scientific rationale (scientific reasons upon which the variance is based):

Data shows that translocated fish survive well after. Data also shows that translocated fish are detected at known spawning sites later in life and are contributing to recovery of federally listed fishes.

Inspection history (inspection history for the source, destination, and species or enter "none" if not applicable):

None

Benefit (how the variance would benefit you, the Utah aquaculture industry, the public, and/or public fishery resources):

The Upper Colorado River Basin is home to four endangered fish species. Managed wetland areas like the Old Charley Wetland have been shown to be valuable nursery habitat for these species. Continued management of the Wetland will contribute to the recovery of endangered Colorado River fishes.

Risk (potential harm the variance may cause to the Utah aquaculture industry or public fishery resources, etc.):

The anticipated risk is low because fish are being translocated into the same water sources where they originated.

Funding (sources of funding that will be used, i.e., own financing, research, private, state, etc.):

The Upper Colorado Endangered Fish Recovery program provides funding for this effort.

Names (contact information for companies or persons who have agreed to work with you or speak in favor of the variance):

Name: Tildon Jones Company: Fish and Wildlife Service

Address:

Phone: 303-588-4074 Email: tildon_jones@fws.gov

Name: Company:

Address:

Phone: Email:

Stipulations required by the Board:

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Regulatory authority/contact: UDAF ☐ UDWR ☐

Comment:

Approval: Yes ○ No ○ Letter ○

Reset Form

Variance Proposal
Utah Fish Health Policy Board

Requestor Name & Company: Randy Oplinger Date: 04/13/26

Address, Phone, Email, Fax: 1585 North Temple, Salt Lake City, UT 84114

Description of variance proposal (short description of specifics for the proposal)

Beginning date: 5/1/26 Ending date: 4/30/36

Species, size, & numbers:

1) Razorback Sucker, all sizes, all collected at trap, 2) Bonytail Chub, all sizes, all collected at trap, 3) Colorado Pikeminnow, all sizes, all collected at trap, 4) Humpback Chub, all sizes, all collected at trap

Source (include UTM or HUC): Stirrup Wetland, 12N 623273 4460369

Destination (include UTM or HUC): Stirrup Wetland Outlet, 12N 623273 4460369

Description of proposed activity:

Stirrup Wetland provides a backwater rearing habitat for endangered fishes. The wetland is filled every spring by opening gates, allowing water from the Green River to enter the wetland. Endangered fishes are entrained during filling, grow during the summer, and the wetland is drained in the fall. Fish are collected in trap structures and are then translocated from the trap back into the Green River. This variance request covers the translocation of fish. Fish are either moved directly over a screen or a short distance to the nearest good quality water in the Green River (<100 yds).

Disposal and decontamination (fish disposal and facility decontamination methods):

Non-native fishes are euthanized with an overdose of MS-222 and are discarded in a landfill.

Reason (why this varies from R58-17. You may wish to contact UDAF (801 538 7029) if assistance with R58-17 is needed):

We are requesting a variance because fish are translocated from the trap to the Green River. Translocated fish are not health certified because the DWR and partners are interested in conserving these federally listed fishes. In addition, fish are generally present in low enough densities that capture for health certification would be difficult. The Wetland is filled using water from the Green River and fish are translocated in the fall back into the Green River. Therefore the water source does not change. Fish are moved either directly over the wetland outlet screen or to the nearest good quality water within the Green River itself (fish moved < 100 yards).

Scientific rationale (scientific reasons upon which the variance is based):

Data shows that translocated fish survive well after. Data also shows that translocated fish are detected at known spawning sites later in life and are contributing to recovery of federally listed fishes.

Inspection history (inspection history for the source, destination, and species or enter "none" if not applicable):

None

Benefit (how the variance would benefit you, the Utah aquaculture industry, the public, and/or public fishery resources):

The Upper Colorado River Basin is home to four endangered fish species. Managed wetland areas like the Stirrup Wetland have been shown to be valuable nursery habitat for these species. Continued management of the Wetland will contribute to the recovery of endangered Colorado River fishes.

