

CABMW RECOMMENDATIONS for the February 10, 2010 Wildlife Commission Meeting

Eureka County Advisory Board to Manage Wildlife meeting results

Submitted by Vice Chairman Jim Evans via Eureka Department of Natural Resources

To the Wildlife Commission, c/o Executive Assistant to Director Suzanne Scourby, sscourby@ndow.org

Board members present: Chad Bliss, Jim Evans, and Mike Taylor.

Absent member: Chris Torres and Dale Hornickle

Others Present: Mike Podborny-NDOW, Scott Raine-Commissioner, Ryan Sandefer-BLM, Susan Cooper-BLM, Tom Darrington-BLM, Levi Winward-NDOW, Kathy Porter, and Jake Tibbitts

1. Action Item 3: Winecup Ranch Proposal for Wild Horse Management-Chief of Habitat

Dave Pulliam-Action

The Commission is being asked to review and approve a draft letter to the Secretary of Interior stating the Commission's opposition to the proposal to manage surplus wild horses on the public and private portions of the Winecup Ranch.

Recommendation

In Support In Opposition _____ **No Recommendation**

(place an X in the appropriate recommendation)

Other comments, including a dissenting viewpoint (different than the majority) or issue brought up during discussion:

Mr. Bliss moved to support the Commission in sending a letter to the Secretary of Interior stating the Commission's opposition to the proposal to manage surplus wild horses on public and private portions of the Winecup Ranch. Mr. Taylor seconded, motion carried unanimously.

2. Action Item 4 and 10: Commission General Regulation 374- Archery Tackle- LCB File No. R114-09 Chief Game Warden Buonamici

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 relation thereto.

Recommendation

In Support In Opposition _____

(place an X in the appropriate recommendation)

Other comments, including a dissenting viewpoint (different than the majority) or issue brought up during discussion:

Mr. Taylor commented that he thought it was already a requirement that a person who wounds or injures an animal should make every effort to take the wildlife. Mr. Taylor and Mr. Bliss did question who decides if the hunter has made a reasonable effort to take a wounded or injured animal since it is unclear in the language and that it would be useful to define "reasonable effort". Mr. Taylor also commented that he is glad the

language is being clarified for illuminated nocks because it will help hunters find their arrows quicker that will result in hunters finding the animal quicker. Mr. Taylor moved to support the regulation adoption. Mr. Bliss seconded, motion carried unanimously.

3. Action Item 5 and 11: Commission General Regulation 377-Americans with Disabilities Muzzleloader Accommodations (ADA)- LCB File No. R138-09-Management Analyst III Kim Jolly

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.

Recommendation

In Support In Opposition _____
(place an X in the appropriate recommendation)

Other comments, including a dissenting viewpoint (different than the majority) or issue brought up during discussion:

Mr. Taylor stated the language is fairly well written and the process is adequately put into place to limit a 1X scope permit to those people who really are in need of it. There was some concern stated of the safety to other hunters when in the area of a visually impaired hunter that has vision that is not correctable by eyeglasses. Mr. Bliss questioned the statement in the regulation “correctable by glasses or contacts” and wondered what level of vision achieved (i.e., 20/20) was considered corrected. Mr. Taylor moved to support adoption of the regulation to issue a scope permit to a person with a visual disability under certain circumstances. Mr. Bliss seconded, motion carried unanimously.

4. Item 6: Reports – Informational

B. CABMW Report on Mule Deer Overview Efforts Within Each County-

The Eureka County CAB has met with BLM representatives to discuss proceeding with wildlife enhancements projects on BLM administered lands within Eureka County. BLM has outlined the NEPA process and the steps that have to be taken to get a project off of the ground. The Board feels that it is necessary to have a good working relationship with BLM because of the large amounts habitat under the administration of BLM. In addition, the Board understands the need to have buy-in from the grazing permittees where projects would take place. Some projects immediately being pursued include thinning of pinion and juniper trees around specific high-value springs in southern Eureka County. The Board does not anticipate working with the water source itself due to all of the issues associated with water rights and the possibility of negatively impacting the spring source. However, the Board is planning on decreasing the density of trees around water sources to increase habitat area and provide more water recharge to the source.

5. Action Item: 8 Heritage Committee- Chairman Gerald Lent- Action

The Commission will hear 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.

The Board discussed this item in association with Action Items 12 and 13 below.

6. Action Item 9: Legislative Committee- Commissioner Daryl Capurro-Action

Commissioner Capurro will report 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 BDR's.

Recommendation

The Board did not make any formal recommendation but discussed some of the legislation below.

Other comments, including a dissenting viewpoint (different than the majority) or issue brought up during discussion:

Mr. Bliss questioned the need to create a legal defense fund given the fact that the Attorney General's office is supposedly already required to defend the Commission in the event of a lawsuit. The Board expressed concern that this measure would add an additional fee on the application. Mr. Bliss asked Commissioner Scott Raine if the Commission anticipated getting sued or if they predicted some near future need for a legal fund. Mr. Raine stated that he had missed the Committee meeting where they talked about this issue. Mr. Raine further commented that he is unsure what will happen but that currently, all past legal issues had been dropped. Mr. Taylor followed up by asking Mr. Raine if he would continue "to make people mad". Mr. Raine answered that he could not make that promise.

The Board discussed options to fix shed antler hunters from harassing elk and deer by either setting a season, requiring a permit or license and education on the effects of harassing deer and elk, especially while they are in their winter range and most susceptible to stress and disease. The Board felt that the educational aspect should be the main focus regarding any legislation on shed antler hunting (i.e., indoctrination classes or a permit after an educational course).

The Board decided to reserve their action on any proposed legislation until language is proposed under Bill Draft Requests.

7. Action Item 12: Commission Regulation 10-01 2011 Heritage Tag Quota and Seasons- Big Game Biologist Mike Cox- Action

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

In Support X In Opposition _____

(place an X in the appropriate recommendation)

Other comments, including a dissenting viewpoint (different than the majority) or issue brought up during discussion:

Mr. Bliss moved to approve as written with changing the Nelson Bighorn tag quotas from 2 to 1. Mr. Taylor seconded, motion carried unanimously.

8. Item # 13: Commission Regulation 09-05 Amendment #1 Big Game Season Dates Big Game Biologist Mike Cox- Action

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

In Support X **With stipulations outlined below.** In Opposition _____

(place an X in the appropriate recommendation)

Other comments, including a dissenting viewpoint (different than the majority) or issue brought up during discussion:

Mr. Bliss moved to accept the big game season amendments with the stipulation if there is not a hunt for the non-resident Rocky Mountain Bighorn sheep, non-residents will be able to buy a bonus point or have the ability to retain bonus points due to the risk of losing acquired bonus points; and with the recommendation that the Nelson Big Horn sheep tag decrease from 3-1 for at least 1 year to see how the change affects the overall harvest; and if the mule deer population decreases and quotas are reduced then the PIW tags and Heritage tags should decrease by the same percentage. Mr. Taylor seconded, motion carried unanimously.

Mr. Bliss asked Mr. Raine if he comment to the Commission regarding the PIW early rifle bull elk hunt, the over hunting of area 13 and the potential of losing the best genetics in those bulls. Mr. Bliss remembers Lincoln County bringing this up last year. After discussion it was agreed that this could possibly be fixed the board & wildlife commission considers changes to season dates.