

Washoe County Advisory Board to Manage Wildlife

DRAFT OF MINUTES

Monday ~ November 29, 2010 ~ 6:30 p.m.
Nevada Department of Wildlife
Conference Room B
1100 Valley Road, Reno, Nevada

MEMBERS

Rex Flowers, Chair
Rick Smith, Vice-chair
John Reed, Secretary
Glen Copeland
Daryl Harwell

1. PLEDGE OF ALLEGIANCE *

Chair Flowers led the Pledge of Allegiance.

2. CALL TO ORDER AND ROLL CALL *

Chair Flowers called the meeting to order at 6:30 p.m. A quorum was established.

PRESENT: Glen Copeland, Rex Flowers, Daryl Harwell and Rick Smith.

ABSENT: John Reed.

3. APPROVAL OF SEPTEMBER 16, 2010, MINUTES

It was moved by Member Copeland, seconded by Member Harwell, to approve the September 16, 2010, minutes, as submitted. The motion carried: Members Copeland, Harwell, Smith and Chair Flowers assenting; and Member Reed absent.

4. PUBLIC COMMENTS *

Don Molde commented that, in his opinion, it was an abysmal act by the governor (Jim Gibbons), who he believes has done little to keep NDOW (Nevada Department of Wildlife) in good health and is insulting to Governor Elect Brian Sandoval to terminate NDOW Director Ken Mayer this past week. Mr. Molde recalled his experience and involvement with the agency starting with NDOW Director Griffith some years ago. Mr. Molde encouraged those present to contact the Governor Elect and his transition team to reinstate Mr. Mayer as the director.

Bob Brunner concurred that he too believes it was disrespectful to Governor Elect Brian Sandoval to terminate Mr. Mayer, which has caused significant disruption to the agenda. Mr. Brunner challenged the Commission (Nevada Board of Wildlife Commissioners) to put forth the names of better candidates.

Don Klebenow recalled that part of his work from 1971 through 1988 had been to develop budgets and research for the agency. It is Mr. Klebenow's belief that Mr. Mayer has done a very good job and pointed out his recognition for science as the basis for wildlife management.

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Tom Wilson commented that he had received a significant number of email messages and telephone calls on the termination of Mr. Mayer it's timing occurring just six (6) weeks prior to Christmas. Of particular concern is the disregard by the governor (Jim Gibbons) to tell the press the reasons for the termination. Mr. Wilson stated that he and the sportsmen who contacted him are offended by the termination.

Joel Blakeslee stated he would like to see Ken Mayer reinstated as Director.

Mel Belding concurred with Mr. Wilson statements and encouraged all sportsmen and sportswomen to join forces to address the issue. It is Mr. Belding's belief that the Commission is as much to blame for the termination as Mr. Gibbons.

- 5. BOARD MEMBER MEETING ASSIGNMENT –** *A discussion and selection of member(s) to attend the Nevada Board of Wildlife Commissioners meetings on: 1) December 3 and 4, 2010, in Reno, Nevada; and 2). February 4 and 5, 2011, in Las Vegas, Nevada.*

Member Harwell will attend both the December 3 and 4, 2010, meeting in Reno, Nevada.

Chair Flowers and Member Smith may also attend one or both days.

Member Copeland will attend the February 4 and 5, 2011, meetings in Las Vegas, Nevada.

6. COMMITTEE, MEMBER AND LIAISON UPDATES *

6-1). Correspondence (including sportsmen's concerns) and Announcements – Chair Flowers drew attention to correspondence from Ed Sontiger – Coalition for Nevada's Wildlife asking that the County Game Boards agendize the termination of Ken Mayer; Tina Nappe encouraged individuals to contact Governor Elect Brian Sandoval on the termination at www.sandovalstransition.com; Dr. Paul Dixon – Chair Clark County Advisory Board to Manage Wildlife, also encouraged contacting Governor Elect Sandoval. (Copies of all correspondence is on file).

6-2). Overview of the September 24 and 25, 2010, Nevada Board of Wildlife Commissioners meeting – Chair Flowers provided an overview of Commission (Nevada Board of Wildlife Commissioners) actions: 1) Wolf status – The Commission was asked to delay any action pending an attempt to have Wolves removed from the Endangered Species Act. The Commission took action to petition the U. S. Fish and Wildlife Service to delist Wolves; 2) The Resolution from Elko on multiple land uses was also adopted by the Commission; 3) Heritage Project 11-17 on the removal of Mountain Lions and inequities of the proposed plan a motion to table the matter failed on a vote of 5-3-1 with one abstention. Plan passed. 3) The Commission directed that NDOW develop a Bear Hunt and pertinent regulations, which will be reviewed later in tonight's (November 29, 2010) agenda.