Risk (potential harm the variance may cause to the Utah aquaculture industry or public fishery resources, etc.):

The anticipated risk is low because fish are being translocated into the same water sources where they originated.

Funding (sources of funding that will be used, i.e., own financing, research, private, state, etc.):

The Upper Colorado Endangered Fish Recovery program provides funding for this effort.

Names (contact information for companies or persons who have agreed to work with you or speak in favor of the variance):

Name: Tildon Jones Company: Fish and Wildlife Service

Address:

Phone: 303-588-4074 Email: tildon_jones@fws.gov

Name: Company:

Address:

Phone: Email:

Stipulations required by the Board:

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Regulatory authority/contact: UDAF ☐ UDWR ☐

Comment:

Approval: Yes ○ No ○ Letter ○

Reset Form

STATE OF UTAH
FISH HEALTH POLICY BOARD

Utah Department of Agriculture and Food
Division of Animal Industry
4315 S 2700 W
TSOB South Bldg, Second Floor
Taylorsville, UT 84129-2128
Phone: (801) 982-2200

Utah Division of Wildlife Resources
1594 West North Temple
P.O. Box 146301
Salt Lake City, UT 84114
Phone (801) 538-4700

June 2, 2025

Robert Shields
Utah Division of Wildlife Resources – Aquatic Animal Health Research Center
1465 W 200 N
Logan, UT 84321

Subject: Variance for Green Sucker (*Pantosteus virescens*) eggs to be moved to Aquatic Animal Health Research Center without R58-17 health testing.

Dear Dr. Shields,

I am writing on behalf of the Utah Fish Health Policy Board (FHPB) regarding your variance report that was presented to the FHPB on May 28, 2025. The FHPB acknowledges the Utah Division of Wildlife's need to address the continuing decline of endemic Green Sucker in the Weber River population. Based on research from 2016, 2017, 2018, and 2019, the FHPB recognizes thiamine deficiencies potentially catastrophic for natural recruitment, particularly in juvenile survival. The FHPB also recognizes that the population of Green Sucker would be negatively affected by the sacrifice of individuals for health testing, and the health risk of this project is extremely low.

The variance was approved as proposed. The Utah Division of Wildlife Resources may move Green Sucker eggs to the Aquatic Animal Health Research Center in Logan for the next year, until June 2, 2026.

The FHPB requests that the Utah Division of Wildlife Resources update the Board when the variance expires in 2026.

Thank you for the presentation of your variance to the FHPB.

Wade Cavender

Wade Cavender
Chair of the Utah Fish Health Policy Board

Middle Green Wetland Variance Requests

Background

- Green River is home to four federally listed fishes:
  1. Razorback Sucker
  2. Colorado Pikeminnow
  3. Bonytail Chub
  4. Humpback Chub

Background

- Habitat modifications have disconnected the river from floodplains
- Floodplains provide valuable nursery habitat for endangered fishes, particularly Razorback Sucker

Background

- Managed wetlands have been established to create nursery habitat
- Flood gates opened during rising limb of hydrograph and larval fishes are entrained
- Entrained fishes grow through summer
- Wetlands are drained in fall
  - Non-native fishes removed
  - Native fishes either placed downstream of the wetland screen or translocated ~100 yards to Green River

Why a Variance?

