



**ELKO COUNTY WILDLIFE ADVISORY BOARD
COUNTY OF ELKO, STATE OF NEVADA
MINUTES for February 3, 2010 REGULAR MEETING**

- 6:00 P.M.** -- **CALL TO ORDER**
 Ken Wellington
- **PLEDGE**
- **ROLL CALL**
 Ken Wellington- Present
 Rod Mothershed- Present
 Tom Barns- Present
 Candido Mendive- Present

BOARD MEMBER ITEMS:

Pursuant to advice from the Nevada Attorney General's Office, this time is devoted to comments by Board Members for general information or update purposes. No action may be taken upon a matter raised under this item of the agenda until the matter itself has been specifically included on a successive agenda and identified to be an action item. Any correspondence received by a Board member may be read and attached for the record.

Ken Wellington stated that Craig Steven has stepped down from this Board due to a family illness that he needs to take care of.

Ken has attended the Jan 7th county commission meeting. Over the last several meeting there has been verbal abuse towards staff member of NDOW, Board members, and commission member.

Ken has several correspondences * see Attached*

Ken advised that Chairmen Lent sent a letter to Ken demanding an apology for statements Ken made at the December 2nd meeting. Ken said he immediately sent this to the Elko County District Attorneys office who responded that nothing was done wrong and quoted the following to be given to Chairmen Lent.

Ken read NRS. NRS 241.0353 into the record advising he forwarded this to other County Boards for information. The NRS concerned absolute privilege of certain statements and testimony.

- 1. Any statement which is made by a member of a public body during the course of a public meeting is absolutely privileged and does not impose liability for defamation or constitute a ground for recovery in any civil action.**
- 2. A witness who is testifying before a public body is absolutely privileged to publish defamatory matter as part of a public meeting, except that it is unlawful to misrepresent any fact knowingly when testifying before a public body.**

Ken has received a letter from Mr. Laughlin regarding the Heritage Fund and the Nevada plans for wildlife. *See Attached* He also received a correspondence letter from Chairman Lent about the Elk Project

COMMENTS BY THE GENERAL PUBLIC:

Pursuant to N.R.S. 241.020, 2(c) (3), this time is devoted to comments by the general public, if any, and discussion of those comments. No action may be taken upon a matter raised under this item on the agenda until the matter itself has been specifically included on a successive agenda and identified to be an action item.

Brandon Fordin mentioned, he would like on the agenda for next time, there are two spots on the State Wildlife Commission in June he would like a sportsman rep. from Elko on there.

ELKO COUNTY:

Informational update and all other matters related, thereto.

No County update

NEVADA DEPARTMENT OF WILDLIFE BIOLOGIST:

Informational update and all other matters related, thereto.

NDOW Biologist Caleb McAdoo spoke about the Sheep events the Ruby's and the East Humboldt's. There are 23 mortalities from the East Humboldt's and 7 from the Ruby's. NDOW has taken active steps to administer an antibiotic to the animals.

McAdoo also spoke about the Area 10 doe hunt and its results.

Ken will add the attachment from McAdoo to the minutes.

Approval of Minutes--

The ECABMW will review and approve previous meeting minutes from December 2, 2009.

Tom Barns made a motion to approve the minutes from the December 2, 2009 meeting.

Candido Mendive seconded the motion and the motion passed 4-0.

U.S. Forest Service Northeastern Travel Management Plan –
Discussion and informational update concerning the U.S. Forest Service development of the Northeastern Nevada Travel Management Plan.

Ken said that he was advised there was nothing to report.

Unit Specific Mountain Lion Hunt Committee report –
Sub Committee report, Discussion and possible action concerning unit specific Mountain Lion hunts.

Candido advised there were four people on the committee so far but they have been unable to meet.

Mule Deer Restoration Committee Report –
Sub Committee report, Discussion and possible action concerning mule deer restoration.

Tom stated that the committee had met and the following were discussed:

Elko County Mule Deer Restoration Committee Report

The committee met on 01/28/10 to discuss what could be done to enhance mule deer populations. We agreed that there is not a single solution but a combination of things that can be done together. Each different area is unique to itself and what needs to be done in one area and may not necessarily work in another area. We realize the suggestions we came up with will require cooperation with all public land management agencies and all public land users. It was mentioned that that heritage money could be used for specific projects and that there is money available for projects on private land that benefit wildlife as well. Some of the suggestions the committee came up with are as follows:

Predator Control – Work with Wildlife Services on specific areas to control coyotes and lions on winter ranges and fawning grounds.

Habitat Restoration – Seeding projects to try to re-establish lost habitat from burns.