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6-3). Update and status report on the Washoe County Predator Control Project and the Wildlife Damage Management Subcommittee – No report.

6- 4). Member Liaison updates * – **a) Wildlife Damage; b) Finance and Administrative Procedures; c) Legislative; d) Heritage; and e) Muledeer Restoration** – There were no updates provided.

7. RUBY PIPELINE UPDATE * – *An informational update on the development/construction of the Ruby Pipeline, detailed map and the project's effect on the State of Nevada's wildlife.*

Mark Freese – Habitat Specialist, drew attention to a map showing the extent of the Ruby Pipeline in Washoe County and provided an overview of the ±\$8.8-million in mitigation funding being held in an interest bearing account. Mr. Freese explained that the mitigation funds must be encumbered within five (5) years and that mitigation projects must meet specific guidelines for Pygmy Rabbits and Sage Grouse that are affected by the pipeline which is some three (3) months behind schedule. Mr. Freese emphasized that the mitigation must occur in the disturbed areas therefore making it unlikely that funds could be used for other projects in Washoe County. Project proposal will be reviewed by an independent third party with Mr. Freese acting as the liaison between the CAB (County Advisory Board) and the team comprised of BLM (Bureau of Land Management), NDOW (Nevada Department of Wildlife) and others to evaluate and make recommendations on project proposal that may come from either agency or the CAB. The intent is to develop a link on the NDOW website for the project. Mr. Freese encouraged those present to contact him directly with for additional information. Mr. Freese then noted that private land owners receive compensation based on their confidential negotiations with the Ruby Pipeline representations and that about 20-percent of the project awaits cultural approvals. Mr. Freese explained that the project must rehabilitate roadways and revegetation of disturbed areas. The third party reviewer will be responsible for assuring that mitigation is completed as required

Mel Belding outlined concerns that the construction will disrupt migratory route for wildlife as well as adverse impact to riparian habitat. The enforcement of mitigation measures will, in his opinion, place an additional burden on the department to assure that piping and other construction activities do not disrupt migration.

Mr. Freese noted hat Biologist Chris Hampson had flown the area and that there were breaks that will allow wildlife migration.

8. SWAN HUNT UPDATE * – *An informational update on how to begin the process of adding the Scripps Wildlife Management Area to the list of options available in the State of Nevada for Swan seasons.*

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Russell Woolstenhulme – Waterfowl Biologist, recalled the previous meeting and discussions with the U. S. Fish and Wildlife Service about the expansion of the swan hunt areas. Mr. Woolstenhulme explained that it was determined that the State may set the areas. The proposal being submitted to the Commission (Nevada Board of Wildlife Commissioners) will open all areas of the state except Elko and White Pine Counties which have known populations of Trumpeter Swans. The intent is to avoid areas at Ruby Lake and other nearby water sources that may attract Trumpeter Swans. Over the past fifteen years only two (2) Trumpeter Swans have been harvested. It is thought that the season will be established in August 2011 with a hunt zone being brought to the Commission in February 2011. Once approved by the CAB's (County Advisory Boards) and the Commission the Pacific Flyway will be apprized of the decision. Mr. Woolstenhulme provided a handout (copy on file) that details the tag sales and harvest since 1969. Mr. Woolstenhulme explained that it appears that by expanding the hunt areas that more tags may be sold as hunters will have an opportunity to hunt closer to their home base thus preserving the 650 tags allocated to the State of Nevada. Additionally, there is interest in other parts of the flyway to expand the hunt areas.

9. PETITION TO BAN TRAPPING IN THE ARMS CONGESTED AREAS OF WASHOE COUNTY –*A review, discussion and possible recommendation to approve, deny or otherwise modify a petition to ban trapping in the Arms Congested Areas of Washoe County.*

Chair opened the agenda item advising that public comment will be limited to not more than three (3) minutes per person.

Patricia Swain – Trailsafe Nevada, provided an overview of previous meetings and actions and explained that a compromise had been reached with the Trappers Association to limit trapping in certain portions of the Arms Congested areas of Washoe County.

Mark Jensen - USDA (United States Department of Agriculture) Wildlife Service, noted that he had not attended those meeting and had not been consulted or involved in the discussions leading up to the compromise agreement. Of particular concern is that there is no specific provision that exempts federal and state employees from the ban in the conduct of their work related duties.

Tom Wilson explained that he had volunteered to act as the mediator in the discussions. Mr. Wilson noted that the intent of the amendment is focused on valid trapping permits that are not related to the duties and functions of local, state and/or federal agencies.

Elaine Carrick spoke in favor of the proposal noting that it would address issues of domestic animals being caught in traps in the congested areas of Washoe County Ms. Carrick asked that the CAB (County Advisory Board) and the Commission (Nevada Board of Wildlife Commissioners) approve the request.