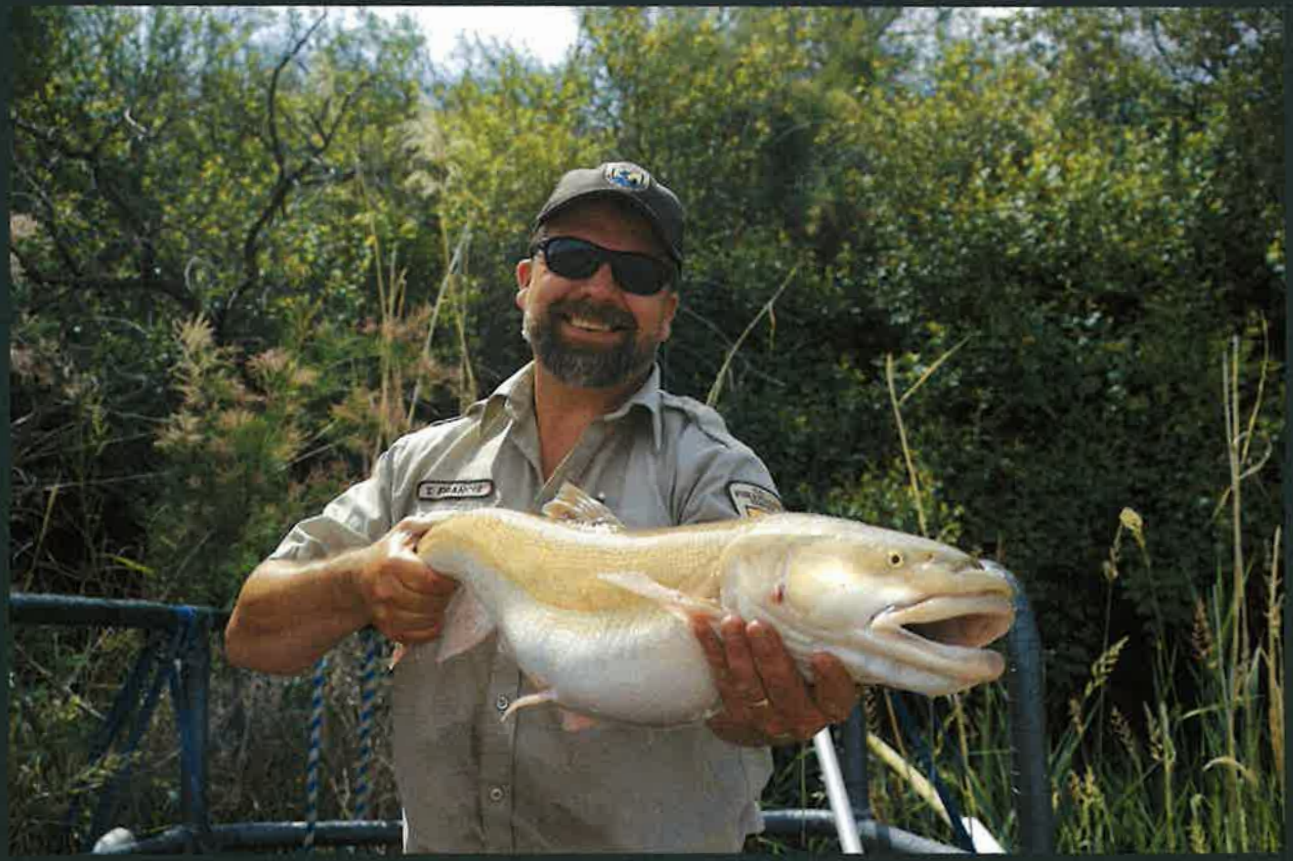
- Fish are moved over a screen or are potentially moved from traps to mainstem of river due to low flows/poor water quality in outlet channels
- Source water doesn't change
- Health certification is not feasible

Variance Requests

- 6 requests in total
- All located along Green River between Jensen and Ouray
- All wetlands operated similarly


Maeser
Vernal
Naples
Tridell
Lapoint
Jensen
Stirrup
Fort Duchesne
Above Brennan
Randlett
Johnson Bottom
Leota Bottom
Sheppard Bottom
Old Charley
Ouray

Questions?



Variance Proposal
Utah Fish Health Policy Board

Requestor Name & Company: Dr Ari Fustukjian, Loveland Living Planet Aquarium Date: April 7 2026

Address, Phone, Email, Fax: 12033 S. Lone Peak Pkwy, Draper, UT 84020 (801)355-3474

Description of variance proposal (short description of specifics for the proposal)

Beginning date: May 1 2026 Ending date: May 1 2031. Ongoing need for transfers.