Habitat Conservation –
Take a proactive approach to conserve and enhance the habitat we have left. We need to safeguard from large devastating wild land fires and look at what can be done with old decadent stands of sagebrush.

There is a need for grazing flexibility in permits. Reduction of fine fuel buildup on the uplands in our rangelands that enable fires to burn aggressively is needed. Also, by grazing these uplands, some browse usage and disturbance will occur which will allow new growth. Grazing can also be used to reduce cheat grass. We now have structured grazing systems that will allow more efficient grazing use without compromising our rangelands.

Green stripping to create fire breaks so thousands of acres aren't burned.

Sagebrush treatments to re-establish different age classes of sagebrush.

Cool season burns or prescribed burns

Spike treatments

Brush beating or aerating

Pinion-Juniper thinning

People Pressure- Deer herds are constantly being pressured by people. Seasons start in August and run into November followed by photographers and shed horn hunters. There is a need to somehow limit deer disturbance done by shed horn hunters and ATV use during the winter at times critical to mule deer. Evaluating the number of tags issued in certain areas is also something to consider.

Ken and Rod both supported Tom and Candido's sub-committees idea's and requested the sub-committee work with NDOW staff in effort to break down these ideas and to look for funding and possibly start or evaluate some of these suggestions.

Brandon Fordin sent a letter to Ken about this item.

Chris Jansen stated that a lot of places to start would be private land. Caleb stated that there were a lot of transition areas.

Tom makes a motion to forward to the state commission, Candido 2nd, Motion passed.

Commission General Regulation 372 – LCB File No. R115-09–

The Commission may adopt new language of defining certain antelope, elk, and deer physical descriptions for hunting. This includes antlered deer, antlered elk, and antelope horns longer than ears and shorter than ears. Antler defined. Cleanup of 502.390 Section 1(validation of tag) to be consistent with other regulations. Section 2 and 3 new language for when a person must validate a tag.

Rod made a motion to support the Departments recommendation.

Candido seconded the motion and the vote was 4-0 in support.

Commission Policy # 22–

Update and discussion concerning action taken by the State Board of Wildlife Commissioners on December 5, 2009, with Commission Policy # 22, which is concerning the Introduction, Transplanting and Exportation of Wildlife.

Ken said he put this back on our agenda to let the sportsmen know exactly what the new State Commission make up did to this policy.

Ken said that even after every County Board and a room full of sportsmen spoke out against the suggested changes to Policy 22, The new Commission makes up voted 5-4 to establish several changes in Policy #22 that basically brought the trap, transplant and relocation program to an end.

The Department staff tried to explain to explain what would happen with the program which is noted as the best in the country if the commission voted in their changes concerning predator control.

Ken said that the five commissioners did not listen to county boards, sportsmen present, sportsmen organizations or the NDOW staff who all asked that they do not change Policy #22.

Ken said that following there action the Department could not go forward with planned releases because of budget restraints this new policy caused.

Ken said he that following the meetings, Mr. Lent must have thought it through and saw the results of their action. Ken read the following letter into the record:

January 7, 2010

**Kenneth E. Mayer, Director
Nevada Department of Wildlife
1100 Valley Rd.
Reno, Nevada 89512**

Dear Director Mayer:

Per our phone conversation today, we discussed the situation whereby you have planned bighorn sheep releases for the period of January 12-18 into:

- 1. Jackson Mountain, Humboldt County**
- 2. Gold Buttes, Clark County**
- 3. Delamar Mountains, Lincoln County**
- 4. Meadow Valley Mountains, Lincoln County**
- 5. South Pahrocs, Lincoln County**
- 6. South Stillwater Range, Churchill County**

I appreciate your desire to implement the Commission's recently adopted policy of doing predator control before and after transplants are accomplished in order to give the animals a better chance of establishment and survival.

I understand Wildlife Services, who have contracted with you to do the predator services in these areas, is not able to complete all the assessments and control work in these areas before the bighorn releases occur. You have been assured that through the end of January and February they will be able to continue to conduct their predator assessments and control work for these sites as listed above.

I also understand timing of the above transplants is critical to your program. In this regard, this Commission will do everything possible to help you in your management of this agency.

Therefore, in this situation an exception is warranted and I think it would be appropriate for you to proceed with these transplants at this time.

**Sincerely,
Gerald A. Lent, O.D.
Chairman
Nevada Board of Wildlife Commissioners**

Ken explained that it's obvious Chairmen Lent can see now that his group of commissioners has made an error.