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Sandy Brenke commented that as a child her parents had taught her that all living things have a right to life and that killing is immoral and reprehensible. Ms. Brenke believes that the torture and murder of another species cannot be condoned and that there should be no issue with the banning of trapping.

Christine Schwamberger provided a handout (copy on file) and expressed her support for the petition and asked that the CAB recommend that the Commission approve the proposal.

Mark Hutchison - Critter Control of Reno, asked that the petition not be approved as there was no participation by pest control professionals that might be harmed by the ban on trapping. Mr. Hutchinson explained that Critter Control of Reno specializes in the removal of nuisance wildlife and operates with a commercial business license to provide such services to homeowners and others.

Mr. Wilson explained his understanding that this particular amendment focused solely on NDOW issued trapping licenses/tags rather than licenses issued for private commercial enterprise.

Joel Blakeslee – Nevada Trappers Association, apologized for not involving Wildlife Services in the process and outlined concerns that had been identified as it relates to issues such as the trapping of mice. Mr. Blakeslee explained that the proposal is acceptable to the Trappers Association as it prohibits trapping within 1,000 yards of a residential structure. Mr. Blakeslee noted that the proposal should also send a message to dog and cat owners to confine their animals to their own property. Mr. Blakeslee explained that under the proposal trapping will be allowed in certain parts of the Arms Congested Areas of Washoe County except within 1,000 yards of residential development.

Ira Hansen commented that, in his opinion, not all trappers were involved in the process that resulted in the proposed compromise. Mr. Hansen noted that TrailSafe's ultimate goal is to ban trapping statewide. Additionally, it is Mr. Hansen's belief that trapping is a state rather than wildlife issue and recalled that the City of Sparks had tried to ban trapping in the past. Mr. Hansen then noted that compromise typically results in the loss of freedoms for sportsmen and that there are already statutes in place that are designed to address cases such as the one in Rock Park.

Chair Flowers closed public comment.

Member Copeland commented that it appears that not all issues have been resolved and that he cannot support the ban as it does not appear to be necessary.

Member Smith stated that he could support the request and pointed out that Ms. Swain – TrailSafe and Mr. Blakeslee – Nevada Trappers Association, had worked to develop a

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compromise position. Mr. Smith suggested that clarification be added to the proposal making it clear that local, state and federal agencies are exempt from the ban in as a function of their agency.

Member Harwell commented that he too could support the petition so long as the concerns about exemptions are addressed.

Chair Flowers drew attention to NAC (Nevada Administrative Code) 504 noting that trappers have been asked to give up more and more areas in Washoe County. Mr. Flowers recalled that the matter had been brought forward as a public safety matter and now domestic and feral animal issues as part of the urban interface as the region continues to grow. Chair Flowers noted that he had reviewed the TrailSafe website and that he believes the ultimate goal is to ban trapping entirely in the state of Nevada. Chair Flowers pointed out that a large number of trapping licenses are in Washoe County and that he does not believe it is proper to eliminate trapping. Of particular concern is that Washoe County does not have an ordinance that deals with feral animals and that Washoe County Regional Animal Services has indicated that they do not have the resources or personnel to address feral animals, which currently falls under the jurisdiction of the Nevada Humane Society. Therefore, Chair Flowers cannot support the petition as it is a piecemeal process that will ultimately ban all trapping in the State of Nevada.

It was moved by Member Copeland, seconded by Chair Flowers, to recommend that the Nevada Board of Wildlife Commissioners deny the TrailSafe petition to ban trapping in the Arms Congested Areas of Washoe County.

Mr. Wilson stated that he believes a denial of the petition will result in legislative action that will ban all trapping in the State of Nevada. Mr. Wilson urged members to deal with the issue locally rather than at the state level.

Ms. Swain commented that she felt betrayed as she had worked with the Nevada Trappers Association as directed by both this body and the Commission only to have the petition recommended for denial.

Ms. Carrick recalled that the board had heard an hour of testimony supporting a trapping ban at the August (2010) meeting. The proposal will still allow trapping in areas that are not close to existing residential development.

Mr. Blakeslee stated that he does not believe that trapping is a public safety issue and that he would prefer that the CAB approve the matter rather than having the issue addressed by either the County or State. Mr. Blakeslee noted that he had not supported the use of any map other than the 2002 map to avoid having an ever expanding area where trapping is prohibited. The distances are different for public trails at 1,000 feet and residential

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development at 1,000 yards. It is Mr. Blakeslee's belief that this is a political rather than a biological issue.