Species, size, & numbers:

Native and Sport Fish in LLPA Collection that outgrow space available.

Source (include UTM or HUC): n/a

Destination (include UTM or HUC):n/a

Description of proposed activity:

Loveland Living Planet Aquarium would like the ability to transfer sport fish and native species to other instate display aquariums, if animals outgrow their enclosures or reach a size class that makes them incompatible with other animals in the display.

Disposal and decontamination (fish disposal and facility decontamination methods):

The objective of the variance is to reduce the need for euthanasia of animals due to management concerns. Animals will be examined by the Health Care team and issued a CVI prior to transfer to another aquarium.

Reason (why this varies from R58-17. You may wish to contact UDAF (801 538 7029) if assistance with R58-17 is needed):

LLPA performs animal euthanasia for medical and management reasons. LLPA does euthanize animals for management reasons after every opportunity is exhausted to place the animal at another display facility. A variance that allows LLPA to transfer aquatic animals to display aquariums in Utah would increase the options available to LLPA and its animals, decreasing the need for management euthanasia when an animal outgrows the space. A variance that allows for the transfer of non-health approved species between in-state aquariums and displays may also reduce the need for other aquariums to collect non-health approved species from the wild.

Scientific rationale (scientific reasons upon which the variance is based):

LLPA performs physical exam and CVI for transfers, but this is not sufficient for the transfer of sport fish or native species within the state. Animals would only be transferred to facilities with the species on their display COR that will not stock or release the animal. Exam and CVI will be performed

Inspection history (inspection history for the source, destination, and species or enter "none" if not applicable):

None.

Benefit (how the variance would benefit you, the Utah aquaculture industry, the public, and/or public fishery resources):

Allowing LLPA to supply native species or sportfish to other Utah aquariums may reduce the need for collections and the removal of animals from the wild. A decrease in collections from wild sites would reduce the possibility of fomite pathogen transmission to, or between wild sites. The variance may reduce the need for LLPA to euthanize aquatic animals due to facility or management constraints.

Risk (potential harm the variance may cause to the Utah aquaculture industry or public fishery resources, etc.):

The transfer of non-health approved aquatic animals between display aquariums should pose no risk to Utah Aquaculture or wildlife. Display aquariums, like Loveland Living Planet Aquarium, are isolated systems with no connection to the waters of the State. Waste water enters the sewage / waste water system. The stipulation that 'the receiving facility is not allowed to stock or release aquatic animals into the surface waters of the state" should mitigate the risk of pathogen transfer to aquaculture facilities or wildlife.

Funding (sources of funding that will be used, i.e., own financing, research, private, state, etc.):

n/a

Names (contact information for companies or persons who have agreed to work with you or speak in favor of the variance):

Name: _____ Company: _____

Address: _____

Phone: _____ Email: _____

Name: _____ Company: _____

Address: _____

Phone: _____ Email: _____

Stipulations required by the Board:

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____
7. _____
8. _____
9. _____
10. _____

Regulatory authority/contact: UDAF ☐ UDWR ☐

Comment:

Approval: Yes ○ No ○ Letter ○

Reset Form

Variance Proposal
Utah Fish Health Policy Board

The Fish Health Policy Board (FHPB) may waive an aquatic animal health testing / approval requirement established by the FHPB if: the waiver (variance) will not threaten other aquaculture facilities or wild aquatic animal populations; the variance is based on scientifically sound information and rationale: and the variance is documented appropriately (Aquaculture Ace 4-37-503(6)(d), Aquaculture and Aquatic Animal Health Rule, R58-17-12).

The requirements for aquatic animal health approval are listed in R58-17-15. Health testing and approval requirements differ for salmonids and other aquatic animals. A simplified summary of the health testing requirements follows. All aquatic animals must test negative for the pathogens listed in R58-17-15(D)(2) and (3). For non-salmonid aquatic animals, one inspection is required. Salmonids must pass two inspections conducted at least four months apart. Additionally, salmonids reside in the facility at least six months prior to the first inspection.