**Migratory Waterfowl Flyways- new Northeastern Nevada Zone –
Update and discussion concerning the new recommended “Migratory Waterfowl Flyways Northeastern Nevada Zone.”**

Ken said that he put this on the agenda to keep the public and sportsmen informed. Ken said that he had recently heard from a reliable source that Chairmen Lent was so upset with the Elko County Advisory Board minutes from the December 2nd meeting and Ken's statements that he has made several comments that he would make sure Elko County does not get their Migratory Waterfowl Flyways- new Northeastern Nevada Zone

Jeff Mackey said that he appreciated the stand our Elko County Board had taken to support this new flyway and would help in anyway he could.

Ken just wanted to keep everyone updated so if and when this came forward we would all know the motivation behind it.

Heritage Committee –

The Commission will be hearing a report on the Heritage Account's interest and principal from Deputy Director Patrick Cates. Chairman Lent will report to the full Commission on the Heritage Committee's meeting that occurred on Jan. 7, 2010, and may ask that the Commission take action on the committee's recommendation for harvest control for Heritage and Partnership in Wildlife (PIW) tags in big game units.

Pat Laughlin said that someone is going to come get this money.

Ken, Rod, Candido and Tom all were concerned that there was not enough support material to explain the purpose of changes and voted 4-0 to ask the Commission to either table this item or return it to County Boards and Public for input.

Legislative Committee-

Commissioner Capurro will be reporting to the full Commission on the Legislative Committee meetings on Jan. 7 and Jan. 22, 2010, and may ask that the Commission take action to support or oppose the Department's conceptual ideas for Bill Draft Requests (BDRs) and other non-Department BDRs

Rod said he was missing the support pages from his packet and could not

Ken said he spoke with Kim Jolly from the department earlier in the day and was assured that Mr. Capurro's proposal was for discussion only. Ken said he expressed his concern to Jolly about these 5 commissioners attempting to push something through without public input.

Ken reminded everyone how much trouble we had fighting this last legislative session.

Ken, Rod, Candido and Tom all were concerned that there was not enough support material to explain the purpose of changes and that they had not received all the support material that was dated 01/28/2010 or given out in support by department.

They also expressed were concerns that the current Commission make up could push these items through this next legislative session, as they have on other issues and policies without considering CAB or public input.

Candido made a motion to not support any changes until our Board and public were allowed to review support material. Rod seconded the motion and the motion passed 4-0.

Commission General Regulation 374 – Archery Tackle - LCB File No. R114- 09

The Commission may adopt a regulation requiring a person who wounds or otherwise injures any wildlife while hunting to make a reasonable effort to take that wildlife; authorizing the use of an arrow with an illuminated nock; prohibiting the use of certain other arrows; and providing other matters properly relating thereto.

Tom makes a motion to support, Rod 2nd, motion passed 4-0

Commission General Regulation 377 – Americans with Disabilities Muzzleloader Accommodations (ADA) LCB File No. R138-09-

The Commission may adopt a regulation authorizing the Department of Wildlife to issue a scope permit to a person with a visual disability under certain circumstances; and providing other matters properly relating thereto.

Candido make a motion to support. Rod 2nd, Motion passed 4-0

Commission Regulation 10 – 01 2011 Heritage Tag Quota and Seasons –

The Commission will adopt the Heritage tag species, seasons, and quotas for the 2011 season.

Ken said that he felt the Heritage fund could lose up to \$75,000.00 if this tag was dropped from 3 to 1. Ken also said that sometimes less tags draw more money.

Ken made a motion to support what the department biologist recommendations would be. Also in the motion was the wording under Wild Turkey should be consistent under seasons with other hunts, such as “The Saturday next preceding” be added at beginning.

Candido seconded the motion and the motion passed 4-0

Commission Regulation 09 – 05 Amendment #1 Big Game Season Dates–

The Commission will consider revisions and adjustments to the 2010 bighorn seasons, PIW hunts, and bighorn sheep indoctrination dates.

Jerry Smith said the proposal makes the tags attract people to put in. Jerry felt that we should never give up a hunt area for fear they will continue to take hunts away from sportsmen.

Ken makes a motion to support, and accept PIW unit 53, he'd rather see the quota drop instead of the unit, Rod 2nd, and Motion passed 4-0.

MEETING CALENDAR:

The next State Wildlife Commission meeting is scheduled for February 5th and 6th in Reno with the following meetings March 19 and 20th in Las Vegas and May 14th and 15th in Reno for Big Game Status Report and Quota Setting.

Elko County Wildlife Board's future meeting date will be March 17 2010.

Discussion of upcoming meetings and all other matters related, thereto.

Ken advised he would be attending the February meeting in Reno.

ADJOURNMENT

Candido moved to adjourn the meeting

Rod seconded the motion and the meeting was adjourned with a 4-0 vote.