Ms. Swain noted that the 2007 petition had been for a ban on trapping within 1,000 feet of public trails and that the current petition is to ban trapping in the Fire Arms Congested areas. Ms. Swain noted that there are four pages on the TrailSafe website dealing with trapping incidents and that the proposal was developed in good faith with Mr. Blakeslee and the Trapper's Association.

Mr. Hansen stated that as an elected representative of Washoe County and sportsmen he would fight to keep trapping and other issues of interest for Nevada's sportsmen and women in place.

Alan Moss noted that dogs are difficult to remove from a trap and that when at-large dogs are seen at cattle ranches they are typically shot on site as they destroy cattle.

Mr. Hutchinson noted that there is still some concern about the effect of the amendment on pest control companies such as Critter Control and Orkin that use scissor traps on gophers. In addition to rodents pest control companies also trap feral dogs cats and certain other nuisance animals.

Member Copeland stated that while he is not a trapper he believes trappers have certain rights that this particular petition will take away. Mr. Copeland noted that there are existing regulations to deal with illegal trapping and that he cannot support the petition.

Member Smith commented that he believes Ms. Swain made a good point when she was advised during the August 2010 meeting to work with the Trappers Association to find common ground that both sides could agree to. While Member Smith neither supports nor opposes trapping he believes the matter should be resolved locally without involving the legislature.

Member Harwell concurred with Member Smith and that he cannot support the motion for denial.

Chair Flowers noted that he had discussed the issues with Mr. Blakeslee and that he believes this proposal affects too many individuals.

The motion to recommend denial failed: Member Copeland and Chair Flowers assenting; Members Harwell and Smith dissenting; and Member Reed absent.

It was moved by Member Smith, seconded by Member Harwell, to recommend that the Nevada Board of Wildlife Commissioners approve the petition to ban trapping in the arms congested areas of Washoe County. The motion to recommend approval

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failed: Members Harwell and Smith assenting; Member Copeland and Chair Flowers dissenting; and Member Reed absent.

Chair Flowers noted that matter will be sent to the Commission for final action.

The meeting recessed at 8:14 p.m. and reconvened at 8:25 p.m. A quorum was established. Member Reed absent.

- 10. COMMISSION GENERAL REGULATION NUMBER 393, Black Bear Hunt, Temporary – T004-10 –** *A review, discussion and possible recommendation to the Nevada Board of Wildlife Commissioners to approve, deny or otherwise modify a proposal to adopt a temporary regulation relating to revising provisions governing the establishment of a Black Bear Hunt, eligibility waiting period requirements, bonus point program, weapons restrictions, tag fees and other matters related thereto.*

Chair Flowers opened the agenda item and emphasized that season dates and quotas would not be set since this action will propose adoption of a regulation to establish a Black Bear Hunt.

During the discussion, Carl Lackey - Game Biologist, explained that the use of a dog in the bear hunt was the best way to determine the animal's sex. Other discussion recalled some earlier suggestion that edible portions had to be taken as well as an indoctrination class. As the discussion continued, it was noted that the hide, skull and edible portions along with evidence of the animal's sex would be used to collect additional data that would further enhance the body of data already on file. Discussion then turned to fees. It was suggested that perhaps the fees were somewhat low and should be increased to assure that the revenues are sufficient to allow staff to further their research. Other discussion noted that there are some ±300 Black Bears in the region ranging through the Caron, Pine Nuts and Virginia range as well as the Sierra. It was emphasized the NDOW (Nevada Department of Wildlife) does not relocate trouble or nuisance bears to other locations but rather uses aversion conditioning so that the animal can stay in place. It is anticipated that the Commission (Nevada Board of Wildlife Commissioners) will set season at the February 2011 meeting with quotas established at the May, 2011 meeting. The intent is to close the season when twenty (20) animals are harvested or three (3) sows are harvested.

Chair Flowers opened the meeting to public comments.

Elaine Carrick noted her concern with the statements made thus far and explained that she believes there will be more public testimony at the Commission meeting on the matter. Ms. Carrick recalled that Black Bears have been protected since 1929 and that she questions the need for a hunt. Additionally, Ms. Carrick would like to hear what the hunt is intended to accomplish and how a sow and cubs will be dealt with if the sow is killed. Ms. Carrick noted that proper storage of waste is the better deterrent than a hunt.

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Chris Schwamberger outlined her opposition to the proposal and questioned how game wardens would be able to enforce the regulations. Ms. Schwamberger noted that she is not convinced that there is sufficient population to support the proposed hunt.

Don Molde outlined his opposition to the use of dogs in the Black Bear hunt, especially when allowed to do so off-leash or without sufficient supervision in congested areas of the Tahoe Basin.