Requestor Name & Company: Loveland Living Planet Aquarium Date: April 2021
Address, Phone, Email, Fax: 12033 S Lone Peak Parkway Draper, UT 84020

List the contact information for companies, persons who have agreed to work with you or speak in favor of the variance: If project is proposed by a governmental agency, identify leadership that approved the project.

Name:		Name:	
Company:		Company:	
Address:		Address:	
Phone:		Phone:	
Email:		Email:	

Why does the proposed project require a variance from the aquatic animal health approval requirements (R58-17-15)? You may contact UDAF (801-538-7046) if assistance with R58-17 is needed.

Health Approval is required for in-state transfers of sport fish and native species.

Health approval for aquatic animals is based on the statistical attribute sampling of each lot of aquatic animals at the facility. The minimum sampling rate to obtain a "95% confidence level, assuming a 5% carrier prevalence for the prohibited pathogens" would eliminate the lot of aquatic animals being tested.

Health inspections are impractical for display aquariums that house a vast array of different animals, but only a few individuals of each species.

NOTE: The FHPB can waive aquatic animal health testing requirements, but is not be able to amend licensing restrictions of the Wildlife Board or other agencies.

List the agencies that have issued Certificates of Registration (CORs), Boards that have granted a variance from a Rule for your facility and/or the destination facility (i.e. The Certification Review Committee, Wildlife Board, Fish Health Policy Board, etc.). **ATTACH COPIES OF ALL CORs AND PREVIOUS VARIANCES**

LLPA has the following CORs from the Division of Wildlife: 1DISP5757; 4POSS9732, 1POSS8820

LLPA has had several variances from the FHPB over the years. The 12 November 2020 variance updated / replaced previous variances. The 12 November 2020 variance allows LLPA to acquire aquatic animals from non-health approved sources if the species and size required are not available from Health Approved sources. The 12 November 2020 variance is not limited to a specific list of species. Another variance (granted in May 2019) allowed for the acquisition of non-health certified crustaceans for use as food items or display. The May 2019 variance stipulated that brine shrimp must originate from the Great Salt Lake. Since

the 12 November 2020 did not address brine shrimp, the May 2019 variance and the stipulation that brine shrimp must originate from the Great Salt Lake is still in effect.

Describe the project / activity that require a variance from aquatic animal heath testing requirements:

Loveland Living Planet Aquarium would like the ability to transfer sport fish and native species to other instate display aquariums, if animals outgrow their enclosures or reach a size class that makes them incompatible with other animals in the display.

LLPA performs animal euthanasia for 2 reasons; medical and management. Typically, every effort is made by aquarium staff to provide medical treatment and therapy to specimens before a euthanasia decision is made. LLPA does euthanize animals for management reasons however every opportunity is exhausted to place the animal at another display facility. A variance that allows LLPA to transfer aquatic animals to display aquariums in Utah would increase the options available to LLPA and its animals.

Health approval for aquatic animals is based on the statistical attribute sampling of each lot of aquatic animals at the facility. The minimum sampling rate to obtain a"95% confidence level, assuming a 5% carrier prevalence for the prohibited pathogens" would eliminate the lot of aquatic animals being tested.

The ability to transfer aquatic animals that no longer fit into a LLPA display to another Utah aquarium without conducting a health inspection would increase the number of options available to LLPA and its animals.

Large sportfish and native species may be valuable assets for other aquariums. The FHPB has granted variances to allow aquariums (LLPA, Cabela's) to collect animals from the wild that are not available from Health Approved Sources. The FHPB has also granted a variance that allows DWR to provide native species for educational displays. A variance that allows for the transfer of non-health approved species between instate aquariums and displays may reduce the need to collect non-health approved species from the wild.

Project Time Frame and Reporting Dates

Beginning Date	Ending Date	Will you report project outcome to the FHPB?
April 2021	None: Ongoing need for transfers	On a 5-year basis

List the species, number and age/size of the animals you would like to transfer as well as the source and destination of the animals.