George Corner - Nevada Outfitters and Guide Association, commented expressed support for the proposal and noted some concern about limiting the hunt from sunrise to sunset in the event a hunter cannot bring the bear back before sunset.

Jerry Lowery commented that Mr. Lackey was very competent and that he believes he knows more about Black Bears than anyone else in the State of Nevada. Mr. Lowery noted that, in his opinion it is a right and privilege to hunt that is part of the heritage of the state and the country.

Chair Flowers closed the public hearing and noted that Kathryn Bicker; Shelia Imsdahl; and Tina Nappe had submitted correspondence (copies on file) in opposition to the hunt.

Member Smith commented that while he has no specific desire to participate in a bear hunt he believes that it should be available to those that do have an interest. Based on the data presented by NDOW staff Member Smith believes that the population is such that a hunt should be an option. Therefore, Member Smith will support the proposal.

Member Harwell expressed his support for the proposal.

Mr. Lackey then noted that NDOW has more information on the bear population, mortality and survival rates over the past fifteen (15) years. Based on that, Mr. Lackey believes that the Black Bear population will continue to grow thus providing a sustainable population. Additionally, the Black Bear populations move freely between the States of California and Nevada and range from Oregon to the north, Sacramento Valley to the west and as far south as Lone Pine (California). Mr. Lackey explained that without dogs the success rate would fall dramatically and is one of the best ways to determine the animal's gender.

Chair Flowers noted that the hunt could not occur in the Fire Arms Congested areas and should eliminate the issue of dogs on private property. Chair Flowers suggested that the tag fees be increase to \$120.00 for residents and \$300.00 for non-residents with Section 4 being amended to included edible portions. Chair Flowers suggested a special management fee to assure that research efforts will be funded.

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It was moved by Member Smith, seconded by Member Harwell, to recommend that the Nevada Board of Wildlife Commissioners approve Commission General 393 Black Bear Hunt with the following modification. Member Smith recommended that the fee be increased to \$300.00 for non-residents, with no change to the \$100.00 fee for residents.

Bob Bronder noted that the Black Bear population will not be adversely affected by the hunt and pointed out that sportsmen provide the funding needed to pay for studies, management and enforcement.

Don Molde recalled a previous study which indicated that trapper fees do not cover the full costs of enforcement thus requiring the use of fund from other activities. Mr. Molde questioned whether the fees would cover the cost of enforcement during the season. Therefore, Mr. Molde suggests a comparative analysis of costs/revenues.

Mel Belding commented that the use of a dog in a bear hunt is necessary as it is the best way to determine gender once the bear is in a tree. Mr. Belding asked that the board recommend approval.

Chair Flowers recommended that the motion be amended to include edible portions in Section 4 Paragraph 1 and add a \$10.00 management fee.

Member Smith amended the motion to recommend that the Nevada Board of Wildlife Commissioners amend Section 4, Paragraph 1 to include edible portions; and 2) add a \$10.00 Management Fee. Member Harwell amended the second. The motion carried: Members Copeland, Harwell, Smith and Chair Flowers assenting; and Member Reed absent.

The meeting recessed at 9:16 p.m. and reconvened at 9:25 p.m.

- 11. CABMW (County Advisory Board to Manage Wildlife) BUDGET ADJUSTMENTS FISCAL YEAR 2011-2012 – A review, discussion and possible recommendation to the Nevada Board of Wildlife Commissioners to approve, deny or otherwise modify County Advisory Board to Manage Wildlife (CABMW) budget status reports and may make adjustments to CABMW budgets for Fiscal Year 2011-2012.**

Chair Flowers outlined his research into the Washoe County 2011-2012 budget request and explained that it appears that the budget will be adequate with a modest \$±\$900.00 surplus at the end of the 2010-2011 fiscal year, which ends on June 30, 2011.

No specific action was taken on this agenda item.

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- 12. COMMISSION REGULATION 11-02 – Noncommercial Collection of Reptiles and Amphibians for 2011-2012 –** *A review, discussion and possible recommendation to the Nevada Board of Wildlife Commissioners to approve, deny or otherwise modify of proposed 2011 and 2012 season and limits for Noncommercial Hobby collecting of live, unprotected reptiles and amphibians.*

Hearing no one wishing to speak in favor or, or in opposition to the request, Chair Flowers asked for a motion.

It was moved by Member Copeland, seconded by Member Harwell, to recommend that the Nevada Board of Wildlife Commissioners approve Commission Regulation 11-02 as submitted. The motion carried: Members Copeland, Harwell, Smith and Chair Flowers assenting; and Member Reed absent.

- 13. CHANGES TO REGULATIONS CONCERNING HERITAGE PROJECTS –** *A review, discussion and possible recommendation to the Nevada Board of Wildlife Commissioners to approve, deny or otherwise modify proposed changes to regulations concerning Heritage Projects NAC (Nevada Administrative Code) 533.300 to NAC 533.340.*

Chair Flowers opened the agenda item and outlined the suggested modifications.

Member Smith stated that the changes would modify NAC (Nevada Administrative Code) such that NAC conform to actions in the past year that were identified as violations of existing NAC.

Chair Flowers opened public comments.

Bob Brunner recommended that the proposed modifications be denied so that the Heritage Trust funds are used for the intended purpose.

Mel Belding concurred that the language should not be modified and suggested that stronger language be added that indicates Heritage fund cannot be used for predator projects.

George Corner commented that, in his opinion, the proposed changes should not be approved.

Joel Blakeslee concurred with Mr. Brunner and told the board “tell them no.”

Chair Flowers closed public comments.

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Member Smith stated that, in his opinion, the proposed modifications are “wrong” as the Heritage Fund was well thought out and properly written. The manipulation of the fund for purposes other than those intended as some see fit is inappropriate. Changes to the use of the funds should, in Member Smith’s opinion, come from sportsmen and the public not the Commission (Nevada Board of Wildlife Commissioners).

Member Harwell concurred with Member Smith noting that it appears the Commission is “trying to cover their tracks”.

Chair Flowers commented that it appears, in his opinion, that the proposal is a way in which the system can be worked to the benefit and agenda of certain individuals. Chair Flowers suggested a minor modification that moves the review date from April 15, to March 15 of each year.

Member Smith noted that such a date change would further impact NDOW (Nevada Department of Wildlife) staff and suggested that a stipulation that address project completion dates should be added so that an unfinished project has to resubmit for extension rather than after the fact as occurred earlier this year (2010).

Chair Flowers concurred noting that the person supervising the project must demonstrate the unusual circumstance that requires a time extension, which must be approved by the Commission.

It was moved by Member Smith, seconded by Member Harwell, to recommend that the Nevada Board of Wildlife Commissioners deny proposed changes to regulations concerning Heritage Projects NAC (Nevada Administrative Code) 533.300 to NAC 533.340.

Member Smith asked that the Washoe County Representative attending the meeting make the Washoe County CAB’s position clear.

Member Copeland concurred and noted that sportsmen already pay a fee for predator control and that the Heritage funds should not be used for predator control.

The motion carried: Members Copeland, Harwell, Smith and Chair Flowers assenting; and Member Reed absent.

14. **COMMISSION GENERAL REGULATION 394 - Temporary - Wolf Status – A review, discussion and possible recommendation to the Nevada Board of Wildlife Commissioners to approve, deny or otherwise modify a temporary regulation revising the status of Gray Wolves (*Canis Lupis*) from a game mammal to unprotected mammal and other matters related thereto.**

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Chair Flowers opened the agenda item and drew attention to a letter from Ken Mayer to Mr. Frasier on the matter.

Chair Flowers opened public comments.

Elaine Carrick noted that the Gray Wolf is currently on the Endangered Species List in the lower 48 states and she believes the legality of changing the status of Gray Wolves is in question. It appears that this is an attempt to circumvent the existing ruling. Ms. Carrick recommended that the board take no action until the legality of a status change can be clarified.

Don Molde pointed out that, in his opinion, the modification to the regulation would offer no protection to the hunter that harvests a Gray Wolf.

Don Klebenow explained that in his opinion wildlife management belongs to each state rather than the federal government.

Mel Belding noted that the original intent was to remove the Gray Wolf from the Endangered Species List once 150 breeding pairs were identified. Mr. Belding pointed out that there were now in excess of 1,500 breeding pairs of wolves that have decimated certain populations of Moose and other species. Mr. Belding emphasized that wolves are a "killing machine".

George Corner stated that he was speaking for himself rather than the Nevada Outfitters and Guide Association. Of particular concern to Mr. Corner is that a change in the status in the State of Nevada draws further attention to the state that has a Commission (Nevada Board of Wildlife Commissioners) that is intent on killing all predators.

Joel Blakeslee commented that unless the management of wolves is given to the states the wolf populations will go unchecked resulting in a situation similar to that of wild horses.

Chair Flowers closed public comments.

Member Harwell noted his concern about changing the status again and recalling when the request to change to a game mammal.

Larry Gilbertson – Chief of Game, noted that there were several good points to changing the status to unprotected mammal and pointed out that the original goal was to establish 150 breeding pairs of animals. Mr. Gilbertson noted the ongoing legal challenges to the current protected status. In the event that wolves develop a resident population in the State of Nevada and becomes a nuisance to ranching, the U. S. Fish and Wildlife Services has the authority to remove the animals. Mr. Gilbertson noted that there are some issues in determining whether a Wolf is wild or hybrid.