Species: _____
Numbers: _____
Age/size: _____

Species: _____
Numbers: _____
Age/size: _____

Source
Facility/Location Name: LLPA
Address: 12033 S Lone Peak Parkway
HUC: _____
UTM: _____
Latitude, Longitude: 40.532351, -111.894055

Destination
Facility/Location Name: DWR licensed Aquariums
Address: _____
HUC: _____
UTM: _____
Latitude, Longitude: _____

List the health inspection history for the source facility/location and the destination. Enter NA if not applicable. Attach last know inspection report. Enter NA if not applicable.

Source Health Inspections
NA

Destination Health Inspections
NA

Describe the scientific rationale for which a variance from health testing requirements should be granted.

Health approval for aquatic animals is based on the statistical attribute sampling of each lot of aquatic animals at the facility. The minimum sampling rate to obtain a"95% confidence level, assuming a 5% carrier prevalence for the prohibited pathogens" would eliminate the lot of aquatic animals being tested.

Some animal or transfers are exempt from inspection and the Health Approval requirements. The Aquaculture Act exempts aquatic animals from the Health Approval requirements if the transfer of live aquatic animals to an out-of-state destination is approved by the receiving state. The Aquaculture and Aquatic Animal Health Rule R58-17 exempts ornamental species from Health Approval requirements.

LLPA does a physical exam and issues a CVI prior to the transfer of an animal to another AZA accredited facility. The only instances where a Certificates of Veterinary Inspection is not sufficient to transfer aquatic animals to another aquarium is for the transfer of sport fish or native species to other in-state aquarium or facility.

Loveland Living Planet is requesting the ability to transfer aquatic animals that require Health Approval (sport fish or native species) to other display aquariums in Utah when:
1) the receiving facility has a current Display COR from the Utah Division of Wildlife;
2) the COR of the receiving facility lists the species to be transferred;
3) the receiving facility is not allowed to stock or; release aquatic animals to the surface waters of the state;
4) LLPA veterinarian can examine and sign a health certificate for the specimens prior to transfer

LLPA will report transfers of aquatic animals to other Utah aquariums in the annual report to DWR.

Describe/list the health risks involved with the proposed activity (i.e. what potential harm the variance may cause to the Utah aquaculture industry or public fishery resources) if the variance is granted

The transfer of non-health approved aquatic animals between display aquariums should pose no risk to Utah Aquaculture or wildlife. Display aquariums, like Loveland Living Planet Aquarium, are isolated systems with no connection to the waters of the State. Waste water enters the sewage / waste water system.

The stipulation that 'the receiving facility is not allowed to stock or release aquatic animals into the surface waters of the state should mitigate the risk of pathogen transfer to aquaculture facilities or wildlife.

Describe/list the benefit to the Utah aquaculture industry, the public, and/or public fishery resources that will result from the variance.

Allowing LLPA to supply native species or sportfish to other Utah aquariums may reduce the need for collections and the removal of animals from the wild. A decrease in collections from wild sites would reduce the possibility of fomite pathogen transmission to, or between wild sites.

The variance may reduce the need for LLPA to euthanize aquatic animals due to facility or management constraints.

Describe the methods used to decontaminate (clean) equipment used in the transfer of aquatic animals.

LLPA equipment used to transport animals is cleaned of gross debris with a high-power hose, or scrubbed with a brush. Tanks and submersible equipment are subject to a 500ppm bleach solution for 10 minutes followed by a neutralizing solution of sodium thiosulfate. A disinfection solution (1:10 Chlorhexidine) is applied to non-submersible for 10 minutes. All materials are stored dry following decontamination.

Describe the methods used to limit the transfer of aquatic invasive species.

All animals acquired by LLPA go through minimum 30 day quarantine with heavy observation prior to display. All aquaria are closed, independent recirculating systems with UV sterilization units. Animals will be examined by the Health Care team and issued a CVI prior to transfer to another aquarium.

Will aquatic animals be euthanized after the event? If so, describe the method of euthanasia and means of animal disposal.

The objective of the variance is to reduce the need for euthanasia of animals due to management concerns.