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Member Copeland expressed his support for the request and explained that wolves, in his experience, are killing machines as the hunt in packs and is evidenced by the decimation of the Moose population in the State of Wyoming.

Member Smith commented that wolves have become an issue in other states and created havoc in Yellowstone National Park. Member Smith concurred with Member Copeland's comments about wolves hunting in packs and being a killing machine. Therefore, Member Smith will support the proposal as presented.

Chair Flowers concurred with the request to change from protected mammal; to unprotected mammal.

It was moved by Member Copeland, seconded by Member Smith, to recommend that the Nevada Board of Wildlife Commissioners approve the temporary revision tot he status of Gray Wolves (Canis Lupis) from a game mammal to unprotected mammal, as proposed.

Mr. Klebenow concurred with Mr. Gilbertson statements and explained that, in his opinion it is wrong for states to surrender wildlife management to the federal government.

Mr. Belding commented that in his opinion, a failure to change the status to unprotected mammal would prevent the state from managing its wildlife. It is Mr. Belding belief that the best way to harvest wolves is from an airplane as is done in the State of Alaska.

The motion carried: Members Copeland, Harwell, Smith and Chair Flowers assenting; and Member Reed absent.

- 15. WILDLIFE WATER RIGHTS –** *A review, discussion and possible recommendation to the Nevada Board of Wildlife Commissioners (Commission) to approve, deny or otherwise modify correspondence from the Commission to the Nevada State Water Engineer in reference to the issue of transferring/giving water rights meant for wildlife to wild horses.*

Chair Flowers noted that there was no specific information on the matter and that it is his belief that the Commission (Nevada Board of Wildlife Commissioners) will be asked to proposal a letter.

Don Molde commented that he believes this is the result of a recent feral horse Committee meeting that was held in Fallon (Nevada). Mr. Molde explained that, in his opinion, Commission Chair Raine “has an obsession with water rights.”

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Mel Belding commented that wildlife cannot be removed or kept away from springs or other water source except when such resources are used for human consumption.

Member Smith stated that without adequate information he cannot make an informed decision on a recommendation for Commission consideration.

Member Harwell concurred with Member Smith and stated that he would not support the transfer of water for wild horse consumption.

Member Smith explained that water rights that are not meant for wildlife could be purchased for wild horse consumption.

George Corner commented that he believes the issue is related to the next agenda item in which Madelyn Pickens may seek the transfer of water rights intended for cattle for wild horse consumption.

Chair Flowers stated that without adequate support materials and/or proposed correspondence that the Washoe County Advisory Board to Manage Wildlife could not make any recommendation.

16. PICKENS HORSE MONUMENT – *A review, discussion and possible recommendation to the Nevada Board of Wildlife Commissioners to approve, deny or otherwise modify guidance to NDOW (Nevada Department of Wildlife) staff on the proposed Pickens Horse Monument in Eastern Nevada that may include a resolution and/or letter on the matter.*

Chair Flowers noted that Madelyn Pickens has purchased the ±600,000 acres of deeded and public land allotments as well as 26 water wells and springs as well as additional property in Warm Springs Ranch area of about 4,000 acres to serve as the entrance to the wild horse sanctuary. It is anticipated that Ms. Pickens will acquire 1,000 horses that are currently in BLM (Bureau of Land Management) holding facilities. Chair Flowers then drew attention to the Elko Commission's opposition due to grazing rights.

Don Molde noted that issues include, but is not limited to: 1) the use of privately held property; 2) respect for publicly owned lands; 3) use of BLM (Bureau of Land Management) allotments for wild horses; and 4) how the property will be fully fenced given its size. Mr. Molde noted that the BLM does not typically place wild horses on public lands if the definition of the BLM herd management is not met.

Joel Blakeslee commented that while he would not dictate the use of private property, he would not support the use of government funds or resources to stock and/or support the Pickens Horse Monument.

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Bob Brunner commented that the proposal needs to include details on how the property would be fenced to contain the wild horses as well as how riparian and grazing rotation will occur. Additionally, the plan should include scenarios for excess population in the future when carrying capacity has been exceeded.

George Corner noted that he had discussed the matter with some of the Nevada Outfitters and Guides Association members who have voiced opposition to the proposal. While the individuals agree with private property rights the proposed project includes public lands. However, the proposal does not adequately define the number of areas of public land that would be used.

During the discussion it was noted that this is a winter range for migratory Muledeer and that many of the water resources currently available to wildlife could be lost if wild horses are present.

Member Smith noted concern about the checkerboard public and private lands to be used in the project. While he agrees with private property rights he does not believe that public resources should be used nor should the project adversely affect public lands used by sportsmen and the public.

Member Harwell explained that he believes the Commission and NDOW (Nevada Department of Wildlife) needs significantly more information on the management and fencing of the property.

Chair Flowers commented that he believes the Pickens Horse Monument will have to be reviewed by the BLM and that the Commission should, in his opinion, stand against the change in cattle allotments for wild horse uses. Chair Flowers stated that the Pickens Horse Monument should, in his opinion, be fully contained on privately owned property without any public lands.

Mark Freese – Habitat Specialist, noted that the BLM had indicated that Ms. Pickens would have to submit a written proposal that includes how the monument will operate. Mr. Freese noted that NDOW would also provide comments on the project proposal.

It was moved by Member Smith, seconded by Member Harwell, to recommend that the Nevada Board of Wildlife Commissioners provide direction to Nevada Department of Wildlife staff on proposal correspondence pertinent to the proposed Pickens horse Monument.

Mr. Brunner suggested that there may be specific issues that NDOW should be directed to seek information on how riparian issues will be addressed along with how the property will be fenced.

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Member Smith amended the motion to add guidance on a resolution and/or correspondence on the proposed Pickens Horse Monument and that the management plan is brought to the County Advisory Boards for review. The motion carried: Members Copeland, Harwell, Smith and Chair Flowers assenting; and Member Reed absent.

- 17. INCENTIVE FOR EARLY APPLICATIONS FOR THE BIG GAME DRAW –** *A review, discussion and possible recommendation to the Nevada Board of Wildlife Commissioners (Commission) to approve, deny or otherwise modify NDOW (Nevada Department of Wildlife and Systems Consultants recommendations to the Commission regarding details related to the proposed incentive(s) for early application for the Big Game Draw, to include incentive type, milestones, limitations on participation, and other related matters.*

Chair Flowers provided an overview of the proposal to develop an incentive to encourage the early submission of applications in the form of a \$1,000.00 gift card at Cabella, Scheels or Bass Pro Shop.

Member Harwell noted concern about the application system “crashing” if too many applications were filed simultaneously.

It was moved by Member Smith, seconded by Member Harwell, to recommend that the Nevada Board of Wildlife Commissioners deny the recommendation to provide incentives for the early application for the big game draw. The motion carried: Members Copeland, Harwell, Smith and Chair Flowers assenting; and Member Reed absent.

- 18. COMMISSION REGULATION 11-01 – Raptors for Falconry –** *A review, discussion and possible recommendation to the Nevada Board of Wildlife Commissioners to approve, deny or otherwise modify proposed 2011-2012 season dates, species, quotas, hours, limits, closed areas, application procedures and deadlines, and take for Raptors for Falconry.*

It was moved by member Smith, seconded by Member Copeland, to recommend that the Nevada Board of Wildlife Commissioners approve the 2011-2012 season dates, species, quotas, hours, limits, closed areas, application procedures and deadlines, and take for Raptors for Falconry as submitted. The motion carried: Members Copeland, Harwell, Smith and Chair Flowers assenting; and Member Reed absent.

- 19. COMMISSION GENERAL REGULATION NUMBER 391, Guided Hunt Changes, T005-10 –** *A review, discussion and possible recommendation to the Nevada Board of Wildlife Commissioners to approve, deny or otherwise modify a temporary*

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regulation relating to a revision of provisions governing eligibility for the main draw if the application applied for the Restricted Nonresident Deer tag draw.

Chair Flowers provided an overview of the proposal.

George Corner, Nevada Outfitters and Guide Association, outlined the research that includes copies of meeting minutes and correspondence from Senator Carpenter as to the original intent of the regulation. This particular proposal will restore the original language. Mr. Corner noted that the outfitters and guide industry had seen a significant loss (e.g. ±\$495,000.00).

Member Harwell stated he could support the request to revert to the original language.

It was moved by member Harwell, seconded by Member Smith, to recommend that the Nevada Board of Wildlife Commissioners approve the modifications to Commission General Regulation 391, as proposed. The motion carried: Members Copeland, Harwell, Smith and Chair Flowers assenting; and member Reed absent.

20. MEMBER COMMENTS * – *Limited to emergent items not addressed elsewhere on the agenda. While the Washoe County Advisory Board to Manage Wildlife may not engage in discussion or take action on any item identified under this topic the matter may be placed on a future agenda for discussion and possible action or recommendation of action to the Nevada Board of Wildlife Commissioners.*

There were no member comments.

21. FUTURE MEETING AGENDA ITEMS * – *Selection of additional agenda item(s) for the Thursday, January 27, 2011, meeting.*

No new agenda items were identified.

22. ADJOURNMENT

Chair Flowers adjourned the meeting at 11:10 p.m.